



SCHOOL POLICY MANUAL



Organization:

The Guahan Academy Charter School is the first public charter school in the Territory of Guam located at Tiyan, Guam. Donna Dwiggin, Ph.D. first envisioned it in 2009. It is a 501(c)(3) non-profit corporation founded for the purpose of public school education. It is established as a prototype for the implementation of the National Institute for Direction (NIFDI) School-Wide Reform Model.

Governance:

The Guahan Academy Charter School is governed by a Board of Trustees which consists of not less than five (5) members and not more than nine (9) members. One (1) member shall be a parent or guardian of a student attending the school. At least one (1) member shall be from the general public with an account or finance background.

Mission:

The mission of Guahan Academy Charter School is to provide an equal opportunity, quality, tuition-free, public education grades kindergarten through 12 to all students regardless of sex, race, special needs, religion or belief.

LIMITATIONS ON USE OF THIS POLICY AND DISCLAIMER

The purpose of this Policy Manual and its companion Standard Operating Procedures is to provide support and guidance to the management and staff of the Guahan Academy Charter School. Nothing in this manual is intended to create nor does it create any enforceable rights, remedies, entitlements or obligations.

Guahan Academy Charter School reserves its right to change or suspend any or all parts of this Manual.

THE BOARD OF TRUSTEES

**CHAIRMAN OF THE BOARD
MAYOR ROBERT HOFMANN**



Trustee Mayor Hofmann currently serves as Mayor for the Municipality of Sinajana. He also is the Vice-President of the Mayors' Council of Guam, and previously was Vice-Mayor of the Sinajana community for 8 years. He was born and raised on Guam and has a keen interest in education. Trustee Hofmann operates and supervises the Mayor's Office, the Sinajana Senior Citizens' Center, the Community Sports Facility, the community outreach activities, and a GED education program for his constituents. Mayor Hofmann also serves as Principal of the St. Jude Catholic Church's Sunday School for high-school students.

Contact: 898-8142 • Email: guammayor@gmail.com

117A Chalan Guma Yuus, Sinajana, Guam 96910
P.O. Box 786, Hagatna, Guam 96932

**VICE CHAIRMAN OF THE BOARD
DAVID M. BLAS, JR.**

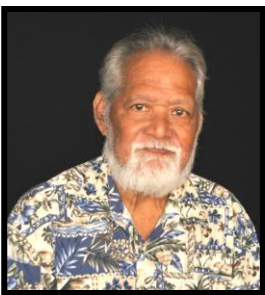


Trustee Blas was born and raised on Guam and is the father of six children, the youngest of which is a prospective student at the school. He was employed with the Guam Telephone Authority for 9 years and is currently a Master Sergeant in the Guam Air National Guard on active-duty status with a specialization in communications. His expertise in technology will be an asset in planning for the new school.

Contact: 687-3239 • Email: db.conus@gmail.com

190 Kindo Circle, Sinajana, Guam 96910
P.O. Box 3065, Hagatna, Guam 96932

**SECRETARY/TREASURER OF THE BOARD
KOISIMY RUDOLPH**



Trustee Rudolph is a native of the Federated States of Micronesia from Nukuoro, the Island of Pohnpei State. He graduated from Bethany College in Kansas with a Bachelor of Arts in Art (concentration in Ceramics). He is completing his Master's Degree in Art at University of Guam. Koisimy Rudolph is an award-winning sculptor/painter and an accomplished musician and composer. Trustee Rudolph is the President of the Federated States of Micronesia Church Leaders Association of Guam (FSMCLAG) Board of Directors. He has taught for 10 years in public schools and has 14 years of experience in higher education at Guam Community College and the College of Micronesia. Trustee Rudolph also served as a Board member of the Habitat for Humanity and has been a volunteer in the FSM Community on Guam for 8 years.

Contact: 797-1877 • Email: koisi.46@gmail.com

386 Lada Avenue, Dededo, Guam 96931
P.O. Box 23517, GMF, Barrigada, Guam 96921



MEMBER OF THE BOARD
ROSE RIOS OVERSTREET, M.Ed.

Trustee Overstreet is a Chamorro and holds a Masters Degree in Educational Administration and Supervision from the University of Guam. She also holds a Bachelor of Science Degree in Psychology from Chapman University in California and a second Bachelor of Science Degree in Elementary Education from the University of Guam. Trustee Overstreet worked in the Guam Department of Education for 25 years, serving as a teacher, building administrator, and program director where she has worked with the Direct Instruction Programs from each prospective. For 5 years, Trustee Overstreet was the Administrator for the Reading First Center with the Guam Department of Education and oversaw the implementation of the school reform initiatives. In this capacity, she was responsible for supervising the work of 40 building-level curriculum coordinators and five district-level coordinators, as well as support staff and a \$10 Million to \$15 Million Annual Budget.

Contact: (281) 798-0672 • Email: rs_rios@yahoo.com
20653 Southwood Oaks Drive, Porter, Texas 77365



MEMBER OF THE BOARD
KURT E. ENGELMANN, Ph.D.

Trustee Dr. Kurt E. Engelmann is the Administrative Director and President of the National Institute for Direct Instruction (NIFDI). As such, he is responsible for organizing administrative support for Direct Instruction (DI) implementations serving as liaison between school district administrators and NIFDI, and coordinating medium and long-term planning of NIFDI implementation efforts. Under his direction, NIFDI has implemented the DI model in elementary schools and middle schools serving highly at-risk populations in a variety of settings, including rural, urban communities, island and international communities. Trustee Engelmann has also worked in the Jackson School of International Studies at the University of Washington.

Under Dr. Engelmann's leadership, NIFDI is affiliated with several organizations that promote effective school reform, including New American Schools and Coalition for comprehensive School Improvement (CCSI). Trustee Engelmann was also the recipient of a Comprehensive School Reform Quality Initiative grant from the U.S. Department of Education. NIFDI provided consultative services to the DI school-wide reform model implemented for 10 years on Guam.

Contact: 541-485-1973 | 877-485-1973 • Email: info@nifdi.org
President of National Institute for Direct Instruction
805 Lincoln Street, P.O. Box 448, Eugene, Oregon 97440



**FOUNDER
EX-OFFICIO MEMBER OF THE BOARD
CHIEF EXECUTIVE OFFICER
DONNA DWIGGINS, Ph.D.**

Trustee Dr. Dwiggins holds an undergraduate degree in Studio Art and a Masters and Doctorate Degree in Special Education. She has more than 30 years' experience implementing the Direct Instruction Model and training nationally and internationally. Dr. Dwiggins taught for 10 years in public schools, five of which were spent teaching English as Second Language (ESL) on neighboring islands in Micronesia. She spent 13 years in higher education where she developed and implemented a graduate special education training program, which achieved both state and NCATE accreditation. She served as a Professor at Eastern Kentucky State University and Lenoir-Rhyne College, and adjunct professor at the University of Kentucky, the University of North Carolina at Charlotte, and Cheyney University in Pennsylvania. In addition, Dr. Dwiggins was instrumental in the development of two elementary schools, serving as the founding head of each school. She established a private, non-profit, non-sectarian school, grades K-8 and a K-6 elementary as among the first group of charter schools approved for operation in North Carolina. Dr. Dwiggins has served as the Principal of two other schools, one serving 1,200 inner-city elementary students, while the other was a residential school serving seriously emotionally disturbed children and youth, ages 6 to 19. For nine years, Trustee Dwiggins was the On-Island Project Coordinator for the Direct Instruction School-Wide Reform Model in the Guam Department of Education.

**Contact: 483-3007 • Email: ddwigginsguam@hotmail.com
584 Pickelseimer Street, Leyang Barrigada, Guam 96921
P.O. Box 1995. Hagatna. Guam 96932**



TABLE of CONTENTS

- SECTION 1: GOVERNING AUTHORITY STATEMENT
- SECTION 2: ATTENDANCE POLICY
- SECTION 3: TRUANCY AND WITHDRAWAL
- SECTION 4: MISSING CHILDREN POLICY
- SECTION 5: FISCAL POLICIES
 - Section 501 – Federal Funds
 - Section 502 – Investment and Depository Policy
 - Section 503 – Borrowing
 - Section 504 – Bad Checks
 - Section 505 – Student Fees, Fines and Charges
 - Section 506 – Waiver of School Fees
 - Section 507 – Fiscal Planning
 - Section 508 – Appropriations and Spending Plan
 - Section 509 – Appropriations Implementation
 - Section 510 – Purchases
 - Section 511 – Purchases Not Budgeted
 - Section 512 – Fiscal Accounting and Reporting
 - Section 513 – Petty Cash Accounts
 - Section 514 – Cash In School Buildings
 - Section 515 – Use of Credit and Purchasing Cards
 - Section 516 – Cooperative Purchasing
 - Section 517 – Staff Gifts
 - Section 518 – Vendor Relations
 - Section 519 -- Payment of Claims
 - Section 520 – Payroll Authorization
 - Section 521 – Payroll Deductions
 - Section 522 – Fixed/Capital Asset Policy
 - Section 523 – Student Activity Funds
 - Section 524 – Disaster Recovery Plan (Computer System)
 - Section 525 – Public Records Request Policy
 - Section 526 – Conflict of Interest Policy
 - Section 527 – Audit / Finance Committee
 - Section 528 – Solicitation of Funds
- SECTION 6: PROMOTION, RETENTION, AND PLACEMENT
- SECTION 7: ANTI-HARRASSMENT AND BULLYING
- SECTION 8: WELLNESS POLICY
- SECTION 9: GUAM TEST MATERIALS SECURITY POLICY
- SECTION 10: DOCUMENT RETENTION AND DESTRUCTION
- SECTION 11: WHISTLE-BLOWER POLICY

SECTION 1 GOVERNING AUTHORITY STATEMENT

GUAHAN ACADEMY CHARTER SCHOOL is a free, public charter school established in the Territory of Guam pursuant to the provisions of Public Law 29-140, the Guam Academy Charter Schools Act of 2009. The school is non-discriminatory in its admissions policies and enrolls students residing throughout any of the villages on Guam. The Guahan Academy Charter School (“Charter School”) will serve as a prototype school for the National Institute for Direct Instruction School-Wide Reform Model. Students enrolled in and attending the school are required to take the proficiency tests and other examinations prescribed by law. The Board of Trustees of the Charter School will establish the policies and procedures for the operation of the school and its fiscal management. The Chief Executive Officer (CEO) is the overall managing director and is the School’s Liaison between the Charter School Administration and the Board. The CEO is an ex-officio member of the Board.

SECTION 2 ATTENDANCE POLICY

Compulsory Attendance Ages

Under law, children between the ages of six and eighteen are of compulsory school age unless they have graduated from high school, completed or passed the GED requirements or have been legally dismissed or excused from school.

Absences are excused only for:

1. Illness
2. Religious observance
3. Family emergency

Absences must be verified in writing by a parent/guardian. Absences for illness of longer than 2 days must be verified in writing by a doctor.

Unexcused absences are never acceptable. Any unexcused absence will result in an immediate parent conference. More than three unexcused absences per quarter, or more than seven per year, may result in a student receiving no credit for the year.

SECTION 3 TRUANCY AND WITHDRAWAL POLICY

General Policy

Students enrolled in the Charter School must attend school regularly in accordance with the laws of Guam. The educational program offered by the Charter School is predicated upon the presence and punctuality of the student and requires continuity of instruction and classroom participation. A parent must contact the Charter School in accordance with the procedure set forth in our Missing Children Policy whenever a student is absent.

Attendance shall be required of all students enrolled at the Charter School during the days and hours that the School is in session. Attendance need not always be within the Charter School facilities, but a student will be considered to be in attendance if present at any place where school is in session by authority of the Board.

Withdrawal

A student who fails to participate in one hundred five consecutive hours of learning opportunities will be automatically withdrawn, unless the student's absence is excused. Otherwise, a parent may withdraw a student voluntarily by signing a Voluntary Withdrawal form with the CEO or the Principal or his/her designee.

Truancy

A student is habitually truant if the student is absent without a legitimate excuse for five (5) or more consecutive school days, for seven (7) or more School days in one (1) month, or twelve (12) or more school days in one (1) School year.

A student is chronically truant if the student is absent without a legitimate excuse for seven (7) or more consecutive School days, for ten (10) or more School days in one (1) month, or fifteen (15) or more school days in one (1) year.

Legitimate excuses for the absence of a student otherwise habitually or chronically truant include but are not limited to:

1. the student was enrolled in another school;
2. the student's absence was excused in accordance with applicable law or policy, or;
3. the student has received an age and schooling certificate.

If the student is habitually truant and the student's parents have failed to cause the student's attendance, the Board authorizes the CEO or his/her designee to inform the student and his/her parents of the truancy record and the Board's intent to notify the Judge of the Juvenile Court of the student's excessive truancy.

The Principal or his/her designee may act as the School's attendance officer or delegate that duty as permitted by law. The School's attendance officer shall investigate possible School attendance violations, and is authorized under Guam law, to serve warrants, to enter places where children of compulsory School age are employed, and to take such other actions as may be necessary to enforce the compulsory education laws.

The Principal or his/her designee is also authorized to establish a parent education program for parents of students who are habitually truant. Any parent assigned to the program who does not complete the program is to be reported to law enforcement authorities for neglect of parent education, a fourth class misdemeanor if found guilty.

SECTION 4 MISSING AND ABSENT CHILDREN POLICY

The Board believes in the importance of trying to decrease the number of missing children. Therefore, efforts will be made to identify possible missing children and notify the proper adults or agencies.

A student at the time of his/her initial entry to school shall present to the person in charge of admission any records given to him/her by the elementary or secondary school s/he most recently attended and a

certification of birth* issued the Office of Vital Statics, Guam Department of Public Health and Social Services, or a comparable certificate or certification issued pursuant to the statutes of another state, territory, possession, or nation. Within twenty-four (24) hours of the student's entry into the school, a school official shall request the student's official records from the elementary or secondary school s/he most recently attended. If the school the student claims to have most recently attended indicates that it has no records of the student's attendance or the records are not received within fourteen (14) days of the date of request, or the student does not present a certification of birth or comparable certificate or certification from another state, territory, possession, or nation, the CEO or his/her designee shall notify the law enforcement agency having jurisdiction in the area where the student resides of this fact and of the possibility that the student may, be a missing child.

The CEO or his/her designee will also immediately give notice of the fact of a missing child to the Guam Attorney General's missing children clearinghouse. The CEO or his/her designee will also assist parents in the case of a missing student by coordinating with the missing children clearinghouse.

Informational programs for students, parents, and community members relative to missing children issues and matters are available from the CEO or his/her designee, including information regarding the fingerprinting program. The CEO or his/her designee's informational programs are based on assistance and materials provided by the Guam Attorney General's missing child education program.

The primary responsibility for a student's attendance at the Charter School rests with his/her parent(s) or guardian(s). Parent(s)/guardian(s) must notify the Charter School on the day a student is absent unless previous notification has been given in accordance with school procedure for excused absences. The CEO or his/her designee is also required to notify a student's parents, custodial parent, guardian, legal custodian, or other person responsible for him/her when the student is absent from school. The parent or other responsible person shall be notified by telephone or written notice shall be mailed on the same day that the student is absent. Parents or other responsible persons shall provide the Charter School with their current home and/or work telephone numbers and home addresses, as well as emergency telephone numbers.

The procedure for absences is as follows:

1. A parent must call the Charter School to inform the school that his/her child or children will be absent from school. This phone call should take place within the first hour that school is in session.
2. If a parent fails to call the Charter School as prescribed in Part A, school personnel will call the parent to inform him/her of the student's absence.
3. In those cases where telephone communication could not be made, school personnel will initiate a written communication to the home of the legal guardian the day of the student's absence.

*May substitute any of the following documents for a birth certificate: 1) a passport or attested transcript showing the date and place of birth of the child; 2) an attested transcript of a birth certificate; 3) an attested transcript of a baptism certificate or other religious record showing the date and place of birth of the child; 4) an attested transcript of a hospital record showing date and place of birth, or 5) a birth affidavit.

SECTION 5 FISCAL POLICIES

SUBSECTION 501 - FEDERAL FUNDS

It is the objective of the Board of Trustees to provide equal educational opportunities for all students within the Charter School. Therefore, it is the intent of the Board to study Federal legislation to enhance the

educational opportunities, the educational environment, and the physical and mental growth for each student.

The CEO shall review new Federal education legislation and prepare proposals for programs she/he deems would be of aid to the students of this Charter School. The CEO shall approve each such proposal prior to its submission. Board approval is required for each grant submissions. The Board shall take action to approve receipts from all grants resulting from such proposals.

The Board regards available Federal funds and aid to public schools and communities as a public trust. It forbids the use of Federal monies for partisan political activities and for any use that would not be in accord with Federal guidelines on discrimination. All Federal funds received by the Charter School will be used in accordance with the applicable Federal law. The CEO shall ensure that each draw of Federal monies is as close as administratively feasible to the related program expenditures.

SUBSECTION 502 - INVESTMENT AND DEPOSITORY POLICY

Objectives and Guidelines

The following investment objectives will be applied in the management of this public entity's funds:

- A. The primary objective shall be the preservation of capital and protection of principal while earning investment interest.
- B. In investing public funds, the Board of Trustees will strive to achieve a fair and safe average rate of return on the investment portfolio over the course of budgetary and economic cycles taking into account state law, safety considerations, and cash flow requirements.
- C. The investment portfolio shall remain sufficiently liquid to enable the Board of Trustees to meet reasonable anticipated operating requirements.
- D. The investment portfolio should be diversified in order to avoid incurring potential losses regarding individual securities which may not be held to maturity, whether by erosion of market value or change in market conditions.
- E. Investments shall be made with the exercise of that degree of judgment and care, which persons of prudence, discretion, and intelligence exercise in the management of their own affairs, not for speculation but for investment, considering the probable safety of their capital as well as the probable income to be derived.
- F. Bank account relationships will be managed in order to secure adequate services while minimizing costs. Deposits should be concentrated in single accounts except where audit control considerations dictate otherwise.

Authorized Financial Institutions and Dealers

U.S. Treasury and Agency securities purchased outright shall be purchased only through financial institutions located within the Territory of Guam or through “primary securities dealers” as designated by the Federal Reserve Board.

Certificates of Deposits shall be transacted through commercial banks with FDIC coverage which are located with the Territory of Guam and qualify as eligible financial institutions under Guam laws.

Maturity

To the extent possible, the Board of Trustees will attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow requirement, the Board of Trustees will not directly invest in securities maturing more than five years from the date of purchase.

Derivatives

Investments in derivatives and in stripped principal or interest obligations of eligible obligations are strictly prohibited. A derivative means a financial instrument or contract or obligation whose value or return is based upon or linked to another asset or index, or both, separate from the financial instrument, contract, or obligation itself. Additionally, any security, obligation, trust account, or instrument that is created from an obligation of a federal agency or instrumentality or is created from both is considered a derivative instrument.

Allowable Investments

The Board of Trustees may invest in any instrument or security authorized by Guam laws.

Collateral

All deposits shall be collateralized by the banking institutions with specific collateral.

Reporting

The investing authority shall establish and maintain an inventory of all obligations and securities acquired by the investing authority. The inventory shall include the description of the security, type, cost par value, maturity date, settlement date, and coupon rate. The investing authority shall produce a monthly portfolio reporting detailing the current inventory of all obligations and securities, and all transactions during the month, income received, and investment expenses paid, and the names of any persons affecting transactions on behalf of the investment authority.

All brokers, dealers, and financial institutions initiating transactions with the investment authority by giving advice or making investment policy, or executing transactions initiated by the investment authority, must acknowledge their agreement to abide by the investment policy’s content. They must also agree to keep a current copy of the Charter School’s approved investment policy on file.

SECTION 503 - BORROWING

Upon the initiative of the Board of Trustee and as provided by the laws of Guam, the Board of Trustees shall prepare the data necessary for any applications regarding borrowing of cash for ongoing operations or special projects previously approved by the Board.

Funds shall be borrowed from a responsible individual or organization offering the most favorable terms, as approved by the Board.

SUBSECTION 504 - BAD CHECKS

When the Charter School receives a check from a student, parent, guardian or other, that, when deposited, is returned marked "insufficient funds", the Treasurer shall provide an opportunity for the payer to make proper payment. If payment is not received within ten (10) working days, or the monies do not appear to be collectable, the Board of Trustees authorizes the Treasurer to remove the fee or charge from the School's Accounts Receivable and to take appropriate action against the student and/or the parents.

SUBSECTION 505 - STUDENT FEES, FINES, AND CHARGES

The Board of Trustees will provide the necessary textbooks and/or electronic textbooks required by the course of study free of charge for its students. The Board of Trustees may, however, need to levy certain charges to students to facilitate the utilization of other appropriate learning materials used in the course of instruction. If the Charter School determines that a student is in serious financial need, it may choose to provide any or all such materials free of charge. Any such waiver of these charges shall be made in accordance with other Board policies.

A charge shall not exceed the combined cost of the material used, freight and/or handling charges, and nominal add-on for loss. Money received from resale of such material shall be returned to the Treasurer with an accurate accounting of all transactions.

Fees

For the purposes of this policy, "school fees" or "fees" mean any monetary charge collected by the School from a student or the parent(s) or guardian of a student as a prerequisite for the student's participation in any curricular or extra-curricular program of the School.

"School fees" include, but are not limited to, the following:

- A. All charges for required workbooks and instructional materials.
- B. All charges and deposits collected by a school for use of school property (e.g., locks, towels, laboratory equipment).

Fines

When school property, equipment, or supplies are damaged, lost, or taken by a student, a fine will be assessed. The fine will be reasonable, seeking only to compensate the school for the expense or loss incurred. The late return of borrowed books or materials from the school libraries will be subject to appropriate fines. Any fees, fines, and/or other charges collected by members of the staff shall be turned in to the Principal within one (1) business day after collection.

Failure to pay fees and fines may result in the withholding of grades and credit. In the event the above course of action does not result in the fee being collected, the Board of Trustees authorizes the CEO or his/her designee to take the student and/or his/her parents to Small Claims Court for collection. Nothing in this policy restricts the right of access of a parent or student to school records or to receive copies of such records, as required by Federal and Guam laws.

SUBSECTION 506 - WAIVER OF SCHOOL FEES

The Charter School shall waive fees assessed by the School only for students whose parent(s) or guardians are unable to afford them. The CEO or his/her designee may, as deemed necessary, establish additional

procedures to supplement the procedures established in this policy regarding the requests for the waiver of fees.

Eligibility Standards

Students eligible for a waiver of school fees include, but are not limited to, the following:

- A. Students who qualify for free lunches or breakfasts under the School Free Lunch Program Act.
- B. Proof that student is receiving Temporary Assistance for Needy Families (TANF) assistance.

Notification to Parents

- A. Annually the substance of this policy shall be communicated in writing to the parent(s) or Guardian of all students in the Charter School.
- B. The first bill or notice sent to parents or guardians who owe fees shall state:
 - 1. The Charter School will waive fees for persons unable to afford them in accordance with its policy.
 - 2. The procedure for applying for a fee waiver, and the name, address and telephone number of the person to contact for information concerning a waiver.

Procedures for Resolution of Disputes

- A. A parent(s) or guardian(s) who cannot pay school fees may submit an application for waiver of fees to the Principal.
 - 1. Name(s) of student(s)
 - 2. Name of parent(s) or guardian(s)
 - 3. Address of parent(s) or guardian(s)
 - 4. Phone number of parent(s) or guardian(s)
 - 5. School where child(ren) attends(attend)
 - 6. Reason for request for waiver of feesThe Principal shall have the authority to review the waiver request and request such Further information, if any, as she/he deems necessary in order to make a decision on that request.
- B. No fee shall be collected from any parent(s) or guardian(s) who is seeking a fee waiver in accordance with the Charter School's policy until the School has acted on the initial request or appeal (if any is made), and the parent(s) or guardian(s) have been notified of the decision.
- C. If the Principal denies a request for fee waiver, then a copy of the decision shall be mailed to the parent(s) or guardian(s) within fifteen (15) school days of receipt of the request. The decision shall state the reason for the denial and shall inform the parent(s) or guardian(s) of the right to appeal, including the process and timelines for that action. The denial notice shall also include a statement informing the parent(s) or guardian(s) that reapplication may be made for a waiver any time during the school year, if circumstances change.
- D. An appeal of the Principal's decision must be made to the CEO within the seven (7) calendar days after receipt of the decision. An appeal shall be decided within thirty (30) calendar days of the receipt of the parent's or guardian's request for an appeal. The parent(s) or guardian(s) shall have the right to meet with the CEO in order to explain why the fee waiver should be granted.

Nondiscrimination

The Board of Trustees expects all staff members to exercise the utmost care to see that, as a result of their actions or comments, students cannot differentiate between those students whose parents are unable to purchase required instructional materials or pay required fees and those whose parents can.

SUBSECTION 507 - FISCAL PLANNING

The Board of Trustees shall collect and assemble the information necessary to discharge its responsibility for the fiscal management of the Charter School and to plan for the financial needs of the educational program. The Board will strive toward maintaining both short and long range projections of the Charter School financial requirements.

Accordingly, the Board directs the CEO to:

- A. Include cost estimates in all ongoing financial requirements.
- B. Maintain a plan of anticipated Local and Federal revenues.
- C. Report to the Board any serious financial implications that emerge from the Charter School's ongoing fiscal planning.

In addition, the Board directs the CEO to maintain annually a detailed five (5) year forecast of estimated optional expenditures and revenues.

Accordingly the Board directs the CEO or designee to prepare a long range year-by-year projection of estimated revenues and expenditures in October and May of each fiscal year.

SUBSECTION 508 - APPROPRIATIONS AND SPENDING PLAN

The annual appropriation measure shall be designed to carry out the Charter School operations in a thorough and efficient manner, maintain School facilities properly, and honor continuing obligations of the Board of Trustees.

The Board may establish a Board Service Fund which shall not exceed the greater of Two Dollars (\$2.00) per enrolled student or \$5,000. The Board Service Fund shall be set aside from the General Fund, on an annual basis, by resolution of the Board and shall be used to pay expenses actually incurred by Board members in the performance of their official duties. Such fund may also be used to pay for the expenses actually incurred by newly elected Board members relative to training and orientation to the performance of their duties prior to taking office. Appropriations from this fund shall not exceed the sum specified by the Board in any one school year.

An annual appropriations resolution shall be developed, approved, and filed according to statute and the requirements of the Guam Office of Public Accountability.

The Board shall adopt as part of its annual appropriation measure a spending plan (also known as The Five (5) Year Forecast), or in the case of amendment or supplement to an appropriation measure, an amended spending plan setting forth a five (5) year projection of revenue and expenditures of the General, PBA, and any Debt Service related to the General Fund. A copy of the annual appropriation measure and any amendment or supplement to it and the spending plan or amended plan shall be submitted to the CEO for distribution to the Principal and Administrators and shall set forth all revenues available for appropriation by the School during such year and their sources; the nature and amount of expenses to be incurred during the year; the outstanding and unpaid expenses on the date the measure, amendment, or supplement is adopted; the dates by which such expenses must be paid; and any other information the CEO requires.

The plan or amended plan shall be presented in such detail and form as the CEO prescribes.

SUBSECTION 509 - APPROPRIATIONS IMPLEMENTATION

The Board of Trustees places the responsibility of administering the appropriations, once adopted, with the CEO. She or he may consult with the Business Manager and the Treasurer when major purchases are considered and shall keep both informed as to problems or concerns as the appropriations are being implemented.

The CEO shall be authorized to proceed with making financial commitments, purchases, and other expenditures within limits provided in the appropriations, limitations stated in Board policies, and within legal authority expressed in local and federal statutes.

Appropriate financial reports and budget comparison reports shall be submitted monthly by the CEO or his/her designee to the Board to keep members informed as to the status of the appropriations and overall financial condition of the Charter School.

If, during the fiscal year, it appears to the Business Manager or Treasurer that actual revenues are less than estimated revenues, including the available equity upon which the appropriations from the fund were based, the CEO shall present to the Board recommended amendments to the General Appropriations Act that will prevent expenditures from exceeding revenues unless a deficit spending plan is approved by the Board. Such recommendations shall be in accordance with requirements of the law and provisions of any negotiated agreements.

SUBSECTION 510 - PURCHASES

Staff members may request the purchase of supplies and materials provided the immediate supervisor or administrator approves the purchase and there are adequate funds in the budget to cover the cost. All staff members must abide by the following rules, regulations and procedures when making a purchase.

- A. Verbal approval by itself is never acceptable to make a purchase or place an order on behalf of the School. To insure School payment for any purchase, a requisition must first be completed and then signed by the Principal, concurred by the CEO and then sent to the Treasurer. The Treasurer will determine if there are adequate funds available in the budget for the transaction and will then issue a purchase order number if adequate funds are available. If the originator of the purchase does not secure the approval of the Treasurer prior to making the purchase, the originator may be responsible for all or partial payment of the purchase (at the discretion of the Treasurer).
- B. Upon receipt of the purchase (services, supplies and/or materials), the staff member who made the request will be responsible to verify that all items ordered have been received and are acceptable for use. If there are any problems with the items received, the staff member should contact the Treasurer for advice on how to resolve any concerns.
- C. If all items ordered were received and are acceptable for us, the responsible staff member will date, sign and write on the purchase order "OK to pay" and return it to the Treasurer for payment.

Treasurers Stamp

The Treasurer's signature stamp is to be kept locked in a separate location from any blank checks for the accounts that the treasurer has signing authority. It may only be accessed by the Business Manager.

At any time it is used, the Staff Accountant, Financial and Staffing Administrator and Business Manager should be notified by the Treasurer's e-mail that Treasurer has approved its use.

The Treasurer's signature stamp should only be used to process payments or documents that are considered urgent and when the Treasurer is physically not able to sign the document. When the Treasurer is not able to be contacted, the signature stamp should only be used with the approval of the Financial Manager.

Equipment Purchases

Staff member requests for the purchase of equipment must be initiated through the Principal who will then follow the established procedures for such requested purchases.

Leases and Contracts

All leases and contracts must be initiated by the CEO and approved by the Board of Trustees. No staff member, School administrator, consultant, parent or any other person has the authority to sign a lease or contract without prior Board approval.

Quotations and Bids

It is the policy of the Board that the School's Administration seek bids on purchases of more than Twenty-Five Thousand Dollars (\$25,000.00) for a single item, except in cases of emergency or when the materials purchased are of such a nature that price negotiations would not result in a savings to the School or when the item is subject to formal bid.

The CEO shall ensure that the specifications for any public improvement project for which bids are solicited do not require any bidder:

- A. To enter into agreements with labor organizations on said public improvement; or
- B. To enter into an agreement that requires its employees to become members of or pay fees or dues to a labor organization as a condition of employment or continued employment.

Bids shall be sealed and shall be opened by the Treasurer (or designee) in the presence of at least one (1) witness.

Soliciting of Bids

The Board of Trustees, by resolution, may award a bid to the bidder of best value. For a bidder to be considered responsive, the proposal must respond to all bid specifications in all material respects and contain no irregularities or deviations from the bid specifications which would affect the amount of the bid or otherwise provide a competitive advantage. For a bidder to be deemed responsive, the Board may request evidence from the bidder concerning:

- A. The experience (type of product or service being purchased, etc.) of the bidder;
- B. The financial condition;
- C. The conduct and performance on previous contracts (with the School or other agencies);
- D. The bidder's facilities;
- E. Management of skills;
- F. The ability to execute the contract properly.
- G. A signed affidavit ensuring that neither the bidder nor any sub-contractor has entered into an agreement with any labor organization regarding the public improvement project.

Contracts for Development and Improvement of Facilities

All contemplated contracts for professional design services such as from an architect or for construction management shall be in accordance with procurement law and other applicable laws of Guam.

Lease-Purchase Agreements

Lease-purchase agreements entered into by the Board of Trustees shall be in accordance with all Guam laws.

Requirements

Before the Principal or his/her designee places a purchase order, he or she shall check as to whether the proposed purchase is subject to bid, whether sufficient funds exist in the budget, and whether the material might be available elsewhere in the School.

In the interests of economy, fairness, and efficiency in its business dealings, the Board requires that:

- A. Items commonly used in the various schools or units thereof, be standardized whenever consistency with educational goals can be maintained.
- B. Opportunity to be provided to as many responsible suppliers as possible to do business with the Charter School. To this end, the CEO shall develop and maintain lists of potential suppliers for various types of supplies, equipment and services including membership in a purchasing cooperative;
- C. A prompt and courteous reception, insofar as conditions permit, be given to all who call on legitimate business matters.

The Board of Trustees may acquire equipment as defined in law by lease, by installment payments, by entering into lease-purchase agreements, or by lease with an option to purchase, provided the contract sets forth the terms of such a purchase.

SUBSECTION 511 - PURCHASES NOT BUDGETED

The laws of Guam and the interests of the community demand fiscal responsibility by the Board of Trustees in the operation of the School. Appropriate fiscal controls are hereby adopted to insure that public monies are not disbursed in amounts in excess of the appropriations provided the Board.

Other expenditures may be made by the CEO or Treasurer following the Board's normal policy, provided a sufficient amount of cash is available in the School's cash reserve to cover the purchase.

SUBSECTION 512 - FISCAL ACCOUNTING AND REPORTING

The Charter School's accounting system is in conformance with the Uniform School Accounting System as prescribed by the Auditor of Guam for the use of School Districts. The Treasurer is responsible for receiving and properly accounting for all funds of the School.

The financial records must be adequate to:

- A. Guide the making or deferring of purchases, the expansion or curtailing of programs and the controlling of expenses.
- B. Ensure that current data are immediately available and in such form that routine summaries can be readily made.

- C. Serve as a guide to budget estimates for future years.
- D. Show that those in charge have handled funds within limitations established by law and in accordance with Board policy.

The Board receives monthly financial statements from the Treasurer which show ending cash fund balances, receipts, disbursements, and budget-to-actual variances. The Treasurer makes all other financial reports required by law and other government agencies and submits them to the proper authorities.

The Treasurer provides the Board with any other financial management reports that the Board determines necessary.

Financial records are permanent; the supporting documents may be destroyed only in compliance with the provisions of Guam law and in compliance with specifications of the School's records commission, the auditor of Guam.

The Board authorized and directs the Treasurer to establish an account structure and related financial accounting procedures for cash basis accounting.

The account structure when used for cash basis accounting purposes should conform with the Uniform School Accounting System issued by the Auditor of Guam.

Financial accounting policies and procedures shall be developed by the Treasurer to support the cash basis accounting system.

All cash basis accounting procedures will be in writing and approved by the Treasurer.

SUBSECTION 513 - PETTY CASH ACCOUNTS

The Treasurer has the authorization to create petty cash accounts allowing certain administrators to have starting cash for school events where fees are charged and/or to make small purchases for the School. The CEO designates the assigned Administrator and the Treasurer provides the confirmation of the amount for each Petty Cash account and the procedures/requirements for replenishing the account.

Petty Cash Account Requirements:

1. All Petty Cash accounts must have an assigned Administrator.
2. The safekeeping of the money will be the responsibility of the assigned administrator. This Administrator must sign a Petty Cash Agreement (confirming their understanding of the Petty Cash requirements) prior to receiving any Petty Cash funds.
3. The Treasurer will disburse Petty Cash funds to the assigned administrator within two weeks after CEO approval is confirmed.
4. All Petty Cash Fund disbursements made by the assigned administrator require a receipt. All disbursements made without a receipt will be the personal responsibility of the assigned Administrator.
5. No major purchases may be made from the accounts.
6. The assigned administrator must use a tax exemption form for all purchases that may include a sales tax or another tax.
7. All transactions (money coming in and money going out) must be recorded on a written log and provided to the Treasurer upon request. The written log must be turned in to the Treasurer on or before June 30th of each fiscal year.
8. The assigned administrator will repay the full amount of the Petty Cash Fund to the Treasurer on or before June 30th of each fiscal year. Any losses during the school year for any reason (including loss or theft) are the personal responsibility of the assigned Administrator.

The process to replenish the Petty Cash Fund will begin when the assigned administrator provides the receipts for purchases made from their Petty Cash Fund to the Director. (No purchase requisition is required.) If the CEO approves, the Treasurer will then verify the accuracy of the receipts and the appropriate amount of reimbursement. A check for the approved amount will be processed during the next check run.

SUBSECTION 514 - CASH IN SCHOOL BUILDINGS

Monies collected by employees and by student treasurers are handled with prudent business procedures, in order to demonstrate the ability of employees to operate in that fashion and to teach such procedures to our students.

All monies collected are receipted, accounted for and deposited to the next responsible person within 24 hours. When receiving paper or specie money, one person, the collector, will receive and count the money under the supervision of another person, the supervisor. After the receipt of all paper and specie money, the collector will count and total the moneys received; he/she will then verify that amount with the supervisor. In the event the Treasurer or person in charge of an activity is unable to deposit the money in 24 hours, the money will be accounted for and deposited in the safe. The money can be held no longer than three business days after receipt and the amount must be under \$1,000. If the amount is more than \$1,000, or the money cannot be adequately safeguarded, it must be deposited on the business day following the date of receipt.

In no case shall more than \$10 be left overnight in school buildings (excluding the petty cash account). The Treasurer provides for making bank deposits after regular banking hours in order to avoid leaving money in a school building overnight

SUBSECTION 515 - USE OF CREDIT AND PURCHASING CARDS

The Board of Trustees recognizes the values of an efficient method of payment and recordkeeping for certain expenses. The Board, therefore, authorizes the use of Charter School credit and purchasing cards.

The CEO shall have the responsibility to specify those authorized to use credit and purchasing cards, the typed of expenses which can be paid by credit or purchasing card, and their proper supervision and use.

Administrative Guidelines

Administrators and/or Board Members are required to complete a purchase order, payable to the bank issuing the School credit card, prior to using the credit card. The amount of the purchase order should reflect the estimated expenditures the administrator anticipates making using the School credit card. After the purchase order is approved by the CEO and Treasurer, the Treasurer will make arrangements for the Administrator to take possession of a School credit card and for returning the card to the Treasurer.

School credit cards may be used for the following purposes:

- A. Miscellaneous supplies, materials and/or equipment when it is impractical to immediately process a physical check or the School is able to take advantage of short-term purchase discounts.
- B. Board approved School business travel, meeting, lodging and meals for an out-of- School meeting or seminar, subject to the reimbursement limits established by board policy.
- C. Board approved School business travel, meeting, lodging, and meals of school employees traveling with the administrator subject to the reimbursement limits established by board policy.
- D. The meals of the individuals in attendance at lunch, breakfast, or dinner meeting of the CEO when the purpose of the meeting is to discuss school business matters.

- E. Board approved business travel, meeting, lodging and meals of individuals actively being sought for employment in the School.
- F. Gratuities not to exceed twenty percent (20%), in situations where it is customary to tip.

Reimbursement of Business Related Expenses

Upon returning from an approved business trip an employee or Board member shall submit all original invoices and original credit card charge receipts to the Treasurer's Office. Credit card statements will not suffice as invoices. Credit card statements will be mailed directly to the Treasurer's Office. Any late fees assessed to the School due to a staff member failing to submit invoices and credit card receipts on a timely basis will be the responsibility of the staff member. Receipts for meals **must** include the names of all individuals for whom meals were provided, the purpose of the meeting and substance of the items discussed.

The use of a School credit card for the following items are prohibited:

- A. The purchase of personal goods and services for an administrator, an administrator's spouse, children, or anyone employed or not employed by the School and attending a School business function.
- B. Payment of any fines, penalties or personal liabilities incurred by the administrator or anyone else.
- C. Alcoholic beverages or tobacco.
- D. Fuel for use in a personal vehicle, unless specifically authorized by the Board.
- E. Entertainment expenses, including pay-per-view movie charges.
- F. Cash advances.

(Note: this list is not all-inclusive)

The use of a School credit card for personal expenses, such as meals, lodging and travel, of an administrator, an administrator's spouse, children, or anyone employed or not employed by the School and attending a School business function, is not permitted. Persons using a School credit card for personal, non-authorized purposes, or undocumented expenditures shall be held personally responsible for those expenditures. Abuse of the credit card is subject to disciplinary procedures, including termination.

The use of a School credit card does not supersede the required completion of a professional leave form when applicable. These procedures also dictate the reimbursement procedures of the School. The entire balance of the credit card will be paid each month to avoid the payment of any finance or service charges by the School.

The CEO or Treasurer can revoke an administrator's credit card privileges at any time. The Board President may revoke a Board member's credit card privileges at any time.

SUBSECTION 516 - COOPERATIVE PURCHASING

The Board of Trustees recognizes the advantages of centralized purchasing in that volume buying tends to maximize value for each dollar spent. The Board, therefore, encourages the administration to seek advantages in savings that may accrue to this School through joint agreements for the purchase of supplies, equipment, or services with the governing body(ies) of other governmental units.

The Board of Trustees authorizes the CEO and/or Treasurer to negotiate such joint purchase agreements for services, supplies, and equipment which may be determined to be required from time to time by the Board and which the Board may otherwise lawfully purchase for itself, with governmental contracting units as may be appropriate in accordance with State law, the policies of this Board, and the dictates of sound purchasing procedures.

Cooperative or joint purchases require an agreement approved by the Board and the participating contracting body(ies) which shall specify the categories of equipment and supplies to be purchased; the manner of advertising for bids and of awarding contracts; the method of payment by each participating party and such other matters as may be deemed necessary to carry out the purposes of the agreement. Such agreements are subject to all legal bidding requirements.

SUBSECTION 517 - STAFF GIFTS

Students and their Parents are discouraged from the routine presentation of gifts to school employees on occasions such as religious holidays. Where a Student feels a spontaneous desire to present a gift to a staff member, the gift should not be elaborate or unduly expensive. The Board considers as always welcome, and in most circumstances more appropriate, the writing of letters to staff members, expressing gratitude or appreciation.

SUBSECTION 518 - VENDOR RELATIONS

The Board of Trustees shall not enter a contract knowingly with any supplier of goods or services to this Charter School under which any Board member or officer, employee, or agent of this School has any pecuniary or beneficial interest, direct or indirect, unless the person has not solicited the contract or participated in the negotiations leading up to the contract. This prohibition shall not prevent any person from receiving royalties upon the sale of any educational material of which s/he is the author and which has been properly approved for use in the schools of this School.

Board members and school personnel shall not accept any form of compensation from vendors that might influence their recommendations on the eventual purchase of equipment, supplies, or services. Furthermore, Board members and school personnel shall not accept any compensation from a vendor after a decision has been made to purchase equipment, supplies, or services from said vendor. In addition, Board members or school personnel who recommend purchases shall not enter into a contractual arrangement with a vendor seeking to do business with the School, or a vendor with whom the School is doing business, whereby an individual board member or member of the school staff receives compensation in any form for services rendered.

Such compensation includes, but is not limited to, cash, checks, stocks, or any other form of securities, and gifts such as televisions, microwave ovens, computers, discount certificates, travel vouchers, tickets, passes, and other such things of value. In the event that a Board member or member of the school staff receives such compensation, albeit unsolicited, from a vendor, the Board member or school staff member shall notify the Treasurer, in writing, that s/he received such compensation and shall thereafter promptly transmit said compensation to the Treasurer at his/her earliest opportunity.

All sales persons, regardless of product, shall clear with the CEO's office before contacting any teachers, students, or other personnel of the School. Purchasing personnel shall not show any favoritism to any vendor. Each order shall be placed in accordance with policies of the Board on the basis of quality, price, and delivery with past service a factor if all other considerations are equal.

SUBSECTION 519 - PAYMENT OF CLAIMS

The Board of Trustees authorizes the prompt payment of legitimate claims by suppliers of goods and services to the School.

Each bill or obligation of this Board must be fully itemized and verified before a voucher can be drawn for its payment.

When an invoice is received, the Treasurer shall verify that a voucher is properly submitted and that the amount of the invoice is correct.

The originator of the purchase order shall verify that acceptable goods were received or satisfactory services were rendered and the date of receipt.

SUBSECTION 520 - PAYROLL AUTHORIZATION

The most substantial payment of public funds for the operation of the School is that which is made to the employees of the Board of Trustees for services rendered. To ensure that each person so compensated is validly employed by this School and that the compensation remitted fairly represents the services rendered, this policy is promulgated.

Employment of all School personnel whether by the year, term, month, week, day, or hour in contract, temporary, or substitute form must be approved by the Board of Trustees, except where authority to appoint certain personnel of the School has been delegated to the CEO.

SUBSECTION 521 - PAYROLL DEDUCTIONS

The Board of Trustees authorizes in accordance with the provisions of law cited herein that deductions be made from an employee's paycheck upon proper authorization on the appropriate form for the following purposes:

- A. Federal and Local income tax
- B. Social Security or Retirement contribution
- C. School Employees Retirement system
- D. Teachers' Retirement system

The Board of Trustees declares its willingness to enter into an agreement with any of its employees whereby the employee agrees to take a reduction in salary with respect to amounts earned after the effective date of such agreement in return for the Board's agreement to use a corresponding amount to purchase an annuity for such employee (or group of employees desiring the same annuity company) from any company authorized to transact the business as specified in law in accordance with Section 403(b) of the Internal Revenue Code, and in accordance with the School's administrative guidelines. However, it shall be clearly understood that the Board's only function shall be the deduction and remittance of employee funds.

Said agreement shall comply with all of the provisions of law and may be terminated as said law provides upon notice in writing by either party. Employees shall contact the CEO or the Principal Office in writing if they wish to participate in such a program.

In cases when an employee is absent from duty and there is no sick leave applicable, or when the absence is unauthorized, the salary deduction for each day of absence will be based on the employee's current salary divided by the number of work days required in the official school calendar for each job classification. For

deductions related to annuities, the employee shall modify their current Salary Reduction Agreement or make arrangements for payments directly to their 403B provider to avoid any over payments by the School.

SUBSECTION 522 - FIXED/CAPITAL ASSET POLICY

The Board of Trustees, as a steward of the School's property, recognizes that efficient management and full replacement upon loss of assets requires accurate inventory and properly maintained property records.

The School shall conduct a complete inventory every year, by physical count, of all School-owned equipment and supplies. For the purposes of this policy, "equipment" means a unit of furniture or furnishings, an instrument, a machine, an apparatus or articles which retain shape and appearance with use, is nonexpendable and does not lose its identity when incorporated into a more complex unit.

This School shall maintain a fixed asset accounting system. The fixed asset system shall maintain sufficient information to permit:

1. Preparation of year-end financial statements in accordance with generally accepted accounting principles,
2. Adequate insurance coverage, and
3. Control and accountability.

Each building and additions to buildings are identified by location or name and are described in detail (e.g., size, number of floors, square footage, type of construction, etc.) with the value shown for all individual structures.

Fixed equipment is inventoried by building, by floor and room name or number; each item to be listed individually. (Leased equipment that the School will eventually own must be inventoried as well.)

Moveable equipment is inventoried by building, floor and room name or number; each item to be listed individually. Any item that has a model number or serial number has that number noted in the description for full identification. All items assigned to a building are the building administrator's responsibility.

All equipment purchased, after the initial inventory, as capital outlay or replacement with a cost of \$500 (per individual item) or more and with an estimated useful life of three years or more is tagged and made part of the equipment inventory.

Televisions, VCRs, computers and any other items highly susceptible to theft have a permanent tag on them.

Any equipment purchased with Federal Funds shall be tagged as such.

A computer-generated listing of all equipment is supplied to each building (if more than one). This listing is updated annually by the close of the school year, or not later than the second Friday in June of each year. This updated listing is then submitted to the Treasurer's office for computer update.

Fixed assets shall be classified with useful lives as follows:

- | | | |
|-----|----------------------------|---------------------------------------|
| (a) | Land | 10 years |
| (b) | Buildings and improvements | 25 years |
| (c) | Leasehold Improvements | Remaining Term of Lease (NTE 5 years) |
| (d) | Furniture and equipment | 5 years |
| (e) | Technology equipment | 3 years |
| (f) | Vehicles | 7 years |

Leased fixed assets and assets which are jointly-owned shall be identified and recorded on the fixed-asset system. Fixed assets shall be recorded at actual, or if not determinable, estimated purchase price or fair market value at the time of acquisition. The methods(s) to be used to estimate such price or market value shall be established by the Treasurer.

Depreciation shall be recorded for funded fixed assets using the straight-line depreciation method which conforms to generally accepted accounting principles.

The Facilities Manager is assisted by the CEO, business manager, principal(s), Treasurer and all administrators and all other School staff in the performance of this function.

SUBSECTION 523 - STUDENT ACTIVITY FUND

It is the purpose of this policy to establish financial controls for the administration of the normal, legitimate activities of the student body organization.

For purposes of this policy, a "student activity fund" may include, but not be limited to co-curricular and approved extra-curricular activities such as clubs, publications, etc.

Each activity covered by this policy must be recognized by the Board of Trustees before monies can be collected or disbursed in the name of said activity. Any and all proposed expenditures from a student activity fund must be approved by the CEO or their designee prior to disbursement and must serve a valid and proper public purpose.

The CEO is directed to obtain a list of student activities with a brief description of their objectives, activities, and limitations of each fund.

The Board authorizes the Principal and Treasurer to act on its behalf to review and approve each expenditure from a student activity fund prior to disbursement. In approving an expenditure, the Treasurer shall ensure that it is related to achieving one (1) or more of the stated purposes for which the student activity has been organized and will serve a valid and proper public purpose.

Expenditures shall not be approved if it accrues to the personal benefit of a member of the staff or a member of the student group. Monies are not to be disbursed to a school class or group for any activity or event that will occur after the students have graduated.

The CEO shall implement administrative guidelines which will ensure that all student activity funds are managed, recorded, and deposited in accordance with law and sound fiscal practice.

SUBSECTION 524 - DISASTER RECOVERY PLAN (COMPUTER SYSTEM)

Upon the occurrence of a computer system disaster situation at the Charter School, the CEO would be contacted and procedures would be implemented after the School's technology support person(s) assessed the extent of the disaster.

In order to protect the financial data of the School during a computer system disaster, the CEO and the Treasurer will utilize the a comparable system for ongoing posting of receipts and disbursements. In the event of a School computer system disaster, the Treasurer will access the data (either in person or over the net) to assure the uninterrupted fiscal operations of the School.

SUBSECTION 525 - PUBLIC RECORDS REQUEST POLICY

The School shall respond to all Public Records Requests as required by Guam law and the sum of ten cents (\$.10) per page shall be charged to all persons or entities requesting records.

School records shall not be copied for persons or entities with outstanding balances for copies of records previously requested from this or another public body.

Persons or entities requesting records shall pay for them before they are mailed, or pay for them at the time they are picked up. However, no requests will be filled without prior payment being received.

SUBSECTION 526 - CONFLICT OF INTEREST POLICY

Purpose

The purpose of the conflict of interest policy is to protect the Board of Trustees' interest when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an employee of member of the Board. The policy below is intended to supplement but not replace any applicable state laws governing conflict of interest applicable to nonprofit and charitable organizations.

Definitions

1. Interested person

Any director, principal officer, or member of a committee with Board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

2. Financial Interest

A person has a financial interest if the person has, directly or indirectly, through business, investment or family.

- A. an ownership or investment interest in any entity with which the Board has a transaction or arrangement, or
- B. a compensation arrangement with the Board or with any entity or individual with which the Board has a transaction or arrangement, or
- C. a potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Board is negotiating a transaction or arrangement.

Compensation includes direct and indirect remuneration as well as gifts or favors that are substantial in nature.

A financial interest is not necessarily a conflict of interest. Under Article III, Section 2, a person who has a financial interest may have a conflict of interest only if the Board or appropriate committee decides that a conflict of interest exists.

Procedures

1. Duty to Disclose

In connection with any actual or possible conflicts of interest, an interested person must disclose the existence of his or her financial interest and must be given the opportunity to disclose all material facts to the directory and members of the committee with Board delegated powers considering the proposed transaction or arrangement.

2. Determining whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, he or she shall leave the board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall thereupon determine by a vote of seventy-five percent (75%) of the votes entitled to vote, whether the disclosure shows that a conflict of interest exists or can be reasonably construed to exist.

3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the Board or Committee meeting, but after such presentation, he or she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that result in the conflict of interest.
- b. The President of the Board or Committee, if appropriate, shall appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.
- c. After exercising due diligence, the Board or Committee shall determine whether the Corporation can obtain a more advantageous transaction or arrangement with reasonable efforts from a person or entity that would not give rise to a conflict of interest.
- d. If a more advantageous transaction or arrangement is not reasonable attainable under circumstances that would not have rise to a conflict of interest, the Board or Committee shall determine by a majority vote of the disinterested directory whether the transaction or arrangement is in the Board's best interest and for its own benefit and whether the transaction is fair and reasonable to the Board and shall make its decision as to whether to enter in to the transaction or arrangement in conformity with such determination.

4. Violations of the Conflict of Interest Policy

- a. If the board or committee has reasonable cause to believe that a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.
- b. If, after hearing the response of the member and making such further investigation as may be warranted in the circumstances, the board or committee determines that the member has in fact failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Records of Proceedings

The Minutes of the Board of Trustees and any committee with board-delegated powers shall contain:

1. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest in fact existed.
2. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection therewith.

Compensation

1. A voting member of the Board of Trustees who receives compensation, directly or indirectly, from the Board for services is precluded from voting on matters pertaining to his or her own compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Board for services is precluded from voting on matters pertaining to his or her own compensation.

Statements of Understanding

Each director, principal officer and member of a committee with board delegated powers shall at the time of election an every anniversary thereof, sign a statement which affirms that such person:

- a. has received a copy of the conflict of interest policy,
- b. has read and understands the policy, and
- c. has agreed to comply with the policy.

Periodic Reviews

To ensure that the Board of Trustees operates in a manner consistent with its purposes and that it does not engage in activities that could jeopardize its status as a non-profit organization, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable and are the results of arm's-length bargaining.
- b. Whether partners and joint venture arrangements and arrangements with management services organizations conform to written policies, are properly recorded, reflect reasonable payments for goods and services, further the Board's purposes and do not result in inurement or impermissible private benefit.
- c. Whether agreements to provide education and agreements with other employees and third parties further the Board's purposes and do not result in inurement or impermissible private benefit.

SUBSUBSECTION 527 - AUDIT / FINANCE COMMITTEE

General Purpose

To Report to the Board of Trustees and assume the responsibility for advising it on financial and audit matters pertaining to the operation of the School.

Appointments and Composition

1. Members of the Audit/Finance Committee shall be appointed annually by the President of the Board.
2. The Chairperson of the Audit/Finance Committee and members shall be members of the Board of Trustees.

Responsibilities

1. To review financial statements and the process used to prepare interim financial information submitted to the Board.
2. To work with the CEO and other appropriate management team in the preparation of the annual budget.
3. To review audit results.
4. To assure that audit recommendations are appropriately addressed.
5. To review all non-budgeted expenditures over a set dollar amount to be determined by the Board.

Meetings

1. A meeting of the Audit/Finance Committee may be held upon the call of the Chairperson of the Audit/Finance Committee by written notice (which may be delivered by facsimile or electronic mail).
2. Unless notice is waived in a signed statement by the Board member, written notice must be given to all of the members of the Audit/Finance Committee not less than forty-eight (48) hours before the time set for the meeting.
3. Attendance at any meeting by the members of the Committee will constitute a waiver of notice.
4. The notice of meeting shall specify the time, place and purposes of the meeting.
5. Members shall be permitted to participate in any meeting of such Committee by telephone or by any other means of communication as long as everyone can hear one another.

SUBSECTION 528 - SOLICIATION OF FUNDS

General Purpose

Any request from civic institutions, charitable organizations, or special interest groups which involve such activities as patriotic functions, contests, exhibits, sales of products to and by students, sending promotional materials home with students, graduation prizes, fund raising, and free teaching materials must be carefully reviewed to ensure that such activities promote student interests without advancing the special interests of any particular group.

It is the policy of the Board of Trustees that students, staff members, and School facilities not be used for advertising or promoting the interests of any nonschool agency or organization, public or private, without the approval of the board or its delegated representative' and any such approval, granted for whatever cause or group, shall not be construed as an endorsement of said cause or group by this Board.

Responsibilities

Any staff member or outside organization desiring to solicit funds on school property must receive permission to do so from the CEO. Permission to solicit funds will be granted only to those organization or individuals who meet the permission criteria established by the CEO and Treasurer. Solicitation must take place at such times and places and in such a manner as specified in the administrative guidelines provided

by the CEO and Treasurer. No student may participate in the solicitation of funds without CEO's and Treasurer's approval.

1. The Board disclaims all responsibility for the protection of, or accounting for, such funds.
2. Solicited funds are not to be deposited in any regular or special accounts of the School unless approved by the CEO or Treasurer.
3. A copy of this policy as well as the relevant administrative guidelines (see following page of this policy manual) shall be given to any individual granted permission to solicit funds on School property.

SOLICITATION OF FUNDS – PERMISSION FORM

Any staff member or outside organization desiring to solicit funds on school property must receive permission to do so from the CEO. Permission to solicit funds will be granted only to those organization or individuals who meet the permission criteria established by the CEO and Treasurer. Solicitation must take place at such times and places and in such a manner as specified in the administrative guidelines provided below. No student may participate in the solicitation of funds without CEO's and Treasurer's approval.

1. The Individual seeking permission to solicit funds on school property is solely responsible for the planning, implementation, and oversight of the solicitation activity.
2. The products or services provided must be pre-approved by the CEO. Any deviation from the activities approved will be cause for termination of the activity. Restitution of any damage to the school or its students will be the responsibility of the individual seeking permission to solicit funds.
3. The safekeeping of the money will be the responsibility of the primary contact. This individual must sign this Permission Form (confirming their understanding of the Solicitation of Funds requirements) prior to receiving consideration for approval.
4. All transactions (money coming in and money going out) must be recorded on a written log and provided to the Treasurer upon request. The written log must be turned in to the Treasurer at the end of the fundraising activity. Failure to complete this requirement may result in punitive action to the primary contact identified below.
5. All disbursements made during this fund-raising activity require a receipt to document the actual cost of the products/services purchased during this fund-raising activity. All disbursements made without a receipt will be recorded and forwarded to the State Auditor's office, if appropriate.
6. The school will not be responsible for payments, losses or any other costs associated with this activity. Any losses for any reason (including loss or theft) are the personal responsibility of the primary contact.

Date of Request _____ **Dates of Fund-Raising Activity** _____

Name of Primary Contact _____

Street Address, City, State, Zip _____

Home Phone: _____ **Business/Cell Phone:** _____

Name of Organization (if applicable) _____

Description of Fundraising Activity and Budget:
(Note: A copy of a detailed budget must be submitted with this form)

Fundraising Goal: \$ _____

Use of Funds at Conclusion of Activity:

I understand my responsibilities as outlined above. _____ **Date** _____
Primary Contact

Permission: _____ **Date** _____ **Date** _____
Director Treasurer

SECTION 6 PROMOTION, PLACEMENT, AND RETENTION POLICY

The Board of Trustees recognizes that the personal, social, physical, and educational growth of children will vary and that they should be placed in the educational setting most appropriate to their needs at various stages of their growth.

It shall be policy of the Board that each student be moved forward in a continuous pattern of achievement and growth that is in harmony with his/her own development. Such pattern should coincide with the system of grade levels established by the Board and the instructional objectives established for each child.

A student will be promoted to the succeeding grade level when he/she has:

1. Completed the course and government-mandated requirements at the presently assigned grade
2. In the opinion of the professional staff, achieved the instructional objectives set forth for the present grade
3. Demonstrated sufficient proficiency to permit him/her to move ahead in the educational program of the next grade
4. Demonstrated the degree of social, emotional, and physical maturation necessary for a successful learning experience in the next grade

A student may be retained at his/her current grade level when he/she has:

1. In the opinion of the professional staff, failed to demonstrate proficiency in mathematics and reading the core subjects of language arts
2. In the opinion of the professional staff, failed to achieve the instructional objectives set forth at the current grade level that are requisite for success at the succeeding grade level
3. Scored at the below basic level on any State-mandated proficiency test

A student may be placed at the next grade level when retention would no longer serve any good purpose. The CEO shall develop administrative guidelines for promotion, placement, and retention of students that:

1. Require the recommendation of relevant staff members
2. Require that parents are informed in advance of the possibility of retention
3. Assures efforts will be made to remediate the student's difficulties before he/she is retained
4. Assign to the CEO the final responsibility for determining the promotion, acceleration, placement, or retention of each student

SECTION 7 ANTI-HARASSMENT, INTIMIDATION AND BULLYING POLICY

The Charter School prohibits acts of harassment, intimidation, or bullying (including cyber-bullying) of any student on school property or at school-sponsored events. A safe and civil environment in the School is necessary for students to learn and achieve high academic standards. Harassment, intimidation and bullying, like other disruptive or violent behaviors, are conduct that disrupts both a student's ability to learn and the School's ability to educate its students in a safe environment. Since students learn by example, school administrators, faculty, staff and volunteers should be commended for demonstrating appropriate behavior, treating others with civility and respect, and refusing to tolerate bullying.

Harassment, intimidation, or bullying means any deliberate or intentional gesture, or any deliberate or intentional written, verbal, or physical act or threat that a student has exhibited toward another Student or Staff member and the behavior both: (1) has one or more of the following effects: (a) harming a Student or Staff member; (b) damaging a Student's or Staff member's property; (c) placing a Student or Staff member in reasonable fear of harm to the Student's or Staff member's person; (d) placing a Student or Staff member in reasonable fear of damage to the Student's or Staff member's property; and (2) is sufficiently severe, persistent, or pervasive that it creates an intimidating, threatening, or abusive educational environment for a Student or Staff member.

The Chartr School prohibits acts of cyber-bullying, which is a sub-set of bullying and involves the use of information and communication technologies, including but not limited to e-mail, cell phone and pager text messages, blogs, MySpace, Facebook, Wikipedia, Bebo, the Internet, Xanga, Piczo, instant messaging, defamatory personal Web sites, and defamatory online personal polling Web sites, to support deliberate or repeated, or hostile behavior by an individual or group, that is intended to harm, intimidate or harass others on School time or the School premises, at School events, programs or activities or off School time or School premises if such acts affect other Students or Staff of the School.

The School reserves the right to discipline students' off campus behavior which substantially disrupts the School's educational process or mission, or threatens the safety or well-being of a Student or Staff member. Some factors which may be considered in determining whether the behavior warrants discipline include, but are not limited to, the following: (1) whether the behavior created material and substantial disruption to the educational process or School's mission due to the stress on the individual(s) victimized or the time invested by Staff in dealing with the behavior or its consequences; (2) whether a nexus to on-campus activities exists; (3) whether the behavior creates a substantial interference with a Student's or Staff member's security or right to educate and receive education; (4) whether the behavior invades the privacy of others; or (5) whether any threat is deemed to be a true threat by the administration or Board, using factors and guidelines set out by the courts or by common sense, reasonable person standards.

Some acts of harassment, intimidation, bullying and cyber-bullying may be isolated incidents requiring that the school respond appropriately to the individuals committing the acts. Other acts may be so serious or part of a larger pattern of harassment, intimidation, bullying or cyber-bullying that they require a response either at the classroom, School building or by law enforcement officials. Consequences and appropriate remedial actions for students who commit an act of harassment, intimidation, bullying or cyber-bullying range from positive behavioral interventions up to and including suspension or expulsion.

All School employees, volunteers and students are required to report prohibited incidents of which they are aware to the CEO or his/her designee. The CEO or his/her designee is then responsible for determining whether an alleged incident constitutes a violation of this policy. In so doing, the CEO or his/her designee shall conduct a prompt, thorough and complete investigation of the reported incident, and prepare a report documenting the prohibited incident that is reported. Once an investigation is completed, and the reported incident has been substantiated, the parent or guardian of any student involved in the prohibited incident shall be notified and to the extent permitted by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. 1232g) have access to any written reports pertaining to the prohibited incident. The School will maintain, via the education management information system, information regarding the number of incidents of harassment of Students against other Students, in each building and School-wide, that violates this policy. All School employees, volunteers and Students shall be individually immune from liability in a civil action for damages arising from reporting an incident in accordance with this policy.

The School prohibits reprisal or retaliation against any victim or person who reports an act of harassment, intimidation or bullying. The consequence and appropriate remedial action for a person who engages in reprisal or retaliation shall be determined by the CEO or his/her designee after consideration of the nature and circumstances of the act, in accordance with School policies and procedures.

Nothing in this policy prohibits a victim from seeking redress under any provision of Guam laws that may apply.

The School may form a prevention task force and/ or programs to educate students about this policy, such as holding an assembly on harassment, intimidation and bullying for Parents and Students, to raise the level of awareness and help prevent the prohibited conduct. The School may also provide training, workshops, or courses on this policy to school employees and volunteers who have direct contact with students.

SECTION 8 LOCAL WELLNESS POLICY

Introduction

Schools play a crucial role in establishing a healthy environment and active atmosphere in order to prevent childhood obesity. In order to promote this wellness each school must establish goals, set nutritional guidelines, have guidelines for reimbursable school meals, develop a plan to measure implementation, and have community involvement.

- **Nutrition Education - Goals**
 - Developing skills to adopt healthy eating behaviors in the classroom
 - Showing easy and fun ways to be physically active
 - Providing nutrition education in class, cafeteria, home, and community
 - Integrating into other subjects and cultures
 - Delivering consistent nutrition messages by staff with appropriate training
 - Incorporating ideas into education curricula

- **Nutrition Educations – Policies**
 - Students in all grades will receive interactive nutrition education to emphasize the need for children to adopt a healthy lifestyle
 - Students will receive consistent nutrition messages throughout the school
 - Nutrition education will be integrated into the core curriculum to reinforce the importance and relevance of a healthy lifestyle
 - The school will ensure health content specific education is done by qualified individuals or outside partners

- **Physical Activity - Goals**
 - Developing the knowledge and skills for specific physical activities
 - Ensuring regular participation in physical activity
 - Understanding the short and long-term benefits of being physically active
 - Allowing the opportunity for physical activity during the school day
 - Providing after-school programs
 - Working with community to create a safe and supportive environment

- **Physical Activity – Policies**
 - Students will be given the opportunity for physical activity before school, at lunch, and after school
 - Students will be given the opportunity for intramural sports and games through athletic clubs and community partners
 - The school will work with the community to develop ways for students to become involved in more activities and to increase their overall physical activity

- **Guidelines for all foods and beverages on school campuses - Goals**
 - Ensuring that reimbursable school meals meet requirements and nutrition standards
 - Establishing standards for any food or beverage available to students throughout the day
 -

- **Guidelines for all foods and beverages on school campuses – Policies**
 - The school will establish clear guidelines for all food and beverages provided on campus grounds
 - See list below for specific guidelines and details

- **Other School-Based Activities - Goals**
 - Providing a clean, safe, enjoyable meal
 - Allowing adequate time for eating schedules mid-day
 - Prohibiting use of food as reward or punishment
 - Forbidding the denial of recess as form of discipline
 - Accessing students to physical activity facilities out of school
 - Developing strategies for parents, teachers, community members to be role models

- **Other School-Based Activities – Policies**
 - The school will provide a clean and safe area for all meals
 - The school will ensure minimum wait time for students during meal time
 - The school will ensure a working drinking fountain is available to students
 - The school will protect the identity of all students with regards to the free and reduced meal program
 - The school will ensure an adequate length of time for lunch
 - The school will schedule lunch as close to the middle of the day as possible
 - The school will not use the refusal of food as a punishment in school

Nutrition guidelines

Students' lifelong eating habits are greatly influenced by the types of food and beverages available to them in their daily environment. Schools must establish guidelines to address all consumable items sold and served on school campus.

- Set guidelines for foods and beverages in a la carte sales in the food service program on school campuses
 - The school does not allow a la carte sales on our campus.
- Set guidelines for foods and beverages sold in vending machines, snack bars, school stores, and concession stands on school campuses
 - The school does not allow vending machines on our campus
- Set guidelines for foods and beverages sold as part of school-sponsored fundraising activities
 - All school activities in which food and beverage are to be served must meet state standards for child nutrition to be no less strict than the school lunch program. In addition all meals used for school fundraisers must be prepared and served by a licensed provider in order to ensure proper handling and safety guidelines.
- Set guidelines for refreshments served at parties, celebrations, and meetings during the school day
 - All parties or rewards held for children during the day including field trips will meet the same standards as the school lunch program.
- The school district makes decisions in the guidelines based on nutrition goals, not on profit making
 - The school will gain no profit and no other financial benefit from any food program on the campus which may harm the wellness of the children. As stated before, if a fundraiser is to include food or beverages it must comply with state lunch program standards. In addition, any funds remaining from state reimbursement after paying the catering company for school lunches will go into further nutrition education or healthy rewards for children.

Guidelines for reimbursable school meals

Guidelines for reimbursable school meals must not be less restrictive than regulations and guidance issued by the Secretary of Agriculture. Districts must ensure that reimbursable school meals meet the program requirements and nutrition standards set forth under the 7 CFR Part 210 and Part 220.

- The school will comply with all guidelines and laws set forth for meal programs.

A plan for measuring implementation

A plan for measuring implementation of local wellness is required and includes designation of one or more persons within the local educational agency or at each school, as appropriate, charged with operational responsibility for ensuring that each school fulfills the district's local wellness policy.

- All compliance is handled by the CEO or the Principal. The CEO is responsible for making sure each area of the food program is in compliance and the wellness policy has been established and enforced within the school. In addition all requests for food or beverage to be served on the campus in any form for the children must be approved by the CEO or the Principal.

Community involvement

Community involvement includes parents, students, and representatives of the school food authority, the school board, school administrators, and the public in the development of the school wellness policy.

- The school has addressed the Wellness policy issue with the parents, school board, and staff to determine the best methods for helping the children. The policies in place reflect what all concerned parties believe give the children the best chance for focus, energy, and performance during the day. In addition the policies give parents some assistance in planning for nutrition at home with the student. This policy will be renewed each year after receiving new input from all parties including the Board of Trustees, staff, and parents.

SECTION 9 GUAM ACHIEVEMENT TEST SECURITY PROCEDURES

The Charter School shall take every precaution to assure that all tests administered within the school system shall be conducted in such a manner so as not to compromise in any way the testing results. For criterion-referenced, norm-referenced, alternate assessments and certain other tests administered by or through the Guam Department of Education, testing materials and procedures, as well as any electronic data, computer media, or passwords related to student testing, shall be properly supervised in strict compliance with regulations outlined by the Guam Department of Education and the Charter School Board. In addition, all secure tests and test documents shall be stored under lock and key in designated areas when not in use.

All cell phones or other similar technological devices with imaging or text-messaging capabilities that are the property of students, test administrators, and school test coordinators must be placed in and remain in the off position and stored in a secure area as designated and supervised by a school administrator during test administration or any other time that test booklets and answer documents are present.

Testing Security

1. It shall be a violation of test security for any person to do any of the following:
 - a. Administer tests in a manner that is inconsistent with the administrative instructions provided by the Guam Department of Education and the School Board that would give examinees an unfair advantage or disadvantage;
 - b. Give examinees access to test questions prior to testing;
 - c. Examine any test item at any time (except for students during the test or test administrators while providing the accommodations Tests Read Aloud or Communication Assistance, Transferred Answers, or Answers Recorded for students determined to be eligible for those accommodations);
 - d. Copy, reproduce, record, store electronically, discuss, or use at any time in a manner inconsistent with test regulations all or part of any secure test booklet, answer document, or supplementary secure materials (e.g. writing prompts, science tasks);
 - e. Coach examinees in any manner during testing or alter or interfere with examinees' responses in any manner;
 - f. Provide answers to students in any manner during the test, including provision of cues, clues, hints, and/or actual answers in any form -- written, printed, verbal or nonverbal;
 - g. Administer published parallel, previously administered, or current forms of any statewide assessment as a practice test or study guide;
 - h. Fail to follow security regulations for distribution and return of secure test booklets, answer documents, supplementary secure materials, as well as overages as directed; or fail to account for and secure test materials before, during, or after testing;
 - i. Conduct testing in environments that differ from the usual classroom environment without prior written permission from the Guam Department of Education;
 - j. Fail to report any testing irregularities to the District Test Coordinator (a *testing irregularity* is any incident in test handling or administration that leads to a question regarding the security of the test or the accuracy of the test data), who must report such incidents to the Guam Department of Education;
 - k. Participate in, direct, aid, counsel, assist in, encourage, or fail to report any of the acts prohibited in this section.
2. Test materials, including all test booklets, answer documents, supplementary secure materials containing secure test questions, video tapes, and completed observation sheets, shall be kept secure and accounted for in accordance with the procedure specified in the examination program administration manuals and other communications provided by the Guam Department of Education. *Secure test materials* include test administrators' manuals, test booklets, answer documents, and any supplementary secure materials.
 - a. All test materials, except district and school test coordinator manuals and test administration manuals, test booklets, answer documents, and supplementary secure materials shall be kept in a predetermined, secured, locked storage area prior to, during, and after administration of any test; all secure materials, including any parallel forms of a test, shall be kept in a locked storage; secure materials must never be left in open areas or unattended;

b. Test administrators are to be given access to the tests and any supplementary secure materials only on the day the test is to be administered, and these are to be retrieved immediately after testing is completed for the day and stored in a designated locked, secure location each day of testing.

c. All test booklets, answer documents, and supplementary secure materials shall be accounted for and written documentation kept by test administrators and proctors for each point at which test materials are distributed and returned.

d. Any discrepancies noted in the serial numbers of test booklets, answer documents, and any supplementary secure materials, or the quantity received from contractors shall be reported to the Guam Department of Education by the school district's Test Coordinator prior to the administration of the test.

e. In the event the test booklets, answer documents, or supplementary secure materials are determined to be missing while in the possession of the school district or in the event of any other testing irregularities or breaches of security, the District Test Coordinator shall immediately notify by telephone the Guam Department of Education.

3. ***Only personnel trained in test security and administration*** shall be allowed to have access to or administer any statewide assessments.

4. The CEO shall designate annually one individual in the district as District Test Coordinator, and, if necessary, one individual as Backup District Test Coordinator, who shall be authorized to procure test. The name of the individuals so designated shall be provided to the Guam Department of Education.

If during the academic year the person appointed as District Test Coordinator changes, the CEO shall notify the Guam Department of Education.

5. Testing shall be conducted in class-sized groups. Permission for testing in environments that differ from the usual classroom setting must be obtained in writing from the Guam Department of Education at least thirty (30) days **prior** to testing. If testing outside the usual classroom setting is approved, the School Board shall provide at least one proctor for every thirty (30) students.

6. In cases where test results are not accepted because of breach of test security or action by the Guam Department of Education, any programmatic, evaluative, or graduation criteria dependent upon the data shall be deemed not to have been met.

7. Individuals shall adhere to all procedures specified in all operational manuals that govern the mandated testing programs, as well as any access to electronically shared student test data.

8. Anyone known to be involved in the presentation of forged, counterfeit, or altered identification for the purposes of obtaining admission to a test administration site for any test administered by the Guam Department of Education shall have breached test security. Any individual who knowingly causes or allows the presentation of forged, counterfeit or altered identification for the purpose of obtaining admission to any test administration site shall forfeit all test scores but will be allowed to retake the test at the next test administration.

9. The District Test Coordinator shall coordinate the investigation of all reports of testing irregularities, including anonymous complaints, access to electronic data, missing test materials, or instances of plagiarism or excessive wrong-to-right erasures on a test. The District Test Coordinator may elicit the assistance of school district administrative personnel as well as other persons deemed appropriate to assist in any investigation. Once the investigation has been completed, a report of the results of the investigation shall be submitted to the Guam Department of Education, and the Executive Director of the school district.

SECTION 10 DOCUMENT RETENTION AND DESTRUCTION POLICY

Purpose

It is a crime to alter, cover up, falsify, or destroy any document with the intent of impeding or obstructing any official proceeding, this policy provides for the systematic review, retention and destruction of documents received or created by the Charter School in connection with the transaction of organization business. This policy covers all records and documents, regardless of physical form, contains guidelines for how long certain documents should be kept and how records should be destroyed. The policy is designed to ensure compliance with federal and state laws and regulations, to eliminate accidental or innocent destruction of records and to facilitate the Charter School's operations by promoting efficiency and freeing up valuable storage space.

Records Management, Retention and Disposition Policy Manual

The Charter School will have a comprehensive Records Management, Retention and Disposition Manual which will be distributed upon adoption by the Board of Trustees. In the meantime, the Charter School will follow the document retention procedures outlined below. Documents that are not listed, but are substantially similar to those listed in the schedule will be retained for the appropriate length of time.

Corporate Records

Annual Reports to the Appropriate Government Agencies	Permanent
Articles of Incorporation	Permanent
Board Meeting and Board Committee Minutes	Permanent
Board Policies/Resolutions	Permanent
By-laws	Permanent
Construction Documents	Permanent
Fixed Asset Records	Permanent
IRS Application for Tax-Exempt Status (Form 1023)	Permanent
IRS Determination Letter	Permanent
Contracts (after expiration)	7 years
Correspondence (general)	3 years

Accounting and Corporate Tax Records

Annual Audits and Financial Statements	Permanent
Depreciation Schedules	Permanent
General Ledgers	Permanent
IRS 990 Tax Returns	Permanent
Business Expense Records	7 years
IRS 1099s	7 years
Journal Entries	7 years
Invoices	7 years
Sales Records (box office, concessions, gift shop)	5 years
Petty Cash Vouchers	3 years
Cash Receipts	3 years
Credit Card Receipts	3 years

Bank Records

Check Registers	Permanent
Bank Deposit Slips	7 years
Bank Statements and Reconciliation	7 years
Electronic Fund Transfer Documents	7 years

Payroll and Employment Tax Records

Payroll Registers	Permanent
State Unemployment Tax Records	Permanent
Earnings Records	7 years
Garnishment Records	7 years
Payroll Tax returns	7 years
W-2 Statements	7 years

Employee Records

Employment and Termination Agreements	Permanent
Retirement and Pension Plan Documents	Permanent
Records Relating to Promotion, Demotion or Discharge	7 years after termination
Accident Reports and Worker's Compensation Records	5 years
Salary Schedules	5 years
Employment Applications	3 years
I-9 Forms	3 years after termination
Time Cards	2 years

Donor Records and Acknowledgement Letters	7 years
Grant Applications and Contracts	5 years after completion

Legal, Insurance and Safety Records

Appraisals	Permanent
Copyright Registrations	Permanent
Environmental Studies	Permanent
Insurance Policies	Permanent
Real Estate Documents	Permanent
Stock and Bond Records	Permanent
Trademark Registrations	Permanent
Leases	6 years after expiration
OSHA Documents	5 years
General Contracts	3 years after termination

Electronic Documents and Records

Electronic documents will be retained as if they were paper documents. Therefore, any electronic files, including records of donations made online, that fall into one of the document types on the above schedule will be maintained for the appropriate amount of time. If a user has sufficient reason to keep an email message, the message should be printed in hard copy and kept in the appropriate file or moved to an "archive" computer file folder. Backup and recovery methods will be tested on a regular basis.

Emergency Planning

The Charter School records will be stored in a safe, secure and accessible manner. Documents and financial files that are essential to keeping the Charter School operating in an emergency will be duplicated or backed up at least every week and maintained off site.

Document Destruction

The Charter School's Chief Financial Officer is responsible for the ongoing process of identifying its records, which have met the required retention period and overseeing their destruction. Destruction of financial and personnel-related documents will be accomplished by shredding.

Document destruction will be suspended immediately, upon any indication of an official investigation or when a lawsuit is filed or appears imminent. Destruction will be reinstated upon conclusion of the investigation.

Compliance

Failure on the part of employees to follow this policy can result in possible civil and criminal sanctions against the Charter School and its employees and possible disciplinary action against responsible individuals. The chief financial officer and finance committee chair will periodically review these procedures with legal counsel or the organization's certified public accountant to ensure that they are in compliance with new or revised regulations.

SECTION 11 WHISTLEBLOWER POLICY

General

The Guahan Academy Charter School ("Organization") Code of Ethics and Conduct ("Code") requires directors, officers and employees to observe high standards of business and personal ethics in the conduct of their duties and responsibilities. As employees and representatives of the Organization, we must practice honesty and integrity in fulfilling our responsibilities and comply with all applicable laws and regulations.

Reporting Responsibility

It is the responsibility of all directors, officers and employees to comply with the Code and to report violations or suspected violations in accordance with this Whistleblower Policy.

No Retaliation

No director, officer or employee who in good faith reports a violation of the Code shall suffer harassment, retaliation or adverse employment consequence. An employee who retaliates against someone who has reported a violation in good faith is subject to discipline up to and including termination of employment. This Whistleblower Policy is intended to encourage and enable employees and others to raise serious concerns within the Organization prior to seeking resolution outside the Organization.

Reporting Violations

The Code addresses the Organization's open door policy and suggests that employees share their questions, concerns, suggestions or complaints with someone who can address them properly. In most cases, an employee's supervisor is in the best position to address an area of concern. However, if you are not comfortable speaking with your supervisor or you are not satisfied with your supervisor's response, you are encouraged to speak with someone in the Human Resources Department or anyone in management whom you are comfortable in approaching. Supervisors and managers are required to report suspected violations of the Code of Conduct to the Organization's Compliance Officer, who has specific and exclusive responsibility to investigate all reported violations. For suspected fraud, or when you are not satisfied or

uncomfortable with following the Organization's open door policy, individuals should contact the Organization's Compliance Officer directly.

Compliance Officer

The Organization's director is responsible for investigating and resolving all reported complaints and allegations concerning violations of the Code and, at his discretion, shall advise the board of directors. The Compliance Officer has direct access to the board of directors and is required to report to the board at least annually on compliance activity. The Organization's Compliance Officer is the CEO of the Charter School.

Accounting and Auditing Matters

The Board of Trustees shall address all reported concerns or complaints regarding corporate accounting practices, internal controls or auditing. The Compliance Officer shall immediately notify the board of directors of any such complaint and work with the board until the matter is resolved.

Acting in Good Faith

Anyone filing a complaint concerning a violation or suspected violation of the Code must be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation of the Code. Any allegations that prove not to be substantiated and which prove to have been made maliciously or knowingly to be false will be viewed as a serious disciplinary offense.

Confidentiality

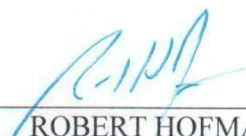
Violations or suspected violations may be submitted on a confidential basis by the complainant or may be submitted anonymously. Reports of violations or suspected violations will be kept confidential to the extent possible, consistent with the need to conduct an adequate investigation.

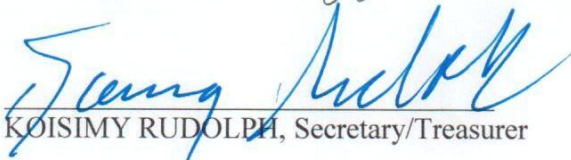
Handling of Reported Violations

The Compliance Officer will notify the sender and acknowledge receipt of the reported violation or suspected violation within five business days. All reports will be promptly investigated and appropriate corrective action will be taken if warranted by the investigation.

EXECUTED THIS 4TH DAY OF JUNE, 2013.

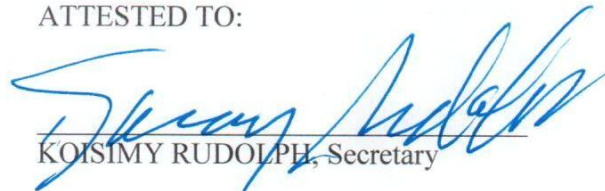

DONNA DWIGGINS, Acting Chairperson


ROBERT HOFMANN
Acting Vice-Chairperson


KOISIMY RUDOLPH, Secretary/Treasurer


DAVID M. BLAS

ATTESTED TO:


KOISIMY RUDOLPH, Secretary


ROSE RIOS OVERSTREET