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Governor

STATE OF NEVADA

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STATE PUBLIC CHARTER SCHOOL AUTHORITY

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**Board and Agency Duties,
Policies and Procedures**

Revised February 2016

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I. INTRODUCTION

Nevada Revised Statutes (NRS) 386.509 creates the State Public Charter School Authority (SPCSA). Overseen by a seven-person Board and staffed by an Executive Director and Agency staff, the Authority has three legislative purposes:

1. Authorize charter schools of high-quality throughout this State with the goal of expanding the opportunities for pupils in this State, including, without limitation, pupils who are at risk.
2. Provide oversight to the charter schools that it sponsors to ensure that those charter schools maintain high educational and operational standards, preserve autonomy and safeguard the interests of pupils and the community.
3. Serve as a model of the best practices in sponsoring charter schools and foster a climate in this State in which all charter schools, regardless of sponsor, can flourish.

These Duties, Policies and Procedures have been adopted by the Board for the general direction and information of Board members and Agency employees and can be amended, varied, or temporarily suspended at the discretion of the Board by motion passed in an open meeting. As used in this document:

- Board means the SPCSA Board members
- Agency means the SPCSA agency and its employees
- Authority means both the Board and the Agency
- Personnel means both Board members and agency employees

II. POLICY STATEMENT

A. INTRODUCTION

A comprehensive ethics policy must provide the Board members and Agency employees with functional guidelines within which to conduct themselves as representatives of the Authority. The policy must encompass the legal requirements placed upon public servants (in this case, the Nevada Ethics in Government Law found at NRS 281A) and provide the tools with which to apply these somewhat complicated restrictions.

This document is a compilation of guidance offered by the Nevada Ethics in Government Law and Board policy. It is intended as a tool to assist the individual Board members and Agency employees in evaluating situations in which fiduciary concerns and ethical considerations may arise.

B. FRAMEWORK

In order for a fiduciary policy to have meaning for Board members and

Agency employees, a framework within which the policy is to be applied must be described.

Board members are entrusted with the responsibility of exercising their duties in a fashion that ensures efficiency, legal compliance and the proper operation of the Authority. Board members are recruited from various areas of expertise relating to education. The requirements that the Board and the Agency operate within are the cornerstones of efficient and effective administration and are essential.

Accountability is paramount in the public sector. Board members and Agency employees not only have to deal with accountability demanded by the public at large, they must also be accountable to their peers, and to the participants. To avoid the perception of misuse of influence, the Board members must be willing to adopt Duties, Policies, and Procedures that preclude and inhibit misconduct, eliminate the wasteful use of resources, and embrace the concepts of sound cost effective measures, both as to the Agency employees and as to their personal involvement as Board members.

The policy is designed to enable the Board members, and Agency employees, to seek counsel, to remain inquisitive and to exercise their functions with the prudence demanded of them in the public sector.

**C. GUIDING PRINCIPLES OF CHARTER AUTHORITY
ADMINISTRATION**

1. Service to the students enrolled in Authority schools and to the people of Nevada is the primary function of the Board and the Agency. Board members are charged with authorizing high quality public charter schools. They are in a position of public trust and are to act for the exclusive benefit of the people of Nevada and in service of the Authority's vision of a high quality public school seat for every Nevada child. Participants have the right to expect that Board members will act with integrity, objectivity, independence, prudence and due care. Objectivity is a principle which imposes the obligation to be impartial and intellectually honest. Independence precludes relationships that may appear to impair a Board member or Agency employees objectivity in rendering authorizing services.
2. In those situations where the law is not clear, the best interests of the Authority must be served. Conscience is critical. Good ends never justify unethical means.
3. Efficient and effective administration and Authority management are basic to administration of a state agency and a local education agency. Misuse of influence, fraud, waste or abuse is unacceptable conduct.

4. Safeguarding the Authority is paramount. Conflicts of interest, bribes, gifts or favors which subordinate Board members and Agency employees to private gains are unacceptable.
5. Service to the Authority demands special sensitivity to the qualities of courage, honesty, equity, competence, and drive for results.
6. Timely and energetic execution of fiduciary responsibilities is to be pursued at all times by Board members and Agency employees.

III. ETHICS

A. NEVADA ETHICS IN GOVERNMENT LAW

As public officers appointed by the Governor, Legislative leadership, and the charter school community, Board members and Agency employees, respectively, are subject to the provisions of the Nevada Ethics in Government Law, NRS Chapter 281A.

Board members and Agency employees are encouraged to review the entire Ethics in Government Law. The keys to interpretation of the ethics statutes are reasonableness, objectivity and disclosure. Prohibition of activity is not the mainstay of the statute. If any Board member or Agency employee has questions concerning situations, they should consult with the Deputy Attorney General assigned to the Board and the Agency. Additionally, should a Board member or Agency employee desire to seek the opinion of the Ethics Commission regarding a specific situation, he or she is encouraged to do so. The Board may also require the seeking of such an opinion should the facts warrant it.

1. **Board and Agency Policy**
 - a. The purpose of this policy is to inform Board members and Agency employees of the statutory mandates regarding ethics and to provide guidance concerning ethical standards for Board members and Agency employees in the performance of their duties.
 - b. It is the policy of the Board and the Agency that maintenance of the highest standards of honesty, integrity, impartiality, and conduct of its Board members and Agency employees is essential to assure the proper performance of business and to maintain the confidence of the Authority's stakeholders.

Duties, Policies, and Procedures

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- c. Serving as a Board member or Agency employee is a public trust and duties shall be performed to the benefit of the people. Board members and Agency employees shall conduct all their duties in accordance with sound judgment and a sense of the highest business, legal, and ethical standards. Each Board member and Agency employee is personally responsible for abiding by this policy and promoting an individual and organizational ethical environment.
- d. Board members and Agency employees shall conduct themselves in such a manner that the work of the Authority is efficiently and effectively accomplished. Board members and Agency employees shall be courteous, considerate, and prompt in fulfilling their duties. Board members and Agency employees shall conduct themselves in a manner that will not bring discredit or embarrassment to the Authority or the State of Nevada. Board members and Agency employees shall conduct all official activities in a manner which is above reproach and free from any indiscretions, including the acceptance of gratuities or favors, which would cast doubt or suspicion upon them or the Authority.
- e. Ethical conduct/standards are defined as the principles which govern an individual or group in conformance with accepted professional standards of conduct.
- f. Integrity, honesty, and ethical conduct are the responsibility of each Board member and Agency employee. Ethical considerations should be a priority in all decision making.
- g. Board members and Agency employees shall review and will perform all their duties in strict conformity with all relevant laws as described in NRS Chapter 281A, dealing with the general provisions relating to public officers and employees, as well as any applicable regulations, directives, internal controls, procedures, and the State personnel manual. Any questions regarding these provisions should be directed to the Administrative Services Officer.
- h. As public servants, Board members and Agency employees shall avoid conflicts of interest and shall use the powers and resources of their office only to advance public interests and not to attain personal benefits or pursue other private interests incompatible with the public good.
- i. By way of illustration, but not limitation, the following

exemplify prohibitions pursuant to these Duties, Policies, and Procedures. Refer to and review NRS 281A.400 for further provisions of prohibited conduct.

- (i) No Board member or Agency employee may use his or her position for personal advantage, for the advantage of any other person, or to promote any actions contrary to the Board and the Agency's stated ethical standards.
 - (ii) No Board member or Agency employee may disclose information regarding business developments of a confidential nature received in the course of his or her duties except in the authorized performance of those duties. Board members and Agency employees shall not attempt to take advantage of such information for themselves or any third party.
 - (iii) Any Board member or Agency employee who owns any interest in or securities of any entity subject to the business interest of the Authority shall not vote or participate in any Board or Authority decision involving that business. Nevada is a community property state and for that reason, spousal ownership could also potentially result in a conflict of interest or the appearance of impropriety.
 - (iv) Any Board member or Agency employee who is an employee or member of the governing body of a charter school shall not vote or participate in any Board or Authority decision involving that charter school.
- j. A Board member or Agency employee should not take any action if he or she is doubtful of its propriety. In the event there is a question about the propriety of a given action or a concern about a potential conflict of interest, the Board member shall discuss the situation with the Chair or assigned Deputy Attorney General. Agency employees shall discuss the situation with the Administrative Services Officer or the assigned Deputy Attorney General. The Chair or Administrative Services Officer shall use the assigned Deputy Attorney General to assist in determining a proper course of action.
- k. The following questions should be considered in determining the proper course of action:
- (i) Is this action legal?

(ii) Is there a directive, internal control, or procedure against this course of action?

(iii) Even if this action is legal and there is no directive, internal control, or procedure against it, is the action nevertheless unethical, a conflict of interest, or may it be perceived as such? Although these considerations are a matter of judgment, if there is any doubt, the issue should be decided conservatively.

l. If the Chair, Administrative Services Officer, or assigned Deputy Attorney General cannot resolve the ethical question, the question should be referred to the Commission on Ethics.

Commission on Ethics
704 W. Nye Lane, Suite 204
Carson City, Nevada 89703
Telephone: 775-687-5469
Fax: 775-687-1279
Email: ncoe@ethics.nv.gov
Website: <http://ethics.nv.gov>

m. As role models for ethical behavior, it is important that Board members, Agency executive staff, and others in supervisory positions communicate to Agency employees information regarding ethical conduct and exemplify the same standards in their actions. The example set by Board members, Agency executive staff, and others in supervisory positions communicates the Board and the Agency's ethical standards more effectively than any other means of communication.

n. The Agency executive staff and others in supervisory positions are to ensure that all Agency employees are familiar with these Duties, Policies, and Procedures and understand the importance of compliance. Discussion of ethical problems and issues is encouraged.

o. Board members and Agency employees are responsible for reporting suspected ethical violations to the Chair, Administrative Services Officer, or Deputy Attorney General, as appropriate.

p. Board members and Agency employees may not accept personal gifts and gratuities from contractors bidding on an

open Authority request for proposal (RFP). For practical reasons, gifts that cannot be returned to the sender will be donated to a local charity.

- q. Board members and Agency employees may not accept personal gifts and gratuities from applicants applying to open a new charter school, amend a written charter contract, or renew a written charter or charter contract. For practical reasons, gifts that cannot be returned to the sender will be donated to a local charity.

- r. Board members and Agency employees may accept personal gifts and gratuities from Authority contracted vendors.

However, the value of individual gifts and gratuities may not exceed \$25.00.

- s. Board members and Agency employees may accept personal gifts and gratuities from Authority schools.

However, the value of individual gifts and gratuities may not exceed \$25.00.

- t. Board members and Agency employees may not accept meals from contractors bidding on an open Authority RFP or from contractors or vendors that are named in or are expected to benefit from an Authority decision related to a charter application, charter amendment, or charter school renewal.

- u. Board members and Agency employees may accept meals from Authority contracted vendors or from contractors or vendors who are not named in or are not expected to benefit from an Authority decision related to a charter application, charter amendment, or charter school renewal.. However, the value of individual meals may not exceed \$25.00.

- v. Board members and Agency employees may not accept travel or lodging from contractors bidding on an open Authority RFP or from contractors or vendors that are named in or are expected to benefit from an Authority decision related to a charter application, charter amendment, or charter school renewal.

- w. Board members and Agency employees may accept travel or lodging from Authority contracted vendors or other organizations if such travel or lodging is required in the performance of their duties for the Authority.
- x. Business meetings, such as applicant orientations, school governing body and school staff trainings, task force meetings, conferences, staff meetings, planning meetings, etc., may, in the interest of efficiency, be conducted at a school, an education management organization location, or a contracted vendor's facility at no cost to the Agency as long as the expenses incurred by the host are customary and not intended to improperly influence a reasonable person.
- y. Board members and agency employees must report the value of all meetings, travel, lodging, and meals incurred in the course of travel pursuant to subsections w or x of this section to the Administrative Services Officer for inclusion in the budget building process for the next biennium and as justification for work program requests.
- z. If the cumulative value of gifts, meals, travel, and lodging from a single school, applicant, education management organization, or contracted vendor exceeds \$200.00 in a calendar year, the recipient may be required to file a Financial Disclosure Form with the Secretary of State.

B. SEXUAL HARASSMENT

- 1. The Board hereby adopts the Office of the Governor Policy Against Sexual Harassment and Discrimination dated October 1, 2011 available at http://hr.nv.gov/Resources/Perds/2011/2011_PERDS/_PERD#42-11 and as amended thereafter.

IV. BOARD GOVERNANCE

- A. Official Board action may only result from a majority vote of the Board members present at a legally constituted Board meeting.
- B. The Board shall always conduct business in accordance with the Nevada Open Meeting Law, statutory and regulatory provisions, and current Duties, Policies, and Procedures, as applicable.

- C. The Board shall establish Duties, Policies and Procedures regarding matters that are not specifically enumerated in statute or regulation.
- D. The Board members shall refrain from directly involving themselves in the duties of the Executive Director.
- E. The Board shall evaluate the Executive Director annually or more often if circumstances warrant. The performance evaluation is conducted coinciding with the annual strategic planning process (even fiscal years) or “fine tuning” process (odd fiscal years). The Board goal in evaluating the Executive Director’s performance is to “speak in one voice” after reaching consensus about performance and to provide constructive feedback, appropriate counseling and coaching designed to improve the Executive Director’s effectiveness and Authority success. A vote of confidence or no confidence shall be rendered. The criteria shall include but not necessarily be limited to the following:
 - 1. A review of performance measurements as outlined in the Authority Strategic Plan.
 - 2. A discussion of the Executive Director’s knowledge of the school portfolio, its academic achievement, and authorizing in general.
 - 3. The Executive Director’s ability to recognize critical issues and prioritization.
 - 4. Communication with the Board and our schools.
 - 5. Relationships with the Governor, Legislators and their respective staffs.
 - 6. Leadership and managerial capabilities as it relates to management of Agency staff and the Authority.
 - 7. A brief discussion of measures taken to enhance and develop key staff members.
 - 8. Budgeting.
 - 9. Progress under the strategic plan.
- F. The Board shall conduct a self-evaluation annually at the same time as the Executive Director evaluation. The process shall include a personal self-evaluation that each Board member undertakes privately without sharing the results, and an overall evaluation of the entire Board’s performance, which is shared with all Board members. The evaluation may include but not be limited to:
 - 1. Attendance at Board meetings.

2. Preparedness for discussions at meetings.
 3. Ability to make sound decisions.
 4. Interaction among Board members.
 5. Interaction with the executive staff.
 6. Policy development and policy compliance.
 7. Oversight and monitoring activities
 8. Strategic thinking and planning.
- G. The Board and/or Agency shall ensure that all legally required reports and reviews are completed and submitted to the appropriate agency in a timely manner.

V. INDIVIDUAL BOARD MEMBER RESPONSIBILITIES

- A. Board members are responsible for attending all Board meetings.
- B. Board members are not empowered to officially act on behalf of the Board except as directed by Board action.
- C. Board members are responsible for learning law, regulation, and best practices pertaining to charter school authorizing, the Duties, Policies, and Procedures, and other official policies.
- D. Board members shall conduct their affairs in such a manner that they always represent the best interest of the Board. To fulfill these functions satisfactorily, individual Board members must exercise utmost judgment, discretion, and tact in order to ensure good public relations, and to avoid any possible misunderstanding regarding actions as an individual as opposed to actions as a Board member.
- E. Board members are not expected to be recognized as experts, but rather are expected to consider the advice of experts.
- F. Board members shall refrain from making commitments to any individual or entity regarding any matter that is scheduled for consideration by the Board as a whole, or any matter that could jeopardize the united effort of the Board.
- G. Board members shall refrain from performing any function delegated or normally assigned to Agency employees.

- H. Board members shall direct their inquiries which may occur outside of a Board meeting to the Agency through the Executive Director or Administrative Services Officer.
- I. The response to correspondence addressed to the Chair shall be prepared by Agency employees and signed by the Chair.
- J. The response to correspondence addressed to the Board shall be prepared and signed by Agency employees on behalf of the Board.

VI. AGENCY ADMINISTRATION

- A. The Board authorizes the Executive Director or his or her designee to provide official press releases and to answer questions from the press and other news media.
- B. The Board authorizes the Executive Director or his or her designee to carry out all administrative functions of the Agency, including but not limited to:
 - 1. Performance management of all charter schools in accordance with authorizing agency best practice, the Performance Framework adopted by the Board, and applicable law and regulation.
 - 2. Financial management of all accounts receivable, accounts payable, and budgetary compliance related to the Authority's role a state governmental office.
 - 3. All charter contract, Agency personnel, operational and vendor contract compliance matters.
 - 4. Interpretation of all Nevada Revised Statutes and Nevada Administrative Code in performing all functions of the Agency.
 - 5. Approving all charter amendments which can be delegated to Agency staff pursuant to applicable law or regulation.
 - 6. Applying for categorical or competitive grants from the Federal government, private donors, and other granting organizations.
 - 7. Developing recommendations, and approving applicable items pertaining to charter application, charter amendment request, and other charter authorizer documents.
 - 8. Representing the Agency to other State entities, including all branches of government.
 - 9. Developing strategic partnerships with other authorizers, charter school and education advocacy groups, and non-

profit organizations which provide services to improve the academic, financial, or organizational performance of charter schools.

10. Awarding and executing vendor contracts pursuant to state law and regulation.

- C. Consistent with Board policies and direction, the Agency shall work with the Department of Administration, the Governor's Office and the Legislature to ensure that the Authority is funded in a manner consistent with its statutory fee authority as well as its statutory and regulatory responsibilities.

- D. Policy changes pursuant to the Agency's Local Education Agency (LEA) authority may be considered by the Board based upon the recommendation of Board members or the Agency. If the Board changes policies, the Agency shall notify schools of these changes.

- E. Distribution of these Duties, Policies, and Procedures
 1. The Executive Director shall ensure that new board members receive a rigorous new member orientation as soon as practical after the appointment. Such orientation is in the best interest of the Board and the Authority and shall include at a minimum the following:
 - a. History and overview of the SPCSA, charter schools, and charter school authorizing
 - b. A review of the schools authorized by the SPCSA
 - c. Authorizing responsibility of the board member and the standards that imposes.
 - d. Board governance for the SPCSA including Duties, Policies and Procedures adopted by the Board.
 - e. A review of other precedent established by Board action.
 - f. The role of staff and the Executive Director and the role of the Board.
 - g. Special terminology applicable to charter schools and charter school authorizing.
 - h. The charter application, amendment, and renewal process.
 - i. Current issues related to the SPCSA and charter schools.

- j. The SPCSA Strategic Plan.
 - k. An office tour and introduction to staff.
2. Each Board member shall acknowledge his or her understanding of the material by signing the "Acknowledgment Form for Board Members."
 3. The signed Acknowledgment Form must then be provided within 10 working days. The Executive Director is responsible for ensuring the completion and filing of a signed Acknowledgement Form from each Board member.
 4. The Administrative Services Officer shall ensure that these Duties, Policies, and Procedures are given to all current Agency employees and any new Agency employee within 10 working days of their hire with the Agency.
 5. Each Agency employee shall acknowledge his or her understanding of the material by signing the "Acknowledgment Form for Employees."
 6. The signed Acknowledgment Form must then be returned to the Administrative Services Officer within 10 working days. The Administrative Services Officer is responsible for ensuring the completion, and filing, of a signed Acknowledgement Form from each Agency employee.
- F. Requests for Information - A special request from Board members that requires significant agency resources, as determined by the Executive Director, must be approved by the Chair before the staff shall be required to act upon the request.

VII. CONTRACTS

A. PURPOSE, AUTHORITY, AND POLICY

1. The purpose of this policy is to establish procedures for the contract process, contract maintenance and contract extensions.
2. The authority for the policy is NRS 333.311 and 333.335; NRS 287.04345; Nevada Administrative Code (NAC) Sections 333.150, 333.155, 333.160 and 333.162; and State Administrative Manual (SAM) Sections 0308.0; 0314.0; 0316.0; 0318.0; 0320.0; 0322.4; 0324.0; 0326.6; 0336.0; 0338.0; 0342.0; 0344.0; 0516.0.
3. The Fiscal/Operations Staff oversee the contracting process for

all contracts that the Authority enters into for services.

- a. The preliminary contract proposal, the contract negotiation, the final contract and the later upkeep of terms are all duties assigned to this unit. It is the responsibility of the Administrative Services Officer to respond to contracting needs originating in SPCSA.

B. DEFINITIONS

1. Request for Proposal - A written statement which sets forth the requirements and specifications of a contract to be awarded by competitive selection pursuant to NRS 333.020(8).
2. Contract - A binding agreement between two or more persons or parties; especially one legally enforceable; a business arrangement for the supply of goods or services at a fixed price.

C. REQUEST FOR PROPOSAL AND SELECTION OF VENDOR

1. When a current contract is scheduled to expire, or a new service is required, an RFP is developed by Fiscal/Operations Staff.
2. Prior to the release of an RFP, the Executive Director shall provide direction to staff regarding services to be provided by vendors.
3. The Administrative Services Officer or SPCSA Contract Manager along with State Purchasing Division (Purchasing) will do the following.
 - a. Create the RFP
 - (i) Determine criteria for service needed to include but not be limited to: Overview and Scope of Work, vendor questions, performance standards and guarantees and financial penalties. Resources are existing RFP's, internet, consultants, and Purchasing.
 - (ii) Create draft RFP. Administrative Services Officer finalizes draft document.
 - (iii) Coordinate with the Agency to develop scoring criteria and weights for the Evaluation Committee.
 - (iv) Develop score sheets and instructions for scoring each vendor.
 - b. Coordinate with the Agency to recruit RFP Evaluation

Committee members. Evaluation Committee will include SPCSA Staff and Individual(s) from other state agencies. The Evaluation Committee may include person(s) who are not employees of the state and possess expert knowledge or special expertise that the Agency or the Administrator of the Purchasing Division determines is necessary to evaluate a proposal.

- c. Coordinate with Purchasing.
 - (i) Draft RFP document, any necessary attachments and scoring/weight information are sent to Purchasing, along with Evaluator names, telephone numbers, fax numbers, mailing addresses and email addresses.
 - (ii) Timelines for release of RFP, response to questions from vendors, close of RFP, review of vendor proposals and selection of vendors is coordinated with Purchasing.
 - (iii) Purchasing reviews, edits, reformats RFP document, and creates agreements with Evaluators and Authority Board members if a second level evaluation is determined.
 - (iv) Purchasing publicizes RFP on Purchasing website and in other media.
- d. Vendors respond to Purchasing or SPCSA as appropriate.
- e. Evaluation and Selection Period.
 - (i) Purchasing/SPCSA coordinate Evaluation Committee meeting with Evaluators.
 - (ii) Purchasing/SPCSA coordinate interviews with vendors, if indicated in the RFP to be part of the selection process.
 - (iii) Evaluation Committee selects recommended vendor from RFP responses.
 - (iv) The Executive Director shall review any recommendation for awarding a contract submitted and may either approve the recommendation of the Chief of the Purchasing Division or of the Evaluation Committee and award the contract as recommended.

- (v) Subsequent to the Executive Director's approval, the Purchasing Division or SPCSA will post the Intent to Award document.

D. CONTRACT PROCESS

1. The Administrative Services Officer is responsible for negotiating binding contracts with service provider vendors when the RFP process is successful.
 - a. The Administrative Services Officer will coordinate with the Agency to negotiate contract terms, fees and responsibilities with vendor.
 - b. The Administrative Services Officer will coordinate completion of contract with Purchasing.
 - c. The Contract Manager or the Purchasing Division will create copies of Contract Summary.
 - d. The Contract Manager or the Purchasing Division will create at least three copies of Contract.
 - e. The Contract Manager or the Purchasing Division will coordinate required contract signatures.
 - f. The Contract Manager will present Contract Summary to Administrative Services Officer for review. The Administrative Services Officer will indicate approval in Nevada Contract Entry and Tracking System (CETS).
 - g. The Contract Summary and Contract are forwarded to Executive Director for review and signature.
 - h. The Contract Manager or the Purchasing Division will forward the Contract via overnight mail or email to the vendor for signature.
 - i. Upon return of the signed contract, the Contract Manager or the Purchasing Division will coordinate review and obtain signature by the SPCSA Deputy Attorney General or the Purchasing Attorney General.
 - j. After all signatures have been obtained, the Contract Manager or the Purchasing Division will send the Contract and Contract Summary to Board of Examiners for

approval.

- k. Once Board of Examiners approves contract, the Budget Division completes final entry of the Contract into CETS.
- l. The original copies of the Contract and Contract Summary go to SPCSA, Purchasing and vendor. Copies of the Contract and Contract Summary go to SPCSA Accounting Section.
- m. Contract is valid if necessary signatures and approvals have been obtained.

E. CONTRACT MAINTENANCE

- 1. The Contract Manager and Administrative Services Officer are responsible for monitoring all vendor contracts and completing:
 - a. Regular status reports to SPCSA Executive Director with any notifications of contracts needing attention, i.e., upcoming termination dates, etc. as needed.
 - b. Updates to the Nevada Contract Entry and Tracking System (CETS), as needed.
 - c. Audits in coordination with the Accounting Section of vendor invoices, including the entire quarter for all new contracts and random monthly audits for current contracts on quarterly basis.
- 2. The Contract Manager or Administrative Services Officer will report discrepancies and assist with their resolution.

F. VENDOR SERVICE PERFORMANCE STANDARDS

- 1. Service performance standards will be included in all contracts. The specific standards will depend upon the type of service(s) being contracted.
- 2. Financial Guarantees - Percentage guarantees will be determined by type of services provided by vendor

G. VENDOR CONTRACT EXTENSIONS

- 1. The standard term for the contract is four years.
- 2. As needed or one year prior to the termination date of the vendor

contract when the contracted vendor has satisfied their contractual obligations as indicated in the contract performance standards, a vendor contract may be extended.

- a. The Administrative Services Officer will determine if extending vendor contract will benefit the State of Nevada and the SPCSA using the following criteria.
 - (i) Has the vendor satisfied contract performance standards?
 - (ii) The length of the contract extension.
 - (iii) The monetary amount for the extension period.
- b. The Contract Manager will create the Contract Summary and Contract and will process these documents as outlined above.

VIII. EDUCATION

A. BOARD, EXECUTIVE DIRECTOR, AND CORE AUTHORIZING AND LOCAL EDUCATION AGENCY STAFF

1. Board members, the Executive Director, and all staff designated by the Executive Director as having core authorizing or local education agency duties must complete the following professional development activities:
 - a. Each member of the Board and the Executive Director shall complete at least 40 hours of continuing education relating to charter schools, charter school authorizing, and education policy.
 - b. Each Agency staff member designated by the Executive Director as having core authorizing or local education agency duties shall complete at least 24 hours of continuing education relating to charter schools, charter school authorizing, and education policy.
 - c. While attending courses of continuing education, applicable travel reimbursement may be provided in compliance with the Agency travel policy.
 - d. Professional development hours can be attained through attendance at the National Association of Charter School Authorizers, the National Charter Schools Conference, regional charter schools conferences sponsored by charter school support associations in this and other states, and conferences sponsored by the US Department of Education related to charter schools.
 - e. To ensure that there is no perception of a violation of the open meeting law, no more than three members of the Authority board may attend the same professional

development activity, including a conference, which is held out of state, at the same time.

- f. These educational requirements must be accomplished over the course of a fiscal year.

- 2. The Board and Agency employees are encouraged to coordinate and provide classes that would meet the requirements for Board members and Agency employees.

B. AGENCY EMPLOYEES

1. Eligibility

- a. All Agency employees are eligible.
- b. Classes or courses taken that do not lead to a degree must be directly related to the Agency employee's position and related duties at the time of enrollment or to charter schools, education policy, or performance management.
- c. Classes required for a degree directly related to charter schools, education policy, education law, or the administration of public agencies and similarly complex non-governmental entities are eligible.

2. Reimbursement

- a. Reimbursement for fees and course materials will be made upon successful completion. Reimbursement will be made for a maximum of one course per quarter/semester. Successful completion is defined as:
 - (i) Receiving a grade of C or better;
 - (ii) Receiving a passing grade if the designation is pass/fail; or
 - (iii) Receiving a certificate of completion.
- b. A written request for training must be completed and approved by the supervisor; Administrative Services Officer, if the training has associated costs; and the Executive Director prior to enrollment. In the event that the request is made by the Executive Director, the approval must be made by the Board Chair.
- c. Reimbursement for training may not exceed the budgeted amount each fiscal year.

3. Release Time

- a. Release time may be granted for classes or courses meeting

the requirements of the policy.

- b. Release time will not be granted for classes or courses which are available after work hours.
 - c. Maximum release time is four hours per week.
 - d. All Agency employees will be afforded the opportunity of up to four hours per week release time provided that:
 - (i) Requirements of the policy are met, and
 - (ii) Release time will not have a negative impact on the operations of the Authority.
 - e. Any additional time off must be made up and that request must also be approved by the supervisor.
4. The Agency may provide or send employees to training classes and conferences related to charter schools, school operations, school finance, school law, education policy, or public administration.

IX. TRAVEL

A. PURPOSE, AUTHORITY, AND POLICY

- 1. The purpose of this policy is to establish procedures for authorization and approval of all travel and provide required forms. Only in exceptional circumstances, with documented pre-approval from the Executive Director, will a traveler be able to travel outside these parameters. All travel exceptions must be to the benefit of the state.
- 2. NRS 281.160 outlines the State's statutes regarding travel and subsistence for State officers and employees. The State Administrative Manual (SAM) 200 outlines the Board of Examiner's travel policy which must be adhered to by all state employees in addition to their Agency travel policies. SAM 1400 contains guidelines for usage of Fleet Service (Motor Pool) vehicles.
- 3. SAM 0204.0 requires all travel be made by the least expensive method available considering all factors including travel time and salary, availability of motor pool vehicles and the cost of transportation and lodging. All travel and associated expense reimbursements must be related to approved State business.

Personnel combining State business and personal travel must clearly delineate expenses associated with State business and those

relating to personal travel. Personnel requesting to leave early or return late from a business related trip (i.e., return Sunday evening instead of Friday afternoon) may do so as long as there is no additional cost to the Agency and no additional overtime related to the request. Personnel are expected to submit annual leave for hours not transacting State business.

Personnel with approved travel orders that require the staff member to travel on a Friday and the subsequent Monday may request reimbursement for lodging to stay in a travelled-to city for the intervening weekend provided that the cost of lodging does not exceed the cost of the travel the staff member thereby avoids. There can be no additional per-diem cost to the Agency and no additional overtime related to the request. Personnel are expected to submit annual leave for hours not transacting State business which fall within their regular work schedule.

Personnel who are not in either reporting or personal relationships may jointly request authorization to share lodging in support of cost savings. The staff member incurring the cost will be reimbursed for the lodging expense and a notation will be made on the reimbursement forms of both staff members indicating that the room was shared.

Personnel travelling to the same location are expected to share motor pool or rental vehicles when feasible. In the event that personnel are travelling to the same location and it will be necessary for staff or board members to be in separate locations at the same time, the use of a taxi service or public transportation to supplement the shared motor pool or rental vehicle is encouraged, unless these supplemental costs are expected to exceed the costs of renting an additional vehicle.

Due to the limited opportunities to obtain professional development related to charter schools and charter school authorizing within the State of Nevada, the Agency may send up to three board members and four staff members to those conferences identified by the Board and the Executive Director as being particularly relevant to those topics. Board members and staff who have been invited to present at conferences and who have received a discounted registration due to their participation may also attend. Board members who attend such conferences are required to report on insights gained from attending such conferences at a regularly scheduled board meeting. Staff who attend such conferences are required to report on insights gained at a regularly scheduled staff meeting. To maximize the benefits of such professional development, the Executive Director will rotate attendance assignments to each conference to ensure that as many

Board members and staff as possible are eligible to attend. To maximize savings to the state, registration and other reservations must be made by Agency staff as soon as practicable to take advantage of early bird rates and access conference lodging blocks, prior to the expiration of any discounted conference rates.

The Administrative Services Officer is responsible to ensure anticipated costs for this purpose are included as part of the agency biennial budget request and any necessary budget adjustments in the interim are submitted appropriately and timely as a work program request.

4. These policies and procedures are intended to augment not contradict the official SAM regulations. If a contradiction does exist, the SAM regulation supersedes. (SAM sections are referenced throughout this document where deemed appropriate.)

B. DEFINITIONS

1. Travel Status – A Board member or an Agency employee is in 'travel status' if away from the Agency office and on official State business.

C. PROCEDURES

1. Authorization
 - a. The Agency employee's Executive Staff supervisor shall authorize all travel. Completion of the Agency Travel Pre-Authorization form is required for all Agency employees. Budgetary authority must be verified by the Accounting staff prior to the commitment of any State funds. The Executive Assistant will provide a Board travel summary on a quarterly basis, in advance, and forward to the Accounting staff to verify budget authority.

Authorization for the Executive Director shall be approved by the Board Chair if for out-of-state travel.
 - b. Any travel arrangements which need adjustment or cancellation require the traveler to contact Agency staff as soon as the need arises.
2. Air Transportation
 - a. All air transportation should be booked through any State authorized travel agent or directly with the airline, whichever is lowest cost.

- b. The Agency departmental travel procurement card should be used to reserve and pay for all airline tickets.
 - c. Assigned Agency staff are responsible for making all airline reservations for Board members and agency staff. A copy of the itinerary will be forwarded to the traveler.
 - d. Pursuant to SAM 0217, flight bonus points earned by State agencies or employees as a result of State-paid air travel shall, whenever possible, be used by the agency to meet State travel needs.
3. Automobile Transportation
- a. Motor Pool – SAM Chapter 1400 governs the policy for motor pool vehicle use. A motor pool car should be used whenever possible. Only State employees, board members, or other authorized persons may drive or be passengers of motor pool vehicles. Drivers of motor pool vehicles must attend a state sponsored defensive driving course every four years.

Motor pool vehicles may not be parked at an employee's home overnight without prior approval by State Motor Pool. Motor pool vehicles are available in Reno, Carson City and Las Vegas. Motor pool vehicles should be fueled at Nevada Department of Transportation locations or with a State credit card at designated gas stations. Credit cards and a list of locations may be obtained from State Motor Pool when picking up the vehicle. A personal credit card or cash should not be used to fuel the vehicle. If this occurs, the traveler will have to justify the expense in writing to the State Motor Pool along with the original receipt for reimbursement. Smoking is not allowed in motor pool vehicles.
 - b. Assigned Agency staff are responsible for making vehicle reservations for Board members and agency staff. A copy of the confirmation will be forwarded to the traveler.
 - c. Pursuant to SAM 1414, all accidents or incidents involving a State vehicle must be reported to the Administrative Services Officer or the employee's supervisor immediately when possible. The staff member notified will comply with required notifications to other State agencies.

- d. Local Trips – If an employee is taking a trip under 75 miles, use of a motor pool vehicle is optional. Reimbursement for use of personal car will be made at the standard rate established by the Department of Administration. Reimbursement will be made for any miles driven in excess of an employee’s normal commute. A normal commute is the roundtrip mileage between the employee’s residence and their official duty station.

- e. Personal Car – When an Agency employee uses his or her own car to accomplish State business at the request of or for the convenience of the Agency, the employee will be reimbursed at the standard rate established by the Department of Administration.
 - (i) When an employee uses his or her own vehicle for personal convenience, the employee will be reimbursed at one-half the standard reimbursement rate established by the Department of Administration (SAM 0212.5 for in-state travel and SAM 0214.6 for out- of-state travel). If an employee chooses to use his or her own vehicle to drive to a city serviced by an airline, the employee must be on either annual leave or compensatory time off for the extra travel time involved. Meals and/or expenses en-route will not be reimbursed. Mileage reimbursement will be based on the lesser amount of the actual mileage traveled or the cost of the airfare which would have been purchased. In the event of an accident or loss, the insurance on the personal vehicle is primary to all State coverage.

- f. Rental Car – SAM 0218.0 requires the use of motor pool vehicles when traveling in-state unless the State Motor Pool gives written notice that motor pool vehicles are not available. When not available, or when traveling out-of- state, a rental car may be rented from companies with which the State has agreements. Collision damage waivers are included in the State’s car rental agreements. If the individual wishes to purchase this additional coverage, it will be at the individual’s expense. In the event an employee or board member driving an authorized rental car on State business is involved in an accident, the agency will be responsible for the deductible.

- g. Assigned Agency staff are responsible for making vehicle reservations for Board members and agency staff. A copy of the confirmation will be forwarded to the traveler.

- h. Public Transportation – If travel is by bus, taxi or limousine, an original receipt must be attached for reimbursement. Travel from air terminals should be by the most economical means available.

- i. Expense Reimbursement Rates
 - (i) SPCSA reimbursement rates, covered expenses and receipts policies for both in-state and out-of-state travel will be the same as those provided in SAM Chapter 0200.
 - (ii) Pursuant to SAM 0204, all requests ~~below 50 miles from duty station one-way~~ for meals or lodging **per diem are allowed if travel is 50 miles or more from duty station** and must be made in writing and must be approved by the ~~Executive Director~~ **staff member's supervisor** prior to traveling. Exception for out of state travel by the Director must be made in writing and must be approved by the Board Chair prior to traveling.
 - (iii) In order to qualify for meal per diems, the Board member or Agency employee must be in travel status during the following times:
 - Breakfast Depart at/ before 7:00 a.m.a.m.

Duties, Policies, and Procedures

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Lunch	Depart at/ before 11:00 a.m. and return after 1:00
Dinner	Depart at/before 5:00 p.m. and return after 7:00

4. Travel Advances - SPCSA issues travel advances pursuant to SAM Chapter 0266 and 0234.
5. State Contracted Travel Credit Card – The SPCSA may issue State contracted travel credit cards pursuant to SAM Chapter 0230.
6. Travel Expense Claims
 - a. Travel Expense Form - All claims for travel reimbursement to an individual must be filed on a *Claim For Travel Expense* form and include the traveler's original signature. By signing the statement on the face of the form, the claimant is attesting to the completeness and accuracy of the claim. All claims are to be approved by the supervisor who approved the travel authorization. The supervisor's signature approves the necessity and payment for the trip, attests to the completeness and accuracy of the claim and validates the travel status of the employee.
 - (i) Travel Expense claims should be accompanied by all receipts, as required.
 - (ii) Flight itineraries and conference agendas should be attached to Travel Expense claims for meals justification.
 - (iii) Travel Expense claims for in-state travel should be filed within 30 days of travel completion. All out-of-state travel claims and any travel claim for which a travel advance was provided, must be submitted within 5 working days of returning from travel status.
 - (iv) Do not include supplies purchased on a trip on a Travel Expense claim. Request reimbursement on a separate signed request and include the appropriate authorization and original receipt.
 - (v) Mandatory phone charges at hotels will be

reimbursed. Any calls charged to a hotel will be paid if each number called is marked with the person's name, organization and justifiable reason next to the charge.

- b. Completed and approved Travel Expense claims with the traveler's original signature must be submitted to the SPCSA Accounting Assistant for processing. Travel Expense claims will be processed in accordance with Accounts Payable policies and procedures regarding non-recurring expenses other than contracts.

Internal control documents and other supplemental travel policy which define processes and assignments for agency staff will be maintained at Agency offices.

X. LEGISLATURE

- A. Board members and Agency employees shall work diligently and cooperate fully with the Legislature and its committees in any study made or information desired in relation to the operation, functions, or status of the Authority.

- B. The Board may take a position on all proposed legislative matters affecting the Authority and direct Agency employees to make that position known to the Legislature. Board members who have business before the Legislature shall ensure that they identify when they are speaking on behalf of the Authority and when they are speaking in their personal or other non-Board capacity.

ACKNOWLEDGMENT FORM
STATE PUBLIC CHARTER SCHOOL AUTHORITY (SPCSA)
DUTIES, POLICIES AND PROCEDURES

Nevada Revised Statutes (NRS) 386.509 creates the State Public Charter School Authority (SPCSA). Overseen by a seven-person Board and staffed by an Executive Director and Agency staff, the Authority has three legislative purposes:

1. Authorize charter schools of high-quality throughout this State with the goal of expanding the opportunities for pupils in this State, including, without limitation, pupils who are at risk.
2. Provide oversight to the charter schools that it sponsors to ensure that those charter schools maintain high educational and operational standards, preserve autonomy and safeguard the interests of pupils and the community.
3. Serve as a model of the best practices in sponsoring charter schools and foster a climate in this State in which all charter schools, regardless of sponsor, can flourish.

These Duties, Policies and Procedures have been adopted by the Board for the general direction and information of Board members and Agency employees and can be amended, varied, or temporarily suspended at the discretion of the Board by motion passed in an open meeting. As used in this document:

- Board means the SPCSA Board members
- Agency means the SPCSA agency and its employees
- Authority means both the Board and the Agency
- Personnel means both Board members and agency employees.

Once signed, this acknowledgment will be placed in the employee's personnel file.

Acknowledgment of Receipt:

I acknowledge receipt of the State Public Charter School Authority's Duties, Policies and Procedures.

Print Employee Name

Employee Signature

Employee ID

Date

SPCSA Administration

Date