



# Hapeville Charter Schools and Programs

**Hapeville Charter Middle School**  
3535 South Fulton Avenue  
Hapeville, GA 30354  
404-767-7730

**Hapeville Charter Career Academy**  
6045 Buffington Road  
College Park, GA 30349  
404-766-0101

**Hapeville Charter Business Office**  
PO Box 862007, Marietta, GA 30062  
770-642-8173

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## Hapeville Charter Board Policies

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## **Hapeville Charter Board Policy Regarding Public Comment**

Adopted: January 28, 2013

### **Addressing the Board**

The Hapeville Charter School Board welcomes the public to be involved and attend its meetings. Time is set aside for public comment at each of its regularly scheduled monthly meetings to allow Fulton County residents, businesses, organizations, or employees to address the Board.

The Public Comment period is designed to gain input from the public and not for immediate responses by the Board to the public comments presented. While the Board cannot assure each speaker of a specific or individualized response, the Board will consider the public comments and any supporting materials provided by speakers.

The Public Comment period will end after 15 minutes, or when all speakers that have been confirmed to speak have been heard, whichever occurs first.

### **Registering to Address the Board**

Up to three (3) speakers per meeting may address the School Board. These slots are available by doing the following:

1. Send a request via email or written request to the Executive Director Mr. Mike Ramos [mramos@hapevillecharter.org] or to the HCCA Principal Mr. Richard Fowler (rfowler@hapevillecharter.org) no earlier than two weeks prior to the scheduled board meeting and no later than noon of the Friday before the next week's board meeting. Requests to address the Board must include topic or issue the requestor would like to address before the Board.
2. Send a cc: to the School Board Chair, Mrs. Corliss Davenport (cdavenport@hapevillecharter.org).
3. In the SUBJECT line of the email, include the phrase "Public Comment Request at xx month's board meeting."
4. The Executive Director will send a confirmation back to the requestor for date/time of meeting.
5. Bring the confirmation email (from the Executive Director or designee) to the Board meeting showing registration and approval for that month's meeting. Without the confirmation, the requestor will not be permitted to address the Board.

If an individual is unable to attend the meeting after signing up in advance, he/she may appoint a substitute speaker by emailing the Executive Director by noon of the meeting day.

Speakers will not be denied the opportunity to speak on the basis of their viewpoint; however, the public is encouraged to follow the school's chain of command (teacher, school leader, Executive Director) prior to bringing any issues before the Board. Before each Public Comment statement, the Executive Director (or presiding board officer) will ask whether the issue being brought before the board has already been presented through the existing HCS Issue Resolution Process.

## Procedures for Addressing the Board

- To ensure orderly pursuit of business and to provide opportunities for input, the Hapeville Charter School Board has adopted the following processes and rules. Failure to follow these rules may result in termination of the speaker's comments.
- Speakers must have signed up to speak through the Executive Director (mramos@hapevillecharter.org) prior to the meeting . Speakers should begin their comments by stating their name, connection, or interest in the Hapeville Charter School, and if so authorized, the organization they represent.
- Speakers should also be prepared to acknowledge whether, when and how their comments have already been brought to the attention of the school leadership using the HCS Issue Resolution Process. If the speaker is bringing forth an issue that has already been discussed with school leadership, they should also be prepared to acknowledge whether the issue for public comment is due to non-resolution or additional information on the topic.
- Speakers should be courteous and professional. The presiding Board officer may terminate public comments that she/he deems inappropriate or potentially defamatory.
- Speakers will be heard in the order in which they signed up via the Executive Director.
- Speakers have four minutes each and must stop speaking promptly when signaled by the timer and or presiding Board officer or Executive Director.
- Speakers may not address confidential student or personnel matters, but may submit such concerns to the Board in writing.
- Speakers are encouraged to provide the Board with a written copy of their comments and other appropriate supporting documentation prior to the day of the Board meeting.
- Individuals may divide (split) a time slot between multiple speakers only if all such speakers have signed up to speak and are announced at the beginning of the remarks.
- An organization may sign up to speak by designating a spokesperson and two alternates, one of whom may speak in addition to the primary spokesperson.

## Hapeville Charter Board Policy Regarding Conflict of Interest

Adopted: February 25, 2013

### Article I Purpose

The purpose of the conflicts of interest policy is to protect the interest of Hapeville Charter Schools (“the Organization”) when it is contemplating entering into a transaction or arrangement that might benefit the private interest of an officer or director of the Organization. This policy is intended to supplement but not replace any applicable state laws governing conflicts of interest applicable to nonprofit and charitable corporations.

### Article II Definitions

#### 1. Interested Person

- a. 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 Organization has a transaction or arrangement, or
- b. a compensation arrangement with the Organization or with any entity or individual with which the Organization 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 Organization 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 appropriate board or committee decides that a conflict of interest exists.

## Article III 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 directors and members of the committees with board delegated powers considering the proposed transaction of the 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/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 decide if a conflict of interest exists.

### 3. Procedures for Addressing the Conflict of Interest

- a. An interested person may make a presentation at the governing board or committee meeting, but after such presentation, he/she shall leave the meeting during the discussion of, and the vote on, the transaction or arrangement that results in the conflict of interest.
- b. The chairperson of the governing board or committee shall, if appropriate, 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 Organization 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.

If a more advantageous transaction or arrangement is not reasonably attainable under circumstances that would not give rise to a conflict of interest, the governing board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Organization's best interest and for its own benefit and whether the transaction is fair and reasonable to the Organization and shall make its decision as to whether to enter into the transaction or arrangement in conformity with such determination.

### 4. Violations of the Conflicts of Interest Policy

- a. If the governing 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.

- c. No petitioner and no member of the governing board of the petitioner or the charter school shall sell, lease, or receive payment for providing textbooks, supplies, services, equipment, facilities, or land to a charter school or other public school in this school system. Nor will the board members receive payment for services as board members.
- d. No administrator will be directly responsible for the supervision or evaluation of a member of his/her immediate family.

#### Article IV Records of Proceedings

The minutes of the governing board and all committees 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 was present, and the board's or committee's decision as to 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.

#### Article V Compensation

1. A voting member of the board of directors who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
2. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Organization for services is precluded from voting on matters pertaining to that member's compensation.
3. A voting member of the governing board who receives compensation, directly or indirectly, from the Organization, whether as an employee or independent contractor, is precluded from membership on any committee whose jurisdiction includes compensation matters. Such person is prohibited from providing information to any committee regarding compensation.

#### Article VI Annual Statements

Each director, principal officer and member of a committee with board delegated powers shall annually 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,
- c. has agreed to comply with the policy, and

- d. understands that the Organization is a charitable organization and that in order to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

#### Article VII Periodic Reviews

To ensure that the Organization operates in a manner consistent with its charitable purposes and that it does not engage in activities that could jeopardize its status as an organization exempt from federal income tax, periodic reviews shall be conducted. The period reviews shall, at a minimum, include the following subjects:

- a. Whether compensation arrangements and benefits are reasonable and are the result of arm's-length bargaining.
- b. Whether partnership and joint venture arrangements and arrangements with management service organizations conform to written policies, are properly recorded, reflect reasonable payments for goods and services, further the Organization's charitable purposes and do not result in inurement, impermissible private benefit, or an excess benefit transaction.

#### Article VIII Use of Outside Experts

In conducting the periodic reviews provided for in Article VII, the Organization may, but need not, use outside advisors. If outside experts are used for their use shall not relieve the governing board of its responsibility for ensuring that the periodic reviews are conducted.

ANNUAL CONFLICT OF INTEREST AFFIRMATION AND DISCLOSURE OF POTENTIAL  
CONFLICTS OF INTERESTS

OF

HAPEVILLE CHARTER SCHOOLS.  
(Adopted by the Board on 02/25/2013)

Per the Conflict of Interest Policy adopted by the Board of Directors of Hapeville Charter Schools ("the Corporation"), each member of the Board of Directors, any officer, any employee of the Corporation, or a member of a committee wherein such member has Board of Director delegated powers, shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and
- d. Understands the Corporation is tax-exempt and in order to maintain its federal tax exemption it must engage primarily in activities to accomplish one or more of its tax-exempt purposes.

I hereby affirm the above.

Name (Printed): \_\_\_\_\_

Position(s): \_\_\_\_\_

Signature: \_\_\_\_\_

Date: \_\_\_\_\_

In addition, please check the appropriate box below:

To the best of my knowledge and belief, except as disclosed herewith, neither I nor any person with whom I have or had a personal or business relationship, is engaged in any transaction or activity or has any relationship that may represent a potential competing or conflicting interest as defined in the Conflict of Interest Policy.

\_\_\_\_\_ Without exception

\_\_\_\_\_ Except as described below: