

**Esperanza Elementary Board of Directors Meeting**  
**July 2, 2013**  
**West Valley Library, West Valley City, UT**  
**6:00 pm**  
**MINUTES**

**Call to Order**

Janet Christensen called to order the meeting at 6:00pm on July 2, 2013.

**Roll Call**

**Members present:** Janet Christensen (chair), Steve Winitzky, Juan Freire, Patricia Matthews.

**Members absent:** Enrique Sosa, Marty Banks, Robert Heyn, Marlon Morales.

**Others present:** Barbara Lovejoy (Executive Director/Principal), Flavia McKnight

**Approval of Minutes**

- Minutes for 6-4-13 were approved. Steve motioned and Patricia seconded.

**Announcements**

- State Charter School Board July Visit Plan - Patricia said it needs to be arranged with Marlies Burns, USOE Charter School Section. She forwarded those to JC and provided instructions. JC will follow up.
- GBOT Plan Review – PM explained that the Esperanza Board can opt to complete the GBOT trainings by selecting 3 board members to do the trainings and then summarize the modules for all other board members as part of a monthly board meetings agenda; board members would need to sign off that they received the module trainings, either at the meeting or by email. PM motioned that she as past president, JC as current president, and BL as executive director would take this responsibility and that the board would opt to participate in the GBOT trainings in this manner and JC seconded. Vote was unanimous.

**Reports**

- **Architects.** BL says there is progress with the architects and the property selection. AFCU property requires a final soils analysis and then it is likely Esperanza's developer will purchase the property and the construction process will be underway. A tentative date for the ground breaking ceremony has been set for Saturday, September 21, 2013. Everyone understands the importance of securing a firm address as soon as possible.
- **Financial Report.** Steve presented the financial reports showing fiscal activity, budget vs actual, and the balance sheet for the entire fiscal year 2012-13. The books are in order. The annual budget was closely followed. Esperanza enters the new fiscal year with an asset balance of \$101,000.

**Approvals**

- **Review/approval of lease/contract between Giza Development & Esperanza Elementary.** PM proposes that we approve the lease and that we continue investigating some concerns that JF brought up. Steve motions and JC seconds it. Vote was unanimous.
- **Review/approval of E-Rate authorizations and policies.** Steve presents this policy and e-rate items. SW motions the four policies, PM seconds. Vote was unanimous. See attachment.

## Discussion

- **Board members.** ES, as result of not providing his intent to continue serving, is removed from the Esperanza Board. His abilities are valued and JC will follow up with him to see if he would like to serve on the Advisory Board. MM will be invited to move to the Advisory Board. JC will talk with MM about this. The governing board values and appreciates his past service and would very much like him to continue as a member of Esperanza's Advisory Board.
- **Esperanza board of director needs for 2013-14.** There was general consensus that we need two or three new board members who are integrated in the Latino community, have a business background and connections, and who are people who are able to help Esperanza come to know individuals and companies who have the ability to provide financial and in-kind resources for the school. General consensus that BL and some board reps be involved in having a lunch and making an Esperanza presentation for prospective board candidates. Elena Bensor (who was a Generación Floreciente board member and is currently on the Esperanza Advisory Board) was discussed as a potential board member – BL will ask her.
- **Proposal to change meetings to the third Tuesday.** For now there is no change.

## Agenda Items for Future Meetings

- **Retouch the vision and mission.** Including bilingualism, biculturalism, and the importance of serving in the local communities.

## Kudos

- Kudos to Flavia for attending the meetings even though she is no longer an official board member.
- Patricia was thanked for her service to the school as its board chair for the 2012-13 year.
- Juan was thanked for his service as secretary during the last year and for his willingness to service in this capacity for the 2013-14 year.
- Janet was thanked for taking the helm as Esperanza's new board chair.

Meeting was adjourned at 7:50 pm. Next meeting will be Tuesday, August July 6<sup>th</sup> at 6:00 P.M. at the West Valley Library.

**E-Rate Items for July 2, 2013 Meeting**

1. Board to delegate authority for Esperanza's E-Rate program.

Background. Barbara and Steve will share this authority—either person has authority to represent Esperanza in this area—they will confer with each other on decisions and actions. Steve is the primary contact person. Esperanza has contracted with Kellogg-Sovereign Consulting, LLC to facilitate and guide Esperanza with its E-Rate applicable communications purchases for the school's first operational year. It is anticipated that this service will cost less than \$1,000 and will not be payable until the first operational year.

**Motion: the Esperanza Board approve Barbara Lovejoy, Executive Director, and Steve Winitzky, Board Treasurer, as Esperanza's authorized representatives for the federal E-Rate program.**

2. Board to establish E-Rate Record Retention Policy.

**Motion: It is the policy of Esperanza Elementary to retain all E-Rate records for a period of five years after the last date of service in accordance with FCC Fifth Report and Order (Para. 47, FCC 04-190, Adopted August 4, 2004).**

3. Board to approve an E-Rate Procurement Clause into the existing Esperanza Purchasing Policy.

**Motion: the Esperanza Board approves the following E-Rate procurement policies to be added in Esperanza's existing Purchasing Policy.**

**In selecting service providers for all eligible goods and/or service for which Universal Service Fund support will be requested, the Administration shall:**

**Make a request for competitive bids for all eligible goods and/or services for which Universal Service Fund (E-Rate) support will be requested and comply with applicable state and local procurement processes included in its documented policies and procedures.**

**Wait at least four weeks after the posting date of the FCC Form 470 on the USAC Schools and Libraries website before making commitments with the selected service providers.**

**Consider all bids submitted and select the most cost-effective service offering, with price being the primary factor considered.**

**Keep control of the competitive bidding process by not surrendering control to a service provider who is participating in the bidding process and not including service provider contact information on the FCC Forms 470.**

4. Board to approve a Gift Policy, as it relates to E-Rate activities.

In the 6<sup>th</sup> Report & Order (6R&O), the FCC addressed the receipt of gifts by applicants from service providers and potential service providers under the E-Rate program. To ensure applicants conduct a fair and open competitive bidding process, the FCC adapted gift rules applicable to federal agencies which permit only de minimis (trivial) gifts. The rules are NOT intended to discourage charitable giving.

**Motion: The Esperanza Board approves the following E-Rate program Gift Policy:**

**E-Rate applicants are prohibited from soliciting or accepting any gift or other thing of value from a service provider participating in or seeking to participate in the E-Rate program. It is a violation for any service provider to offer or provide any gift or other thing of value to those personnel of eligible entities involved with the E-Rate program. The restriction on gifts is always applicable, and is not in effect or triggered only during the time period when the competitive bidding process is taking place.**

5. Discussion of Esperanza's Childrens Internet Protection Act (CIPA) Compliance.

Esperanza is in compliance with the CIPA. The school will use appropriate technology protection measure (internet filtering software) that protects against access by adults and minors to visual depictions that are obscene, child pornography, or – with respect to use of computer with Internet access by minors – harmful to minors. It may be disabled for adults engaged in bona fide research or other lawful purposes. Our school's policy includes monitoring the online activities of minors. Our Internet Safety Policy addresses the following as required by CIPA:

- a) Access by minors to inappropriate matter on the Internet and the World Wide Web;
- b) The safety and security of minors when using electronic mail, chat rooms, and other forms of direct electronic communications;
- c) Unauthorized access, including so-called "hacking," and other unlawful activities by minors online;
- d) Unauthorized disclosure, use, and dissemination of personal information regarding minors;
- e) Measures designed to restrict minors' access to materials harmful to minors; and
- f) Education minors and appropriate online behavior, including interacting with other individuals on social networking websites and in chat rooms and cyberbullying awareness and response.

Esperanza's Internet Safety Policy, adopted by the Board February 5, 2013, follows.

## **Internet Safety Policy**

### **For Esperanza Elementary**

*Adopted by the Esperanza Board of Directors February 5, 2013*

#### **Introduction**

It is the policy of Esperanza Elementary to: (a) prevent user access over its computer network to, or transmission of, inappropriate material via Internet, electronic mail, or other forms of direct electronic communications; (b) prevent unauthorized access and other unlawful online activity; (c) prevent unauthorized online disclosure, use, or dissemination of personal identification information of minors; and (d) comply with the Children's Internet Protection Act [Pub. L. No. 106-554 and 47 USC 254(h)].

#### **Definitions**

Key terms are as defined in the Children's Internet Protection Act.

#### **Access to Inappropriate Material**

To the extent practical, technology protection measures (or "Internet filters") shall be used to block or filter Internet, or other forms of electronic communications, access to inappropriate information.

Specifically, as required by the Children's Internet Protection Act, blocking shall be applied to visual depictions of material deemed obscene or child pornography, or to any material deemed harmful to minors.

Subject to staff supervision, technology protection measures may be disabled for adults or, in the case of minors, minimized only for bona fide research or other lawful purposes.

#### **Inappropriate Network Usage**

To the extent practical, steps shall be taken to promote the safety and security of users of the Esperanza Elementary online computer network when using electronic mail, chat rooms, instant messaging, and other forms of direct electronic communications.

Specifically, as required by the Children's Internet Protection Act, prevention of inappropriate network usage includes: (a) unauthorized access, including so-called 'hacking,' and other unlawful activities; and (b) unauthorized disclosure, use, and dissemination of personal identification information regarding minors.

### **Education, Supervision and Monitoring**

It shall be the responsibility of all members of the Esperanza Elementary staff to educate, supervise and monitor appropriate usage of the online computer network and access to the Internet in accordance with this policy, the Children's Internet Protection Act, the Neighborhood Children's Internet Protection Act, and the Protecting Children in the 21<sup>st</sup> Century Act.

Procedures for the disabling or otherwise modifying any technology protection measures shall be the responsibility of Esperanza Elementary's IT Director or designated representatives.

The Esperanza Elementary IT Director or designated representatives will provide age appropriate training for students who use the Esperanza Elementary's Internet facilities. The training provided will be designed to promote the Esperanza Elementary's commitment to:

- a. The standards and acceptable use of Internet services as set forth in the Esperanza Elementary Internet Safety Policy;
- b. Student safety with regard to:
  - i. safety on the Internet;
  - ii. appropriate behavior while on online, on social networking Web sites, and in chat rooms; and
  - iii. cyberbullying awareness and response.
- c. Compliance with the E-rate requirements of the Children's Internet Protection Act ("CIPA").

Following receipt of this training, the student will acknowledge that he/she received the training, understood it, and will follow the provisions of the District's acceptable use policies.

## **Adoption**

This Internet Safety Policy was adopted by the Board of Esperanza Elementary at a public meeting, following normal public notice, on February 5, 2013.

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### **CIPA definitions of terms:**

**MINOR.** The term "minor" means any individual who has not attained the age of 17 years.

**TECHNOLOGY PROTECTION MEASURE.** The term "technology protection measure" means a specific technology that blocks or filters Internet access to visual depictions that are:

1. **OBSCENE**, as that term is defined in section 1460 of title 18, United States Code;
2. **CHILD PORNOGRAPHY**, as that term is defined in section 2256 of title 18, United States Code; or
3. Harmful to minors.

**HARMFUL TO MINORS.** The term "harmful to minors" means any picture, image, graphic image file, or other visual depiction that:

1. Taken as a whole and with respect to minors, appeals to a prurient interest in nudity, sex, or excretion;
2. Depicts, describes, or represents, in a patently offensive way with respect to what is suitable for minors, an actual or simulated sexual act or sexual contact, actual or simulated normal or perverted sexual acts, or a lewd exhibition of the genitals; and

3. Taken as a whole, lacks serious literary, artistic, political, or scientific value as to minors.

**SEXUAL ACT; SEXUAL CONTACT.** The terms ``sexual act" and ``sexual contact" have the meanings given such terms in section 2246 of title 18, United States Code.