

Innovations Academy Board Meeting: November 16, 2015 @ 6:00 pm

Meeting location(s)

Innovations Academy 10380 Spring Canyon Road San Diego, CA 92131	5519 McMillan Street Oakland, CA 94618	Public call in number 605-562-3140* Access code 151642
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*Members of the public need not state their names when entering the conference call. Call-in number is provided as a convenience to the public.

Board Attendance

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Others in Attendance

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Agenda

Topic	Minutes
➤ Call to order / roll call	
➤ Approval of current agenda	Vote:
➤ Approval of prior month meeting minutes	Vote:
➤ Public comments (3 mins per person)	
➤ Reports	
○ Teacher briefing (Tony)	Discussion:
○ Financial update (Delano) ✓	<u>Item</u> Discussion:
○ Director update (Christine) ✓ Full time capacity/enrollment ✓ Part time capacity/enrollment ✓ Combined ADA (% and #) ✓ LCAP implementation	<u>Item</u> Discussion: <u>Item</u> Discussion:
➤ Action items	
○ Approve designation of Alex Antohin Day ○ Approve Revised Board Goals ○ Approve EPA 2015/16 expenditure ○ Review and approve resolution for Federal Surplus Property Program	<u>Item</u> Discussion: Vote: <u>Item</u> Discussion: Vote: <u>Item</u>

Topic	Minutes
	Discussion: Vote: <u>Item</u> Discussion: Vote:
➤ Discussion items	
<ul style="list-style-type: none"> ○ IA Real Estate Transaction Update (Christine) ○ Review Director Evaluation (Danielle) ○ IA Board recruitment (All) 	<u>Item</u> Discussion: <u>Item</u> Discussion:
<ul style="list-style-type: none"> ○ Assign new action/discussion items 	
➤ Next board meeting	
<ul style="list-style-type: none"> ○ Confirm date of next meeting 	
<ul style="list-style-type: none"> ○ Identify agenda items for next meeting 	

The foregoing minutes were approved by the Board of Directors of Innovations Academy on _____.

Secretary

Please contact Innovations Academy Board @ Board@InnovationsAcademy.org if you require special assistance or a listening device to attend the Board Meeting. Requests must be made 48 hours in advance.

1. TELECONFERENCE MEETINGS. Members of the Board of Directors may participate in teleconference meetings so long as all of the following requirements in the Brown Act are complied with:

- At a minimum, a quorum of the members of the Board of Directors shall participate in the teleconference meeting from locations within the boundaries of the State of California;
- All votes taken during a teleconference meeting shall be by roll call;
- If the Board of Directors elects to use teleconferencing, it shall post agendas at all teleconference locations with each teleconference location being identified in the notice and agenda of the meeting;
- All locations where a member of the Board of Directors constituting the quorum participates in a meeting via teleconference must be fully accessible to members of the public and shall be listed on the agenda;
- Members of the public must be able to hear what is said during the meeting and shall be provided with an opportunity to address the Board of Directors directly at each teleconference location; and
- The agenda shall indicate that members of the public attending a meeting conducted via teleconference need not give their name when entering the conference call.
- The Brown Act prohibits requiring members of the public, to provide their names as a condition of attendance at the meeting; however, those wishing to speak may be required to identify themselves.

Innovations Academy Board Meeting: October 24, 2015 @ 9:00 AM

Meeting location(s)

Innovations Academy 10380 Spring Canyon Road San Diego, CA 92131	88 Plympton Street Waltham, MA 02451	Public call in number 605-562-3140* Access code 151642
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*Members of the public need not state their names when entering the conference call. Call-in number is provided as a convenience to the public.

Board Attendance

Stephen Rosen	Nathan Cooper	Danielle Strachman	Eric Ludwig	Tony Spitzberg		
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Others in Attendance

Christine Kulgen	Delano Jones					
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Agenda

Topic	Minutes
➤ Call to order / roll call	Meeting called to order at 9:14 a.m.
➤ Approval of current agenda	Vote: Motion for approval of agenda presented by Stephen, Eric seconds. Motion passes unanimously.
➤ Approval of prior month meeting minutes	Vote: Motion for approval of September and October special session meeting minutes presented by Eric, Stephen seconds. Motion passes unanimously.
➤ Public comments (3 mins per person)	N/A – No members of the public present in attendance on site or via teleconference.
➤ Reports	
○ Teacher briefing (Tony)	Discussion: Tony discusses progress toward student presentations prepared for student-led parent-teacher conferences.
○ Financial update (Delano) ✓	<u>Item</u> Discussion: Delano discusses current financials for months July through September 2015. Delano notes revenue calculated at \$482k, while budget projections for this period were forecast at \$754k. Delano indicates the difference is due to certain expected federal funds not arriving at anticipated time. Delano expresses the opinion that such revenue shortfall is no cause for alarm, since federal revenue eventually will arrive. Delano also indicates expenses are trending well and under budget. Overall, Delano states IA is financially healthy.

Topic	Minutes
<ul style="list-style-type: none"> ○ Director update (Christine) <ul style="list-style-type: none"> ✓ Full time capacity/enrollment ✓ Part time capacity/enrollment ✓ Combined ADA (% and #) ✓ LCAP implementation 	<p><u>Item</u></p> <p>Discussion: Christine states enrollment settling at 355-360. Most significant event facing IA has been unexpected and untimely death of teacher Alex Antohin. Nevertheless, Christine indicates the business of IA moves onward and all deadlines, required testing, and parent conferences have been completed. “Things are going well at the school,” says Christine.</p>
➤ Action items	
<ul style="list-style-type: none"> ○ Discuss Prop 39 request (due 11/1) ○ 20-day Attendance Report Due 	<p><u>Item</u></p> <p>Discussion: Christine indicates Prop 39 request is no longer necessary, due to granting of extension.</p> <p>Christine also states 20-day Attendance Report has been completed.</p> <p>Vote: N/A</p>
➤ Discussion items	
<ul style="list-style-type: none"> ○ IA Real Estate Transaction Update (Closed Session) (Christine) ○ Review Board goals (Danielle) ○ IA Board recruitment (All) 	<p><u>Item</u></p> <p>Discussion: Nathan indicates no need to discuss potential IA Real Estate Transaction at this time.</p> <p><u>Item</u></p> <p>Discussion: Danielle provides update on IA Board goals. Board determines to add primary goal of working with IA Director to evaluate and secure necessary new IA campus facilities by 2017/2018. Board also determines to add qualification of IA success to director report for each meeting. IA Board prepares revised set of goals.</p> <p><u>Item</u></p> <p>Discussion: IA Board discusses recruitment and determines to individually contact prospective members.</p>
○ Assign new action/discussion items	Approve revised IA Board goals at next meeting.
➤ Board Retreat – See Attached Topics List	<p><u>Item:</u> Board members discuss items on Retreat Topics List.</p> <p><u>Item:</u> Board discusses extending authority of the Director for entering into facilities-related agreements with service-providers. Nathan presents a motion for resolution that the Director shall seek three (3) informal bids for facilities expenditures, up to \$100,000;</p>

Topic	Minutes
	<p>expenditures above \$100,000 will require formal bidding process. Stephen seconds the motion.</p> <p>Vote: Motion passes unanimously.</p> <p><u>Item:</u> Board reviews and revises Fiscal Year Calendar.</p> <p><u>Item:</u> Board revises Director evaluation.</p> <p>Item: Board discusses the prospect of IA engaging the architectural/site-planning services of Randall Ehm. Nathan presents a motion for a resolution to allow IA Director to engage Randall Ehm for site planning evaluation. Stephen seconds the motion.</p> <p>Vote: Motion passes unanimously.</p>
➤ Next board meeting	
○ Confirm date of next meeting	November 17, 2015 at 6:00 p.m.
○ Identify agenda items for next meeting	
	Meeting adjourns at 12:09 p.m.

The foregoing minutes were approved by the Board of Directors of Innovations Academy on _____.

Secretary

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Name and Date of Eval 2015
including strengths, weaknesses, and how [uxiy2y1wwox2rgd/Reporton](#)

Metric Tracking	2013/2014 Year Baseline	2014/2015 Goals
Student achievement:		
Project Based Learning: Number of projects learning experiences	3 per teacher minimum	per year
Math (pre and post measures)	MAP test report ordered	61 80
Language Arts (pre and post measures)	MAP test ordered	Oct 1 added by Oct 1
Financials:		
Cash net balance (nest egg)	\$700K at May close	971165
Ability to make all payments on time	100.00%	
Staff:		
have the teachers rate the workshops on Staff retention (of those not let go) teachers to the Board	Questioning Techniques, 93.75% with 16 teachers. 2	the year: Math 0 0
Student Community:		
year	319.50	fall)
Attendance Rate	95.59%	
Parent Community:		
parents	1 (Field trip concern)	0
parents)		0
of complaint)		0
District Needs:		
Percent of district paperwork sent in on time	100.00%	100%
the district and reported to the Director	0	0

Directions: Please rate yourself from 0 - 10 on how

Evaluation Criteria and Descriptions	year's eval)	Notes
meetings, respond to board questions, responsible for all negotiations for contracts, relations (engage with SDUSD board		6 focus of responding
Policy development		8 negotiations. Entered
Administrative implementation and oversight for the school		5 outreach mini
for the Board (Brown Act, etc)		9 expectations created
		8
		10 legally compliant
Submits district, state, and federal compliance documents		6 is partially board compliant all year, most recently
Prepare and deliver reports on areas of responsibility (same as row 9)		10 submitted LCAP this seems the same
		5 as above

Drafts one- and five- year strategic plans (Ocean High School charter, long term facility needs, consulting with other principals about long term strategy, curriculum evolution, yearly milestones.)

Leads strategic plan implementation

Completes Board assigned tasks

Organization

Establish and follow effective collaborative meeting and decision-making processes (developing committees, working with PA)

Establish effective administrative organization with clear lines of authority and delegation

still don't have a plan.
I would like to begin
work on this during
4 the summer break
we need to write a
strategic plan in order
4 to implement it
I completed any tasks
8 asked of me

teachers are invited to
collaborate regularly
on a variety of areas
of school
improvement and
10 objectives

10 complete

Creates a collaborative school culture.
Develop master program of the school,
including room and teacher assignments

always a work in
progress, I collaborate
with school counselor,
admin and teachers to
continually improve
school culture. Due to
these collaborations
it has been decided to
support our 7/8 grade
populations to solidify
their community by
not taking in new
students in those
grades. That is just
one impact of my
10 collaborations

10 this is a strength

Develop school calendar

this is a strength.
Donna supports me
on this. We have
submitted our
10 calendar for next year.

Business-Operations

Oversee budget development and
implementation

I realized this year
that starting IA during
very trying financial
times has created a
very frugal
administrative
8 approach to finance

Submits financial statements to Board	this should really say oversees financial statements being 8 presented to board
Drafts and implements fiscal policies	8 see number 26 above I feel I have some responsibility in the fact that the district has assigned a full 8 time custodian to IA. continuing with no 10 safety issues
Site maintenance and operations oversight	
Oversee safety compliance	
Liaison with Business Manager or business service provider	10 no comment
School safety oversight and management	10 see #30 thank goodness for 10 Donna!
Oversee materials supply	
Human Resources	
Human resources oversight (recruitment, hiring, dismissal, management, feedback, create & revise job descriptions, payroll decisions)	these months are heavy for HR. I hired an art teacher, a 3rd 10 and 6th grade teacher handled difficult end of the year changes 10 well
Labor relations	
Implement personnel policies (including Conflict Resolution procedures)	10 successful
Provide staff with professional support (workshops, staff training decisions, observations, staff meetings and professional development)	would like to observe 6 more often next year
Personnel supervisor-instructional leader (observations, feedback, research about best practices)	6 see #38
	the merit pay goals and review worked great. Will be implementing the goal structure for all staff 6 this coming year
Conducts staff evaluations	
	would like to work on developing formal letters for end of the 6 year feedback to staff
Performance improvement/or letter of reprimand oversight	
Achievement-Testing	
Oversee progress on state and federal accountability measures	4 work in progress I have given reports but not created written 5 reports
Creates Board report on state and local accountability measures	

Oversee state testing	attended preparation, oversight of assessment 10 coordinator
Student Services	
Special Education Program Oversight (manage the special education staff (OT, SLT, Ed Specialists), curriculum and intervention)	10 success
Manage El Dorado SELPA (attend SELPA meetings, submit paperwork, budget)	completed successful first year, attended many training sessions, learning many new things 10
Curriculum	
Oversee selection of school curriculum	purchasing new 10 curriculum
Oversee the implementation of curriculum and programming	10
Parent-Community Involvement	
Draft and oversee parent policies (handbooks)	9 complete
Implement student suspension policies	8 complete
Implements student expulsion policies	8 complete
Oversee parent and community relations (Parent Association, community groups, networking)	8 completed our PA is not vibrant. I am at a loss in this area
Oversee parent liaison	6 area none that have been made
Student-parent-teacher complaints	6 made
Overarching Roles	
Implements provisions of Charter	our first year with our 10 new charter
Leads Charter review and renewal process	9 this year no renewal
Leads school to achieve its mission vision and goals	our mission is 10 forefront in all we do
Assess school needs and create effective plans to meet those needs	this is a strength for me. I am well aware of our weaknesses, I reach out for assistance and we make changes based on collaboration, creative ideas and 10 informed pedagogy.
Leadership and Ethical Conduct	
Demonstrate skills in decision-making, problem-solving, managing change, planning, managing conflict, and evaluating	I believe I am a skilled 10 leader

Model personal and professional ethics, integrity, justice, and fairness and expect the same behaviors from others

I believe I act
9 professionally

Make and communicate decisions based upon relevant data and research about effective teaching and learning, leadership, management practices, and equity

there is so much
conflicting data. I lead
based on intelligence,
collaboration and
expertise in child
development and
informed decisions
based on
constructivist
6 pedagogy

Encourage and inspire others to higher levels of performance, commitment, and motivation
Protect the rights and confidentiality of students and staff

would like to think I
8 am doing this
8 self explanatory

Total for all milestones

Bonus Milestones

DRAFT Plan development for Prop Z spending, approved by the Board, submitted to Prop Z approval committee by June 30, 2015: \$1,000

was not submitted to
board by June 30th.
Might be ready by July
4 board meeting

Complete primary DRAFT of new High School Charter or current IA Charter revision, by June 30, 2015 inclusive of Board review and approval: \$1,000

4 working on it

Create a DRAFT outline five year strategic plan by June 30, 2015 inclusive of Board review and approval which includes: \$3,000

- Facility
- Academics
- Growth
- Instructional Philosophy
- Student Assessment
- Financial

have not completed
4 this task

2014/2015 Actuals	2015/2016 Goals	2015/2016 Actuals	(Please put your name
met	108	quantity	
pre and post		the data in which direction	
pre and post		the data in which direction	
	100%		
Training, SDArea		working with San Diego	
Mexico	0		
96.3%			
	0		
	100%		
	0		
well you are performing in the following categories. Ratings = 0 No progress or N/A; 1-2 Initial Legwork;			
Commentary from	November	Notes	January 2015
			Notes



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3-4 Moving Towards Completion; 5-6 Meets Expectations; 7-8 Exceeds Expectations; 9 - 10 Cor		
April 2015	Notes	July 2015



Completed with Excellence.

Notes

Commentary





**CERTIFICATION REGARDING DEBARMENT, SUSPENSION, INELIGIBILITY AND
VOLUNTARY EXCLUSION – LOWER TIER COVERED TRANSACTIONS**

This certification is required by the General Services Administration regulations implementing Executive Order 12549-41 CFR 105-68 – for all lower tier transactions meeting the requirements stated at 41 CFR 105-68.110.

Instructions for Certification

1. By signing and submitting this proposal, the prospective lower tier participant is providing the certification set out below.
2. The certification in this clause is a material representation of fact upon which reliance was placed when this transaction was entered into. If it is later determined that the prospective lower tier participant knowingly rendered an erroneous certification, in addition to other remedies available to the Federal Government, the department of agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.
3. The prospective lower tier participant shall provide immediate written notice to the person to whom this proposal is submitted if at any time the prospective lower tier participant learns that its certification was erroneous when submitted or had become erroneous by reason of changed circumstances.
4. The terms “covered transaction,” “debarred,” “suspended,” “ineligible,” “lower tier covered transaction,” “participant,” “person,” “primary covered transaction,” “principal,” “proposal,” and “voluntarily excluded,” as used in this clause, have the meanings set out in the Definitions and Coverage section of rule implementing Executive Order 12549. You may contact the person to which this proposal is submitted for assistance in obtaining a copy of those regulations.
5. The prospective lower tier participant agrees by submitting this proposal that, should the proposed covered transaction be entered into, it shall not knowingly enter into any lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, debarred, suspended, declared ineligible, or voluntarily excluded from participation in this covered transaction, unless authorized by the department or agency with which this transaction originated.
6. The prospective lower tier participant further agrees by submitting this proposal that it will include this clause titled “Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion – Lower Tier Covered Transaction,” without modification, in all lower tier covered transactions and in all solicitation for lower tier covered transactions.
7. A participant in a covered transaction may rely upon a certification of a prospective participant in a lower tier covered transaction that it is not proposed for debarment under CFR part 9, subpart 9.4, debarred, suspended, ineligible, or voluntarily excluded from covered transactions, unless it knows that the certification is erroneous. A participant may decide the method and frequency by which it determines the eligibility of its principals. Each participant may, but is not required to, check the List of Parties Excluded from Federal Procurement and Nonprocurement Programs.
8. Nothing contained in the foregoing shall be construed to require establishment of a system of records in order to render in good faith the certification required by this clause. The knowledge and information of a participant is not required to exceed that which is normally possessed by a prudent person in the ordinary course of business dealings.
9. Except for transactions authorized under paragraph 5 of these instructions, if a participant in a covered transaction knowingly enters into a lower tier covered transaction with a person who is proposed for debarment under 48 CFR part 9, subpart 9.4, suspended, debarred, ineligible, or voluntarily excluded from participation in this transaction, in addition to other remedies available to the Federal Government, the department or agency with which this transaction originated may pursue available remedies, including suspension and/or debarment.

Certification

- (1) The prospective lower tier participant certifies, by submission of this proposal, that neither it nor its principals is presently debarred, suspended, proposed for debarment, declared ineligible or voluntarily excluded from participation in this transaction by any Federal department or agency.
- (2) Where the prospective lower tier participant is unable to certify to any of the statements in this certification, such prospective participant shall attach an explanation to this proposal.

NAME OF DONEE APPLICANT

NAME AND TITLE OF AUTHORIZED REPRESENTATIVE

SIGNATURE

DATE

New Application Checklist

Non-Profit Education

- Colleges
- Universities
- Private Schools
- Daycare/Preschool
- Vocational Education
- Educational Radio Stations

Name of Organization: _____

Form 201 – Application	Yes <input type="checkbox"/> No <input type="checkbox"/>
Form 202 – Resolution	Yes <input type="checkbox"/> No <input type="checkbox"/>
Form 203 – Non-Discrimination Certification	Yes <input type="checkbox"/> No <input type="checkbox"/>
Form 204 – Racial and National Origins of all Persons within Your Service Area	Yes <input type="checkbox"/> No <input type="checkbox"/>
Debarment Form	Yes <input type="checkbox"/> No <input type="checkbox"/>
Sign and Date Terms and Conditions	Yes <input type="checkbox"/> No <input type="checkbox"/>
Proof of Non-Profit Status - 501(c)(3)	Yes <input type="checkbox"/> No <input type="checkbox"/>
License or Evidence of Approval or Accreditation Issued by State or Local Government. (For Radio Stations: FCC License Satisfies Requirement)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Complete Narrative Which Describes the Level of Courses, Enrollment, Facilities, and Qualifications and Status of Staff.	Yes <input type="checkbox"/> No <input type="checkbox"/>
Current CBEDS or WASC (if applicable)	Yes <input type="checkbox"/> No <input type="checkbox"/>
Return Completed Original Application and all required Documentation to 1700 National Drive Sacramento, CA 95834 (Please Maintain a copy for your records)	Yes <input type="checkbox"/> No <input type="checkbox"/>

Notes:

Reviewed by:	Date:
Approved: Yes <input type="checkbox"/> No <input type="checkbox"/>	Expires:
Donee Number:	Billing Code :

RESOLUTION

"BE IT RESOLVED by the Governing Board, and hereby ordered that the official(s) and/or employee(s) whose name(s), title(s), and signature(s) are listed below shall be and is (are) hereby authorized as our representative(s) to acquire surplus property through the auspices of the California State Agency for Surplus Property and accept responsibility for payment of incidental fees by the surplus property agency under the Terms and Conditions accompanying this form or listed on the reverse side of this form."

NAME (Print or Type)	TITLE	SIGNATURE*	E-MAIL ADDRESS
A.			

***Note: All signatures must be in original form. No copied or stamped signatures**

B. The above resolution was PASSED AND ADOPTED this _____ day of _____, 20____, by the Governing Board of the:
_____ by the following vote: AYES: _____; NOES: _____; ABSENT: _____
Agency Name

I, _____ Clerk of the Governing Board known as _____

Do hereby certify that the foregoing is a full, true and correct resolution adopted by the governing board of the below named organization at the meeting thereof held at its regular place of meeting on this date and by the vote above stated, a copy of said resolution is on file in the principal office of the Governing Board.

Signed by: _____

Name of Organization

Mailing Address

City / Zip Code County

NOTE: ALL LOCAL GOVERNMENT & NON-PROFIT INCORPORATED ORGANIZATIONS HAVE A GOVERNING BOARD, THEREFORE COMPLETE ONLY SECTIONS "A" & "B". THE FOLLOWING SECTION "C" IS FOR STATE AGENCIES ONLY

C. AUTHORIZED this _____ day of _____, 20____, by: _____
Signature of Administrative Officer

Printed Name of Chief Administrative Officer Title

Organization Name Street Address

City / ZIP Code County

STATE OF CALIFORNIA AGENCIES ARE REQUIRED TO PROVIDE THEIR STATE BILLING CODE: _____

STATE OF CALIFORNIA
DEPARTMENT OF GENERAL SERVICES
OFFICE OF FLEET AND ASSET MANAGEMENT
SASP 203 (Rev 3/15)

**ASSURANCE OF COMPLIANCE WITH GSA REGULATIONS UNDER TITLE VI OF
THE CIVIL RIGHTS ACT OF 1964, SECTION 606 OF TITLE VI OF THE FEDERAL
PROPERTY AND ADMINISTRATIVE SERVICES ACT OF 1949, AS AMENDED,
SECTION 504 OF THE REHABILITATION ACT OF 1973, AS AMENDED,
TITLE IX OF THE EDUCATION AMENDMENTS OF 1972, AS AMENDED
AND SECTION 303 OF THE AGE DISCRIMINATION ACT OF 1975**

_____, (hereinafter called the “donee”),
(Name of donee organization)

HEREBY AGREES THAT the program for or in connection with which any property is donated to the donee will be conducted in compliance with, and the donee will comply with and will require any other person (any legal entity) who through contractual or other arrangements with the donee is authorized to provide services or benefits under said program to comply with, all requirements imposed by or pursuant to the regulations of the General Services Administration (41 CFR 101-6.2) issued under the provisions of Title VI of the Civil Rights Act of 1964, Section 606 of Title VI of the Federal Property and Administrative Services Act of 1949, as amended, Section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, and Section 303 of the Age Discrimination Act of 1975, to the end that no person in the United States shall on the ground of race, color, national origin, sex, or age, or that no otherwise qualified handicapped person shall solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity for which the donee received Federal assistance from the General Services Administration; and **HEREBY GIVES ASSURANCE THAT** it will immediately take any measures necessary to effectuate this agreement.

The donee further agrees that this agreement shall be subject in all respects to the provisions of said regulations; that this agreement shall obligate the donee for the period during which it retains ownership or possession of any such property; that the United States shall have the right to seek judicial enforcement of this agreement; and, this agreement shall be binding upon any successor in interest of the donee and the word “donee” as used herein includes any such successor in interest.

Date _____ Donee Organization _____

BY _____
(President/Chairman of the Board
or comparable authorized official)

Donee Mailing Address

**STATE OF CALIFORNIA
NEW APPLICATION FOR ELIGIBILITY
STATE & FEDERAL SURPLUS PROPERTY PROGRAM**

Pursuant to Federal Regulation 28 C.F.R. §§ 42.401 - 42.415, a recipient is mandated to report to the Federal Government the racial and national origins of all persons within your service area. You are therefore asked to supply the Office of Fleet and Asset Management with the race and national origins of individuals you serve in your service area (it may be helpful to refer to the US Census to determine the racial makeup of your service area at www.factfinder.census.gov/). This form must be completed and returned with the rest of the eligibility packet in order to qualify for the Federal Surplus Property Program. Your answers on this form in no way affect your eligibility; however, not returning the form will delay the processing of your application.

American Indian or Alaskan Native %_____	Persons having origins in any of the tribal people of North America, and who maintain cultural identification through tribal affiliation or community recognition.
Asian / Pacific Islander %_____	Persons having origins in any of the original peoples of the far east, Southeast Asia, Pacific Islands, or the Indian Subcontinent. This includes China, Japan, Korea, The Philippines, and Samoa.
Black %_____	Persons having origins in any of the black racial groups of Africa.
Hispanic %_____	Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
White %_____	Person having origins in any of the original people of Europe, North Africa, or the Middle East.
Other %_____	(Specify) _____

Print Name _____

Title _____

Signature _____

Date _____

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Asian / Pacific Islander % _____	Persons having origins in any of the original peoples of the far east, Southeast Asia, Pacific Islands, or the Indian Subcontinent. This includes China, Japan, Korea, The Philippines, and Samoa.
Black % _____	Persons having origins in any of the black racial groups of Africa.
Hispanic % _____	Persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
White % _____	Person having origins in any of the original people of Europe, North Africa, or the Middle East.
Other % _____	(Specify) _____

Print Name _____

Title _____

Signature _____

Date _____

**Certifications and Agreements including Terms, Conditions, Reservations and Restrictions to be included
On Agency Issued or Distribution Documents**

A) The Donee Certifies That:

- 1) It is a public agency; or an approved non-profit institution or organization, exempt from taxation under Section 501 of the Internal Revenue Code of 1986; within the meaning of Section 203(j) of the Federal Property and Administrative Services Act of 1949, as amended, and the regulations of the General Services Administration (GSA).
- 2) The property is needed and will be used by the recipient for carrying out for the residents of a given political area one or more public purposes, or, if a nonprofit tax-exempt institution or organization or 8(a) business, the property is needed for and will be used by the recipient for educational or public health purposes, or for programs for older individuals, or for business purposes. The property is not acquired for any other use or purpose, or for sale or other distribution; or for permanent use outside the State, except with prior approval of the CSASP.
- 3) Funds are available to pay any and all costs and charges incidental to the receipt of surplus property, and that property is not being acquired for any other use(s) or purpose(s), is not for sale. The fee schedule is available upon request from the CSASP.
- 4) Any transaction shall be subject to the nondiscrimination regulations governing the donation of federal surplus personal property issued under Title VI of the Civil Rights Act of 1964 (41 USC 2000d-2000d-4a), as amended, section 504 of the Rehabilitation Act of 1973, as amended, Title IX of the Education Amendments of 1972, as amended, section 303 of the Age Discrimination Act of 1975, and the Civil Rights Restoration Act of 1987.
- 5) If the Donee is designated by the Federal Small Business Administration 8(a) Program as a socially and economically disadvantaged small business and the SBA and CSASP have both determined the Donee is eligible to receive federal surplus property as a donation, the Donee certifies that the property acquired is needed and will be used solely for the conduct of the Donee's business enterprise: and the Donee certifies to A. (3), (4) and (5),

B) The Donee Agrees to the Following Federal Conditions:

- 1) All items of property, other than items with a unit acquisition cost of \$5000 or more and passenger motor vehicles, regardless of acquisition cost, shall be placed in use for the purpose(s) for which it was acquired within one year or receipt, and shall be placed in continuous use for one year from the date the property was placed in use. In the event the Donee does not place the property in use, or continuous use, the Donee shall immediately notify the CSASP, and, at the Donee's expense, make the property available for transfer or other disposal as directed by the CSASP.
- 2) Special handling or use limitations as are imposed by Federal GSA on any item(s) under which the item(s) are being allocated to the Donee.
- 3) In the event the Donee does not use the property as required by *Sections C (1) and (2)* below, at the option of the GSA, title and right to the possession of such property shall revert to the United States of America and, upon demand, the Donee shall release such property to such person as GSA or its designee shall direct.

C) The Donee Agrees to the Following Conditions Applicable to Items with a Unit Acquisition Cost of \$5,000 or More and Passenger Motor Vehicles, Regardless of Cost. Except Vessels 50 Feet or More in Length and Aircraft Regardless of Acquisition Cost:

- 1) The property shall be placed in use within one year of receipt, and shall be used only for the purpose(s) for which it was acquired and for no other purpose(s).
- 2) There shall be a period of restriction which will expire after such property has been used for the purpose(s) for which it is acquired for a period of 18 months from the date the property is placed in use, except for such item(s) of major equipment for which the CSASP designates a further period of restriction.
- 3) In the event the property is not so used as required by *Sections C (1) and (2)*, at the option of the CSASP, title and right to the possession of such property shall, at the option of the CSASP, revert to the State of California, and the Donee shall release such property to such person as the CSASP shall direct.

D) The Donee Agrees to the Following Terms, Reservations and Restrictions:

- 1) From the date it receives the property and throughout the time period(s) imposed by Sections B and C (as applicable) remain in effect, the Donee shall not sell, trade, lease, lend, bail, cannibalize, encumber, or otherwise dispose of such property, or remove it permanently, for use outside the State of California, without the prior approval of GSA or the CSASP. The proceeds from any sale, trade, lease, loan, bailment, encumbrance or other disposal of the property, when the GSA or the CSASP authorizes such action, shall be remitted promptly by the Donee to GSA or the CSASP, as applicable. If the Donee takes action in ignoring or disregarding the foregoing restrictions after the date the Donee received the property and before expiration of the time periods imposed by Sections C or D as applicable, at the option of the GSA or the CSASP, the Donee shall pay to the GSA or the CSASP any proceeds derived from the disposal, and/or the fair market or rental value of the property at the time of such unauthorized disposal as determined by the GSA or the CSASP as applicable.
- 2) If at any time, from the date the Donee receives the property throughout the time periods by Sections B and C as applicable, the Donee determines that some or all of the property is no longer suitable, usable, or further needed for the purpose(s) for which it was acquired, the Donee shall promptly notify the CSASP and shall, as directed by the CSASP, return the property to the CSASP, or release the property to another Donee or another state agency, or a department or agency of the United States, or sell or otherwise dispose of the property. The Donee shall remit the proceeds from the sale promptly to the CSASP.
- 3) The Donee shall make reports to the CSASP which shall state the use, condition, and location of the property, and shall report on other pertinent matters as may be required from time to time by the CSASP.
- 4) At the option of the CSASP, the Donee may abrogate the conditions set forth in Section B and the terms, reservations and restrictions pertaining in Section D by payment of an amount as determined by the CSASP.

E) The donee Agrees to the Following Conditions, Applicable to all Items of Property:

- 1) The property acquired by the Donee is on an "As Is," "where is" basis, without warranty of any kind.
- 2) If the Donee carries insurance against damages to or loss of property due because of fire or other hazards, and the damage to, loss or destruction to donated property with unexpired terms, conditions, reservations or restrictions, occurs, the CSASP will be entitled to reimbursement from the Donee out of the insurance proceeds, in an amount equal to the unamortized portion of the fair value of the damaged or destroyed donated property.

F) Terms, conditions, reservations and restrictions set forth in the Conditional Transfer Document executed by the authorized Donee representative are applicable to the donation of Aircraft and Vessels of 50 Feet or more in length having an acquisition cost of \$5,000 or more in length or more, regardless of the purpose for which acquired.

SIGNATURE: _____

DATE: _____