

# *Quest for Accountability:*

*The State of  
Charter Schools  
in 2003*

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## **Sources for Study:**

The following study was compiled from 73 financial audits of Minnesota Charter Schools for the fiscal year 2002. The audits were collected from the Department of Children, Families and Learning through April 10, 2003. We would like to thank the staff at CFL, especially Yvonne Wilkes and Dick Guevremont, for their assistance in collecting this public information. We would also like to thank Steve Dess, Executive Director of Minnesota Association of Charter Schools (MACS). Steve and his staff have worked hard to improve charter schools and improve financial accountability.

Rep. Matt Entenza is the House Minority Leader and a fifth term Representative from St. Paul. He served for eight years on the House Education Policy Committee and the House K-12 Finance Committee. Rep. Entenza is a former Assistant Attorney General and Assistant Hennepin County Attorney with a specialization in the prosecution of non-profit fraud. He speaks widely on issues involving non-profit management and fraud.

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**R E C E I V E D**

MAY 22 2003

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## ***Introduction:***

In an effort to increase financial accountability in charter schools across Minnesota, Representative Matt Entenza and his staff have reviewed financial audits from 73 of 80 charter schools required to report to the Department of Children, Families, and Learning (CFL). Charter schools are publicly funded schools that operate without many traditional public school regulations. They are sponsored by non-profit organizations and are restricted from owning property and levying taxes.

Our goal was to review past reports and monitor ongoing concerns. It is our hope that by writing this report we will aid in the continuation of financially stable and educationally sound environments for children to learn. In order to ensure this environment, it is important to make charter schools aware that poor financial practices do not need to continue.

## ***Reportable Conditions:***

One purpose of an audit is to disclose any reportable conditions that may hinder the proper application of accounting principles. Limited segregation of accounting duties is by far the most common of these reportable conditions. A good system of internal control requires an adequate segregation of duties so that no one person is in charge of a transaction from beginning to end. In maintaining proper segregation of duties, the risk of fraud and theft will decrease leaving the school with more financial accountability. In fiscal year 2002, 82% of schools were found to have limited segregation of duties (see Appendix A). A material weakness occurs when one or more of the internal control operations (i.e. check writing) do not have proper assurance that fraud did not occur.

This condition is very serious because the schools' accounting firm has found that fraud may not be detected. If one person is in charge of several accounting responsibilities, it provides an opportunity to steal money undetected. In reviewing the audits, 68% of those schools reporting limited segregation of accounting functions were believed to be to the point of a material weakness (see Appendix B).

When the auditor reports a material weakness, a Corrective Action Plan is required to be included in the audit. With limited size of school's office staff, having adequate segregation of duties is often difficult. Most schools do not see it as being cost beneficial to increase staff in order to meet this requirement. They believe costs of hiring additional personnel outweigh the benefits. In an effort to increase segregation, most schools utilize the school board to monitor transactions.

### ***Late Audits:***

Another ongoing concern is schools that continue to turn in their audits to CFL after the December 31 deadline. Of the 80 schools required to report, 34% turned their audits in after the deadline. As of April 10, 2003, 9% still had not turned in their audits, 4 months past the deadline (see Appendix C). With no penalty for a late audit, this gives schools the ability to hide financial problems including operating debt or potential theft.

### ***Board Minutes:***

According to Minnesota Statute 124D.10, subdivision 6a, charter schools must make their board minutes available upon request (see Appendix F). Board minutes are public record and therefore must be made available. As part of our study, we requested minutes from 48 schools. Some of these schools were reluctant to comply. Some required formal letters of request, while others refused unless we needed them to further investigate their audit. Of the 48 schools from which minutes were requested, one out of three did not respond to our request for minutes (see Appendix G).

### ***General Fund Deficit:***

Growing debt in charter schools has been a problem, as previous reports have indicated. In our 2001 report, over 22% of schools reviewed had deficits in their general fund, which includes government funds and grants. In 2002, 20% of schools reviewed had a deficit of revenues over expenditures in their general fund at the end of the fiscal year (see Appendix D). Some of the debt levels raise concerns about the long-term survival of some schools. With impending budget cuts, we are concerned that some charter schools will have a difficult time maintaining their academic programs.

## ***General Fixed Assets:***

An increasing trend among charter schools is failing to record general fixed assets. The number of schools who do not meet this GAAP (Generally Accepted Accounting Principles) requirement continues to rise from year to year. Of the 50 schools reviewed in both the 2000 and 2001 reports, the number had doubled. This year, while reviewing 80 schools, the number has once again doubled in size and in addition, a number have been asked by the auditor to update general fixed asset lists (see Appendix E). Keeping an updated list of General Fixed Assets is important in preventing theft. In absence of an updated list, assets could be stolen without the school being aware they are gone.

## ***Areas of Primary Concern:***

We are very concerned about the financial accountability of many charter schools that have yet to comply with Generally Accepted Accounting Principles (GAAP) guidelines. Specifically, the sponsoring authorities should audit and review Excell Academy for Higher Learning, Heart of the Earth Center for American Indian Education and New Heights School. These schools have significant financial accountability problems that could result in illegal activity.

### **Excell Academy for Higher Learning (Brooklyn Park)**

Excell Academy has once again been found to have a variety of financial problems. Of specific concern is the school's acceptance of unsecured loans from the Board Chair and Vice-Chair. There are no terms of repayment and the board did not take formal action to approve these payments. Another area of concern is the use of a credit card to purchase school materials. There are no specifications on who would receive the benefits from card use (frequent flier miles). Both of these issues have the potential for illegal activity.

- ❖ The school ran a general fund deficit of \$10,712 and a special fund deficit in the amount of \$22,329 for fiscal 2002.
- ❖ During the year, the school accepted unsecured loans from related parties (Board Chair and Board Vice-Chair) totaling \$21,457 without legally notifying the board. Not only is there no documentation in a formal written

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agreement containing repayment terms, but the official minutes contain no record of board approval or even notice (page 12 of school's 2002 financial audit).

- ❖ The school was cited to have limited segregation of duties, which resulted in a material weakness (23).
- ❖ The school did not meet MN Statute 471.391, which requires schools to document that, the declaration of payment requirements were met for any payment of non-payroll claims made by the school (26).
- ❖ For a number of transactions tested by the auditors, they felt that there was inadequate recorded support retained to substantiate the legitimacy of the amount paid on behalf of the school (2).
- ❖ The school used a credit card to purchase materials for the school. The board did not formally approve a policy to determine how benefits (frequent flier miles) from card use would be used. The school did not maintain receipts of purchases made with the card. The only documentation of charges is the credit card statement. The board also failed to adopt an expense reimbursement policy and procedure (3).
- ❖ Larson Allen (auditor) suggests the board take a more active role in challenging assumptions, understanding school finance, and provide increased oversight of the school's financial operations (4).
- ❖ The auditors encountered significant difficulties in performing their audit because of the way in which accounting had been conducted in the school's first year of operations (13).
- ❖ The audit was not received by CFL until January 17, 2003, over two weeks past the deadline.

The list of problems as noted in the fiscal year 2001 report is just as extensive.

- ❖ The board of directors does not approve bills on a monthly basis.
- ❖ The school has no receipting policy or standardized procedures for monies received.
- ❖ There were many instances where invoices were not able to be located.

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- ❖ Excell Academy was not withdrawing PERA payments from paychecks and were giving childcare benefits in lieu of salary to some employees.
- ❖ It was found that no formal salary approval by the board took place. Salary amounts are not documented in any form and therefore it is not possible to provide independent verification that the board authorizes salaries.
- ❖ The school does not have a receipting policy or standardized procedures for monies received, in some instances no form of backup could be found.
- ❖ The school has no formal approval of disbursements by individuals with spending authority.

#### **Heart of the Earth Center for American Indian Education (Minneapolis)**

Heart of the Earth has also had past financial problems. This has improved since new administrators took over a year ago. The school's financial records were apparently destroyed a year ago when a new principal was appointed to run the school.

- ❖ There was a systematic attempt to cover up the school's financial difficulties last year. Not only was there little fiscal management, but paper records were apparently shredded and computer records destroyed to avoid accountability.
- ❖ The school was cited for having limited segregation of duties in its handling of funds (page 30 of the school's 2002 financial audit).
- ❖ The school failed to meet two legal requirements: (a) Minnesota Statute 471.38, requiring a declaration for payment signed by each person assuring payment is just and no amount had previously been received, and (b) Minnesota Statute 118A.01, requiring schools to have collateral on deposits made in excess of FDIC insurance (31, 32).
- ❖ According to Kern, DeWenter, and Viere, "Several EDRS submissions were made during the year related to the Title I program and payment was received. However, we noted not all Title I eligible expenditures were reported and no expenditures were reported for Title II, Title IV and the Class Size Reduction Grants. An October reporting deadline passed and no payment for these expenditures totaling over \$30,000 will be made for 2002. The State has informed the school that it will carry over these funds to the extent possible for the subsequent school year (4)."

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In a phone conversation with the new principal, Darlene Lieding, she notified us and the *Star Tribune* (May 11, 2003) of the destruction of documents and computer records by past school employees. After being fired, the employees apparently shredded documents and destroyed computer files. Consequently, the school only has records dating back to early 2002, when Ms. Lieding was hired. The "shredding" of key documents strongly leads to a conclusion that a more complete audit is needed by the sponsor to protect public funds and the interest of the staff and children at Heart of the Earth. The destruction of records strongly raises a question of criminal wrongdoing and whether funds were used for personal reasons.

The new leadership is turning around the school's financial situation, but the individuals who caused these financial problems need to be held fully and personally accountable.

### **New Heights School (Stillwater)**

The auditor of New Heights School has questioned its ability to continue as a charter school due to its continuing growth of debt. It is important to determine New Heights financial position so taxpayer's money is not going towards a school that cannot provide children with an adequate education or will perceivably close due to lack of funds.

- ❖ The auditor questions New Heights ability to continue due to its net fund equity deficit (page 2 of the school's 2002 financial audit).
- ❖ The school is currently operating in statutory operating debt (10).
- ❖ As of the end of fiscal 2002, the school had \$37,435 outstanding on an unsecured line of credit (15).
- ❖ The school was also cited for having limited segregation of duties (25).

### ***Other Areas of Concern:***

In addition to the schools, which we believe should be reviewed by the State Auditor, we have noticed several others with significant financial procedures. These schools are: Duluth Public Schools Academy, Higher Ground Academy, Harvest Preparatory Charter School, Four Directions Charter School, Studio

Academy, Riverway Learning Community, Riverbend Academy, Yankton Country Charter School, Crosslake Community School and Eci' Nompá Woonspe' Charter School (Second Chance).

### **Duluth Public Schools Academy (Duluth)**

The school is required to maintain student files but failed to do so in tests done by the auditor. This could prove to be a problem in educational accountability if student's progress is not being properly monitored. The school did not have parental authorization forms on file in some cases, which could also lead to serious consequences.

- ❖ According to Eikill and Schilling, Ltd., "Standards concerning documentation of time distribution for payroll charged to federal programs as required by the U.S. Office of Management and Budget A-87 were not followed by the school, resulting in a questioned cost of \$12,537 (26)."
- ❖ The school requires that parental authorization forms be kept in each students file. The auditors reviewed 9 student files and 2 of them did not contain the authorization forms (26).
- ❖ The school also requires that an initial assessment form be kept in each students file. Again, of the 9 files reviewed, 2 were missing the initial assessment forms (26).
- ❖ Duluth Public Schools Academy requires that the students be evaluated on a quarterly basis and the results of these evaluations be tracked for progress. Of the 9 files reviewed, 3 did not contain documents to support the test results on the master listing (27).
- ❖ The auditors noticed a number of checks for food service and latchkey checking accounts that were dated over a year ago. The suggestion was made to void the checks and reissue them (letter).
- ❖ Tuition from school districts was not deposited in a timely matter (letter).
- ❖ The school had not received tuition in the amount of \$2,523 at the time of the audit (letter).
- ❖ The auditor noticed a difference in the amount claimed and the amount paid in February 2002 for federal lunch and breakfast reimbursements (letter).

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- ❖ Expenditures for Title I, II, and IV programs are required to be turned in to CFL on a timely basis. The school failed to comply with this requirement (letter).

### **Harvest Preparatory Charter (Minneapolis)**

Charter schools are reimbursed for 90% of their lease costs each year. If a school violates this agreement, government funds, which are already scarce, are not used where they could be most beneficial.

CFL is questioning the amount of lease aid issued to the school. The lease costs reported in the audit report do not agree with UFARS. The differences in reported costs are material. The school was told to resubmit UFARS data or have the audit report restated (page 9 of the school's 2002 financial audit).

The lease itself is very troubling. The same three people who signed the lease for the charter school also signed the lease for the building company. This raises very troubling issues of conflict of interest and whether the negotiations were designed to get the best price.

### **Four Directions Charter School (Minneapolis)**

It is imperative for an auditor to have all financial statements, including the school's proposed budget, when performing an audit. The schools failing to submit full financial records makes the audit inaccurate.

Unfortunately, the school declined to present a statement of revenues, expenditures, and changes in fund balances for the general fund (page 1 of the school's 2002 financial audit).

### **Studio Academy (Rochester)**

Schools should document all revenues as well as expenditures in order to accurately review their budget. Studio Academy failed to do this. They were not able to locate purchase orders and also did not reconcile their checking account to the general ledger on a monthly basis.

- ❖ During the audit, the school was not able to provide the auditors with purchase orders for several disbursements (letter).

- ❖ The auditors noticed that the checking account was not reconciled to the general ledger on a monthly basis. They recommend reconciling the checking account to the general ledger monthly (letter).

### **Riverway Learning Community (Minnesota City)**

Riverway Learning Community has many examples of poor management. It is important to have good management practices in order to guarantee accountability.

- ❖ The auditors noticed that during the audit a blank check was signed and given to a school employee. The employee then filled in the vendor name and dollar amount. This is considered a material weakness (26).
- ❖ The auditors also noticed many examples of poor fiscal management. The school does not consistently use purchase orders. Goods are not checked upon delivery. The amount shown, as the gross pay on the payroll register did not agree with the amount the individual should have been paid based on the annual salary. The school did not transfer money from the savings account to the checking account for all the Federal Grant expenditures made during the year. This resulted in a cash shortage in the checking account during the year, and the school borrowed on the line of credit from Merchants Bank in order to have adequate cash flow (letter).

### **Riverbend Academy (Mankato)**

The school failed to note a purchase of equipment from an interested officer in its board minutes. This raises an important issue of whether or not the board was made aware of a conflict of interest and whether someone received an inappropriate benefit with taxpayer funds.

- ❖ The academy does not maintain a detailed list of general fixed assets. The Corrective Action Plan (CAP) issued says the school will not adopt the recommendation because the absence of a complete inventory does not affect the fund balance. They claim to have engaged individuals to ensure adequate insurance to cover the replacement amount (page 13 of the school's 2002 financial audit). Having insurance for a loss is not an acceptable alternative to preventing theft in the first place.

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- ❖ The governing body of the school purchased equipment from an interested officer without noting there was a unanimous vote of approval in the minutes (14). In our attempt to examine this further, the school has not complied with our request for minutes.
- ❖ Several purchases were made without an approved signature on the purchase order or invoice (12).
- ❖ Several Federal Grants had not been fully utilized throughout the year (12).

**Yankton Country Charter School (Balaton)**

Education funds are provided for specific purposes. Schools are required to properly segregate and spend funds for lawful purposes. Yankton School does not have proper financial controls and needs better accounting procedures.

- ❖ The district has not established procedures to provide assurance that all cash collections are recorded in the accounting records (page 16 of the school's 2002 financial audit).
- ❖ The collection of the school's tuition billings receivable from other Minnesota districts is not being monitored (20).
- ❖ The federal funds available for special education expenditures were deferred to the next fiscal year. This program does not allow current expenditures to be supplanted by federal dollars. Carrying over the federal special education entitlement is not a fiscally sound decision and may result in the loss of federal funding (21).
- ❖ The reserved general education aid fund balances for basic skills, class size reduction, and staff development are accumulating with no known plan for their disposition (21).

**Crosslake Community School (Cross Lake)**

Crosslake Community School failed to meet guidelines of several grant agreements. These agreements allow schools to use money in specific areas. When they decide to use the money in an unrelated area, it goes against the agreement with the organization providing the grant.

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- ❖ The school had invoices paid to Generation Builders and Oberg Fencing, that did not meet the guidelines of a grant agreement. There was no written request for modification of the agreement, which resulted in questioned costs of \$40,660 (page 21 of the school's 2002 financial audit).
- ❖ The school purchased a bus that did not meet guidelines of the signed grant agreement. Again, there was no written request for modification to the agreement, which resulted in questioned costs of \$35,253 (22).

**Eci' Nompa Woonspe' Charter School (Second Chance)  
(Morton)**

The school was found to have four material weaknesses. This could have serious implications on its financial accountability. Funds could be misused without the auditor or other employees knowing.

- ❖ The District has an inadequate overall internal control design.
- ❖ The District does not have proper segregation of duties.
- ❖ Bank reconciliation's are not performed timely or accurately and are not reviewed monthly.
- ❖ Interim reports prepared by the contracted financial services agent are not being monitored for accuracy and correct UFARS coding.

In the 2001 audit, the school was cited for the same four material weaknesses (15-16). The school did not make improvements to ensure these material weaknesses would not continue to occur.

**Appendix A:**

# ***Limited Segregation of Duties:***

(The following schools were found by their own auditors to have inadequate segregation of financial responsibilities, so that fraud is more likely. This problem can be solved if schools use board members to provide an additional check on possible financial fraud. A good system of internal accounting controls contemplates an adequate segregation of duties so that no one individual handles a transaction from inception through completion.)

- ***New Heights School***
- ***New Country School***
- ***Duluth Edison Academies***
- ***Sojourner Truth Academy***
- ***Heart of the Earth***
- ***Lafayette Public Charter School***
- ***Hanska Community School***
- ***North Shore Community School***
- ***Harbor City International Charter School***
- ***Face to Face Academy***
- ***Woodson Institute for Student Excellence***

**Appendix B:**  
**Limited Segregation of Duties**  
**considered a material weakness:**

	<b>School</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>
1	Bluffview Montessori School	✓	✓	✓
2	New Heights School		✓	✓
3	Metro Deaf School	✓	✓	✓
4	Skills for Tomorrow High School	✓	✓	✓
5	PACT Charter School	✓	✓	
6	St. Paul Family Learning Center	✓	✓	✓
7	Duluth Edison Academies		✓	✓
8	Village School	✓	✓	✓
9	ECHO Charter School	✓	✓	
10	Higher Ground Academy	✓	✓	✓
11	New Spirit Schools	✓	✓	✓
12	Odyssey Charter School	✓	✓	
13	Jennings Experimental High School	✓	✓	
14	Concordia Creative Learning Academy	✓	✓	
15	Twin Cities Academy	✓	✓	✓
16	Math and Science Academy	✓	✓	✓
17	Lakes Area Charter School	✓	✓	✓
18	Lake Superior High School	✓	✓	✓
19	Great River Education Center	✓	✓	✓
20	Coon Rapids Learning Center	✓	✓	✓
21	Four Directions Charter School	✓	✓	
22	North Lakes Academy	✓	✓	
23	Rochester Off Campus High School	✓	✓	
24	El Colegio Charter School			✓
25	Studio Academy	✓	✓	
26	Riverway Learning Community	✓	✓	
27	MN Business Academy	✓	✓	
28	Riverbend Academy	✓	✓	
29	Aurora Charter School	✓	✓	✓
30	Excel Academy for Higher Learning	✓		
31	Yankton Country Charter School	✓	✓	
32	Academia Cesar Chavez	✓	✓	
33	Avalon School	✓		
34	Twin Cities International Elementary School	✓		

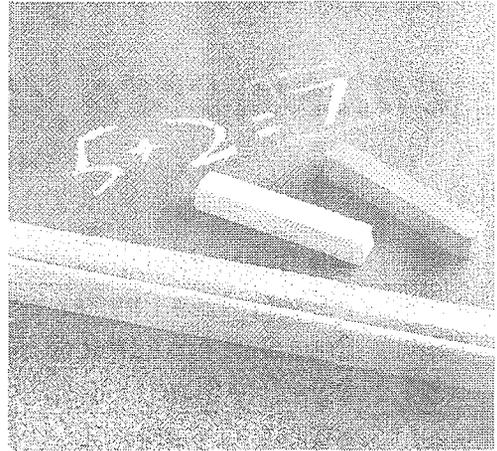
## ***Limited Segregation of Duties considered a material weakness:***

<b>School</b>	<b>2002</b>	<b>2001</b>	<b>2000</b>
35 MN International Middle School	✓		
36 Pillager Area Charter School	✓		
37 Covenant Academy of Minnesota Charter	✓		
38 Blue Sky Charter School	✓	✓	
39 Ridgeway Community School	✓		
40 SAGE Academy Charter School	✓		
41 New City Charter	✓		
42 Prairie Creek Community School	✓		
43 Southeast MN School of Arts and Tech.	✓		
44 New Century Charter School	✓		
45 Nova Classical Academy	✓		
46 Eci Nompá Woonspe (Second Chance)	✓	✓	✓
47 Crosslake Community School	✓	✓	
48 LaCrescent Montessori Academy	✓	✓	
49 High School for Recording Arts	✓	✓	
50 Chiron Charter School	✓		

List does not include schools who have yet to turn in their audits.

**Appendix C:**

***Audits not  
received as  
of 4/10/03:***



- ***Achieve Dual Language Academy***
- ***Martin Hughes***
- ***Mexica Multicultural Education Center***
- ***MN Institute of Technology***
- ***Native Arts Charter School***
- ***MN Academy of Software Technology***
- ***Hopkins Online Academy***

***9% of the Charter Schools have not turned  
in their audits as of 4/10/03***

# *Excess of Expenditures Over Revenue*

**Appendix D:**

<b>Name of School</b>	<b>General Balance</b>
<b>City Academy</b>	<b>36,577</b>
<b>Metro Deaf School</b>	<b>144,656</b>
<b>New Visions</b>	<b>115,021</b>
<b>St. Paul Family Learning Center</b>	<b>23,640</b>
<b>Cyber Village Academy</b>	<b>62,688</b>
<b>Odyssey Charter School</b>	<b>55,970</b>
<b>Face to Face Academy</b>	<b>94,525</b>
<b>Sojourner Truth Academy</b>	<b>34,925</b>
<b>Coon Rapids Learning Center</b>	<b>108,010</b>
<b>Hanska Community School</b>	<b>14,652</b>

# *Excess of Expenditures Over Revenue*

<b>Name of School</b>	<b>General Balance</b>
<b>North Lakes Academy</b>	<b>156,488</b>
<b>Rochester Off Campus</b>	<b>45,187</b>
<b>Minnesota Business Academy</b>	<b>51,335</b>
<b>Agriculture Food Science Academy</b>	<b>37,406</b>
<b>Prairie Creek Community School</b>	<b>465</b>
<b>New Century Charter School</b>	<b>641</b>

## **Appendix E:**

### **Does not maintain General Fixed Asset Records:**

- **Skills for Tomorrow High School**
- **New Country School**
- **ECHO Charter School**
- **Sojourner Truth Academy**
- **Lakes Area Charter School**
- **Studio Academy**
- **Riverbend Academy**
- **Eci Nompá Woonspe (Second Chance)**

### **Recommend update of General Fixed Assets:**

- **Bluffview Montessori School**
- **Community of Peace Academy**
- **Village School of Northfield**
- **Math and Science Academy**
- **MN Business Academy**

**200% increase from 2000 report - present**  
**100% increase from 2000 report - 2001 report**

# *Minnesota Statutes*

## **124D.10 Education Programs (Subd. 6a)**

Upon the request of an individual, the charter school must make available in a timely fashion the minutes of meetings of members, the board of directors, and committees having any of the authority of the board of directors, and statements showing the financial result of all operations and transactions affecting income and surplus during the school's last annual accounting period and a balance sheet containing a summary of its assets and liabilities as of the closing date of the accounting period.

Pages 362-363

# Minutes Requested/Minutes Received

Appendix G:

	Name of School	Requested	Received
1	<b>Academia Cesar Chavez Charter School</b>	✓	
2	<b>Blue Sky Charter School</b>	✓	
3	<b>City Academy</b>	✓	
4	<b>Crosslake Community School</b>	✓	
5	<b>Excel Academy for Higher Education</b>	✓	
6	<b>Family Academy</b>	✓	
7	<b>Harvest Preparatory School</b> <i>(left message)</i>	✓	
8	<b>Jennings Experimental High School</b> <i>(left message)</i>	✓	
9	<b>Lakes Area Charter School</b>	✓	
10	<b>Metro Deaf School</b>	✓	

## *Minutes Requested/Minutes Received*

	<b>Name of School</b>	<b>Requested</b>	<b>Received</b>
<b>11</b>	<b>Minnesota Business Academy</b>	✓	
<b>12</b>	<b>Minnesota Transitions</b>	✓	
<b>13</b>	<b>New Country School</b>	✓	
<b>14</b>	<b>Riverbend Academy</b>	✓	
<b>15</b>	<b>World Learner School of Chaska</b>	✓	