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## **Board Retreat Agenda – Summer 2022**

Friday, July 22, 2021 8:00am-12:00pm

Foothills @ Main Campus

### **Board Meeting Opening**

- Open Meeting
  - The Academy's mission is to help all students grow into college ready, exemplary citizens by combining academic mastery with personal empowerment to drive lifelong success. We serve our full community by intentionally developing a school culture that embraces diversity, equity, and inclusion. With this in mind, the Board of Directors welcomes all members of our community to this meeting and invites each person to begin our time together in whatever way will help ground you for thoughtful and productive discussion - a few deep breaths, a prayer, a moment to organize your thoughts, or whatever meets your needs.
- Consent Agenda
  - Approve Agenda
  - Approval of [June 13, 2022](#), minutes
- Public Comment
  - *The chairperson will recognize anyone who signs the request form before the meeting time. Public comment and input shall be limited to fifteen minutes total, ten minutes per topic, and 2 minutes per speaker. Neither Board members nor Academy staff is obligated to respond to comments or input. The Board will provide written responses as deemed appropriate.*

### **Welcome (20 min.)**

*Purpose – Connect, nourish, and deepen relationships.*

- Eat Breakfast - Food Will Be Provided
- Agenda Review

### **Annual Work Plan & Scorecard (100 min.)**

*Purpose – Ground ourselves in the strategic plan and identify the work we will prioritize over the next 12 months in its pursuit as well as how that work will be measured and reported.*

- Review 5-Year Strategic Plan
- Senior Admin Present 2022-23 Annual Work Plans
- Develop Governance Annual Work Plan
  - Review 2021-22 Board Self-Evaluation

- Previously Discussed Points of Focus: CEO Evaluation, Executive Succession Planning, & Board Succession Planning
- Identify Data Points for the 2022-23 Bi-Annual Scorecard Reporting Template
  - Finalize 2022-23 Bi-Annual Scorecard at August Meeting

### **Governing for Greatness: Board Training Review and Ongoing Development** (40 min.)

*Purpose – Dedicate time to ongoing training in the pursuit of continuous improvement.*

- Review [Board Manual](#) & Annual Agreements
- Review Board [Communication Pathways](#)
- Reflect on Past Year: How Does the Board of Directors Present to Our Community?
  - Developing Responsive Communication Norms
  - Response to Public Comment
  - Opening Meetings
  - Staff Support & Proactive Communications

### **Board Business** (20 min.)

*Purpose – Address a couple timely matters of Board business for the coming school year.*

- Presentation and Discussion
  - [Remote Learning](#) Resolution for the 2022-23 School Year – *Expectation: The CEO will present a renewal of the Remote Learning Resolution the Board has approved each of the past two school years.*
  - [School Meal Price Increase](#) – *Expectation: The COO will present a proposal to increase the price of school meals in accordance with a recommendation from the Charter School Institute.*
- Executive Summary
  - Approve [Remote Learning](#) Resolution for the 2022-23 School Year – *Expectation: The Board will vote to approve a renewal of the Remote Learning Resolution that has been in place each of the past two school years.*
  - Approve [School Meal Price Increase](#) – *Expectation: The Board will vote to approve an increase in the price of school meals in accordance with a recommendation from the Charter School Institute.*

### **Facilities Master Planning** (45 min.)

*Purpose – Further familiarize the Board of Directors with the work of the Futures Committee.*

- Update from Futures Committee
- Facilities Tour
- Debrief

### **Closing** (15 min.)

*Purpose – Reflect on the effectiveness of the Board Retreat and conclude with clear next steps.*

- Revisit Purpose of Agenda Items to Measure Effectiveness
- Confirm Action Steps to Complete in 2022-23
- Board Meeting Self-Scoring
- Adjourn Meeting

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Board of Directors  
Board Meeting Minutes  
Monday, June 13, 2022

Board Members Present:

Kevin Sanchez	Chairperson
Sarah Drewlow	Vice Chairperson
Dan Klenjoski	Board Member
Autumn Coffee	Secretary
Laurissa Fransua	Board Member

Also Present:

Brent Reckman	CEO
Mark Wilson	COO
Andrea Foust	Finance Director

Minutes of the regular board meeting of The Academy held at 11800 Lowell Blvd, Westminster, CO 80031 in Adams County on June 13, 2022.

I. Open Meeting

A quorum being present, Mr. Sanchez called the meeting to order at 7:00 pm

II. Consent Agenda

Mrs. Drewlow moved to approve the May 23, 2022, minutes. Seconded by Mrs. Fransua.

Discussion: None

Ayes: Sanchez, Klenjoski, Coffee, Fransua, Drewlow

Nays: None

III. Public Comment

a. There was no public comment this month.

IV. Reports from Directors and Committees

a. CEO Report

i. Pandemic Update – The numbers have continued to increase and will monitor them into the coming year.

ii. Strategic Initiative – we are working on collecting the year-end achievement data.

b. Finance Report

i. The finance report was included as part of the Presentation and Discussion; see the notes below.

c. SACademic Committee – No meeting this month

d. PTO – No meeting this month

V. Presentation and Discussion

a. FY23 Budget

- i. We are projected to add just under \$3 million to the fund balance barring any unexpected changes before the end of the month.
  - ii. We are expecting a slight increase in revenue.
  - iii. Our federal sources are reducing in lieu of state increases.
  - iv. We are making a motion to spend \$600K for facility repair and replenishment. The precise purchases are not yet determined.
- b. Year-End Scorecard
  - i. We had 32 goals total: 16 for instruction and 16 for finance and operations.
  - ii. We met or exceeded 29 of our 32 goals.
  - iii. Impact Report – Mr. Reckman went through the Impact Report page on our website and is preparing for communicating this to the community.

VI. Executive Summary

- a. Mr. Sanchez made a motion to enter Executive Session at 7:37 pm. Mr. Fransua seconded the motion.
 

Discussion: None

Ayes: Sanchez, Klenjoski, Coffee, Fransua, Drewlow

Nays: None
- b. Mrs. Coffee made a motion to approve the 2022-2023 Budget as presented. Mrs. Drewlow seconded the motion.
 

Discussion: None

Ayes: Sanchez, Klenjoski, Coffee, Fransua, Drewlow

Nays: None

Nays: None

VII. Board Self-Scoring

Scoring Rubric	
1	Unsatisfactory
2	Satisfactory, looking for significant Improvement
3	Satisfactory, improving but still below expectations
4	Efficient meeting, meets expectations

4/4

VIII. Adjourn Meeting

Mr. Sanchez adjourned the meeting at 7:57 pm.

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*Fueling lifelong success through preparation, exploration, and empowerment.*

**The Academy Mission**

The Academy's mission is to help all students grow into college ready, exemplary citizens by combining academic mastery with personal empowerment to drive lifelong success. We serve our full community by intentionally developing a school culture that embraces diversity, equity, and inclusion.

## Board Member Agreement

The Board of Directors is responsible for the governance of the school, development of positive community relations, preserving The Academy mission and vision, and is accountable to teachers, parents, students, and the community for maintaining the intent of the Charter.

### General Board Responsibilities

The purpose of the Board of Directors is to set the general direction and policy of the school, not manage it on a daily basis. The Board sets policy that is consistent with the Mission Statement, the Academy's charter, and applicable laws. The Chief Executive Officer shall answer directly to the Board. The Chief Executive Officer, as head of the school administrative team, shall make decisions on a day-to-day basis and fulfill all administrative duties for the school.

The Board is ultimately responsible for the preparation and approval of an annual budget, and ensures The Academy operates within that budget.

The Board approves and establishes a school calendar, including any changes made during the school year.

The Board is ultimately responsible for the maintenance of any records or documents required by law or provided for by the charter contract. Additionally, The Academy Board is ultimately responsible for the timely filing of all reports required pursuant to local, state, and federal regulations.

The Board typically has one regular monthly meeting, and will provide an opportunity for public input. Meeting dates, times and locations will be published in advance as required by statute. Additionally, the Board may convene work sessions as it deems appropriate. Work sessions are also open to the public and will be published in advance.

All Board members should be active in the greater school community. They are encouraged to show support for our school. Academy Board members will not serve as officers of The Academy PTO. However, Board members may be active on PTO committees.

Board members may not be employees of The Academy to prevent any conflicts of interest. In the event of any potentially perceived conflict of interest, all Board members will follow the Conflict of Interest section later in this document.

All Board members are expected to attend a yearly Board retreat where Board self-evaluations are reviewed, goals are set, and the strategic plan is reviewed.

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Board members shall dedicate the time and effort to fulfill their responsibilities on the Board and Board committees to their fullest capability. The goal or reasonable expectation is about 8 hours per month, outlined as follows:

- Attend monthly Board meetings (2 hours)
- Participate on a Board committee (1-2 hours)
- Read materials, prepare for meetings (2-4 hours)
- Participate in Board training, attend events at the school, assist with fundraising and other Board tasks as needed (1-2 hours)

All Board members should remember that one of their roles is public relations. At all times, Board members shall uphold the mission and vision of The Academy. All members are expected to be the best public relations representatives the school has.

### **Behavioral Expectations**

Board members shall abide by the open meetings law [C.R.S. 24-6-401]. Simply stated the law is this: "All meetings of a quorum of three or more members of any local public body, whichever is fewer at which any public business is discussed or at which formal action may be taken are declared to be public." Confidentiality law is also outlined in this section of the statute. Personnel matters, individual students, and negotiations are confidential by law. As a result, any Board member who is secretly breaching confidentiality law may be removed according to the By-Law procedure.

Expectations include a professional demeanor at all Board meetings. Issues being discussed shall not be personalized or directed toward any other Board member, staff member, parent, or anyone else. Discernment should be used in interpersonal relationships and communications.

Board members will commit to resolving conflict directly with each other or with the appropriate staff member, and not share the conflict with anyone outside of the conflict; including, but not limited to, other parents, other staff members, or the media.

Board members shall exemplify integrity, honesty, and respect. Any Board member finding themselves involved in an irresolvable conflict shall put the mission and the vision of the school first.

Board members are expected to regularly attend Board meetings. The Chief Executive Officer should be informed, prior to the Board meeting, if a Board member is unable to attend.

All Board meetings shall be governed according to Federal law, State law, Articles of Incorporation, By-Laws, and Roberts Rules of Order.

While at the school, Board members shall be mindful of the different roles they play: parent, volunteer,

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Board member, etc. A Board member will not use their position of authority while acting in their parent or volunteer roles. The Board will represent the needs and interests of all the children in our school. The student's interests come first.

Board members agree to follow the communication pathways and insist that others do so as well.

Board members will be extremely sensitive to the legal ramifications of Board meetings and comments. Executive sessions will be held only when specific needs arise.

Board members agree to research issues and consult with the school administrative team or other stakeholders if needed prior to Board meetings. Issues requiring detailed presentations and/or debate of members greater than normally acceptable during Board meetings will be addressed in Board work sessions. If a Board member believes he/she doesn't have enough information or has questions, either the Chief Executive Officer or Board Chair is to be consulted before the meeting.

### **Training**

Board training is vital in the development of an efficient and effective governing Board. Training plays a vital role in preparing new Board members for these duties.

The Academy Board Training Plan for new Board members, will consist of two primary parts – Internal Training and External Training.

New Board members agree to complete internal training within their first 3 months on the Board.

New Board members agree to complete external (online training) within the first 6 months on the Board.

Board members are encouraged to attend the annual Colorado League of Charter Schools (CLCS) Conference as part of their annual training.

Board training should continue for returning Board members and be ongoing due to turnover in Board membership. Furthermore, each Board member should take responsibility for their own learning by reading books related to the curriculum or educational design of the school, attending charter school meetings whenever possible, and networking with other charter school Board members to learn more about how a Board can improve efficiency and effectiveness.

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## **Conflict of Interest**

Board members will follow the expectations identified in the Board-approved Conflict of Interest Policy. Members will review this policy annually.

## **Board Member Duties**

As a Board member of The Academy Board of Directors, I understand that my duties and responsibilities include the following:

1. Develop and implement the strategic plan in accordance to the mission and vision of the school.
2. Establish policies for operation of The Academy, ensuring that the provisions of the corporation's Articles of Incorporation, By-laws and the contracts with the Colorado Charter School Institute School Board are being followed.
3. Establish fiscal policy and boundaries, with budgets and financial controls for the school.
4. Select a new Chief Executive Officer when needed.
5. Establish the policies under which the administration will operate the school.
6. Establish necessary working committees and being sure that all members are actively involved in appropriate committee assignments.
7. Conduct a written annual evaluation of the performance of the Chief Executive Officer and establish goals for the following year.
8. Conduct an evaluation of the effectiveness of Board Committees and establish goals for the following year.
9. Conduct a written annual self-evaluation.
10. Keep full and accurate minutes of its meetings and those of its committees.
11. Maintain a policy book so that governing decisions made over a period of years, may be readily available to subsequent leadership and administrators.

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### Board Member Profile Agreement

As a Board member of The Academy Board of Directors I understand my duties and responsibilities and agree to abide by the responsibilities and expectations outlined in the Board Manual and Expectations to the best of my ability.

- I agree to fulfill the General Board Responsibilities.
- I agree to abide by the Behavior Expectations at all times.
- I agree to complete Annual Training as applicable.
- I agree to follow the Conflict of Interest policy as needed.
- I will perform all Board Member Duties to the best of my ability.

\_\_\_\_\_  
Kevin Sanchez July 22, 2022  
Date

\_\_\_\_\_  
Sarah Drewlow July 22, 2022  
Date

\_\_\_\_\_  
Shawn Hamele July 22, 2022  
Date

\_\_\_\_\_  
Autumn Coffee July 22, 2022  
Date

\_\_\_\_\_  
Dan Klenjoski July 22, 2022  
Date

\_\_\_\_\_  
Amy McDuffee July 22, 2022  
Date

\_\_\_\_\_  
Larissa Fransua July 22, 2022  
Date

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## CONFLICT OF INTEREST POLICY

In carrying out their fiduciary duties, a board member or staff member shall not:

1. Use their positions for a private advantage or personal financial or material gain.
2. Accept a gift of substantial value (or a substantial economic benefit which is the same as a gift of substantial value) which would tend to improperly influence a reasonable person in their position or which he or she knows or should know is primarily for the purpose of rewarding them for official action taken.
3. Engage in a substantial financial transaction for their private business purposes with a person whom they supervise in the course of their official duties.
4. Perform an official act which directly and substantially confers an economic benefit on a business or other undertaking in which he or she has a substantial financial interest or in which he or she is engaged as a counsel, consultant, representative, or agent.
5. Participate directly or indirectly in the purchasing process if the employee has a direct relationship with a vendor doing business with the school.
  - a. A direct relationship may include the business being owned by or employing a family member of the board member or staff member.
  - b. Direct or indirect participation means involvement through decisions, approval, disapproval, recommendation, preparation of any part of a purchase request, influencing the content of any specifications or procurement standard, rendering of advice, investigation, auditing, or acting in any other advisory capacity.
6. The school shall not purchase goods or services from a business owned by an immediate family member of a board member or employee, unless the goods or services are procured through a competitive process by and determined to be in the school's best interest.

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It is the responsibility of The Academy's board members to regularly monitor for their own personal conflicts pertaining to the list above. Board members also have a responsibility to assure the adherence of their fellow members' fiduciary practices, including ethical behaviors. Members who observe known violations of this policy personally or by fellow members, staff, or service providers must report it to the CEO.

### **Ethical Principles**

The following ethical principles for board members "are intended as guides to conduct and do not constitute violations as such of the public trust of office . . ." These principles provide that a board member should not:

1. Acquire or hold an interest in any business or undertaking which he or she has reason to believe may be directly and substantially benefited by official action to be taken by the school.
2. Within six months following the termination of their position, obtain employment in which they will take direct advantage, unavailable to others, of matters with which they were directly involved during their term of office.
3. Perform an official act directly and substantially affecting a business or other undertaking to its economic detriment when they have a substantial financial interest in a competing firm or undertaking.
4. Apply for a staff position with the school without first resigning their seat on the board. It is generally unexpected that those serving as board members would seek employment with The Academy. If a board member does wish to be considered by The Academy for employment, however, they would be expected to first resign from their board position.

### **Disclosure Requirements**

A board member or staff member, who has personal or private interest in any matter, proposed or pending before the board shall disclose such interest to the board, shall not vote on the matter and shall refrain from attempting to influence the decisions of other members of the board.

After disclosure of a financial interest or other potential conflict of interest and all material facts, and after any discussion with the interested person, the interested person shall leave the governing board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining board or committee members shall discuss and vote on whether a conflict of interest exists.

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After exercising due diligence, the governing board or committee shall determine whether the School can obtain with reasonable efforts a more advantageous transaction or arrangement 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 possible under circumstances not producing 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 School's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the above determination it shall make its decision as to whether to enter into the transaction or arrangement.

A board member may vote if their participation is necessary to obtain a quorum or otherwise enable the board to act and if disclosure has been made to the secretary of state giving the information required by statute. The written disclosure to the secretary of state must include:

1. the amount of their financial interest;
2. the purposes and duration of services rendered;
3. the compensation received; and
4. any other information to describe the interest.

If the board member votes on the matter, the member should make a public disclosure on the record at the time of voting.

### **Annual Statements**

Each board member, committee member, and staff member shall annually affirm that the individual:

1. has received a copy of the Conflict of Interest Policy;
2. has read and understands the policy;
3. has agreed to comply with the policy; and
4. understands the school is recognized by the IRS as a tax-exempt organization under Section 501(c)(3) of the Internal Revenue Code, and in order to maintain its federal tax exemption the school must engage primarily in activities which accomplish its tax exempt purposes.

### **Excessive Compensation**

The CEO of The Academy is the person principally responsible for the efficient and effective operation of the School. Therefore, it is the desire of the Board to provide a fair yet reasonable and not excessive compensation for the CEO and any other highly compensated employees and consultants.

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The annual process for determining compensation is as follows:

1. The Board shall annually evaluate the CEO on their performance, and ask for their input on matters of performance and compensation;
2. The Board (or a designated committee) will obtain research and information to make a recommendation for the compensation (salary and benefits) of the CEO (and any other highly compensated employees or consultants) based on a review of comparability data. For example, the Board will consider data that documents compensation levels and benefits for similarly qualified individuals in comparable positions at similar organizations. This data may include the following:
  - a. salary and benefit compensation studies by independent sources;
  - b. written job offers for positions at similar organizations;
  - c. documented telephone calls about similar positions at both nonprofit and for-profit organizations; and
  - d. information obtained from the IRS Form 990 filings of similar organizations.
3. To approve the compensation for the CEO (and any other highly compensated employees and consultants) the Board must document how it reached its decisions, including the data on which it relied, in minutes of the meeting during which the compensation was approved. Documentation will include:
  - a. a description of the compensation and benefits and the date it was approved;
  - b. the members of the board who were present during the discussion about compensation and benefits, and the results of the vote;
  - c. a description of the comparability data relied upon and how the data was obtained; and
  - d. any actions taken (such as abstaining from discussion and vote) with respect to consideration of the compensation by anyone who is otherwise a member of the board but who had a conflict of interest with respect to the decision on the compensation and benefits.
4. The Chair of the Board, who is a volunteer and not compensated by the School, will operate independently without undue influence from the CEO. No member of the Board shall have any relationship with senior administrative staff that could present a conflict of interest.

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## CONFLICT OF INTEREST POLICY

The Board of Directors at The Academy approved the Conflict of Interest Policy on Monday, November 15, 2021.

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Board Chairperson

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Date

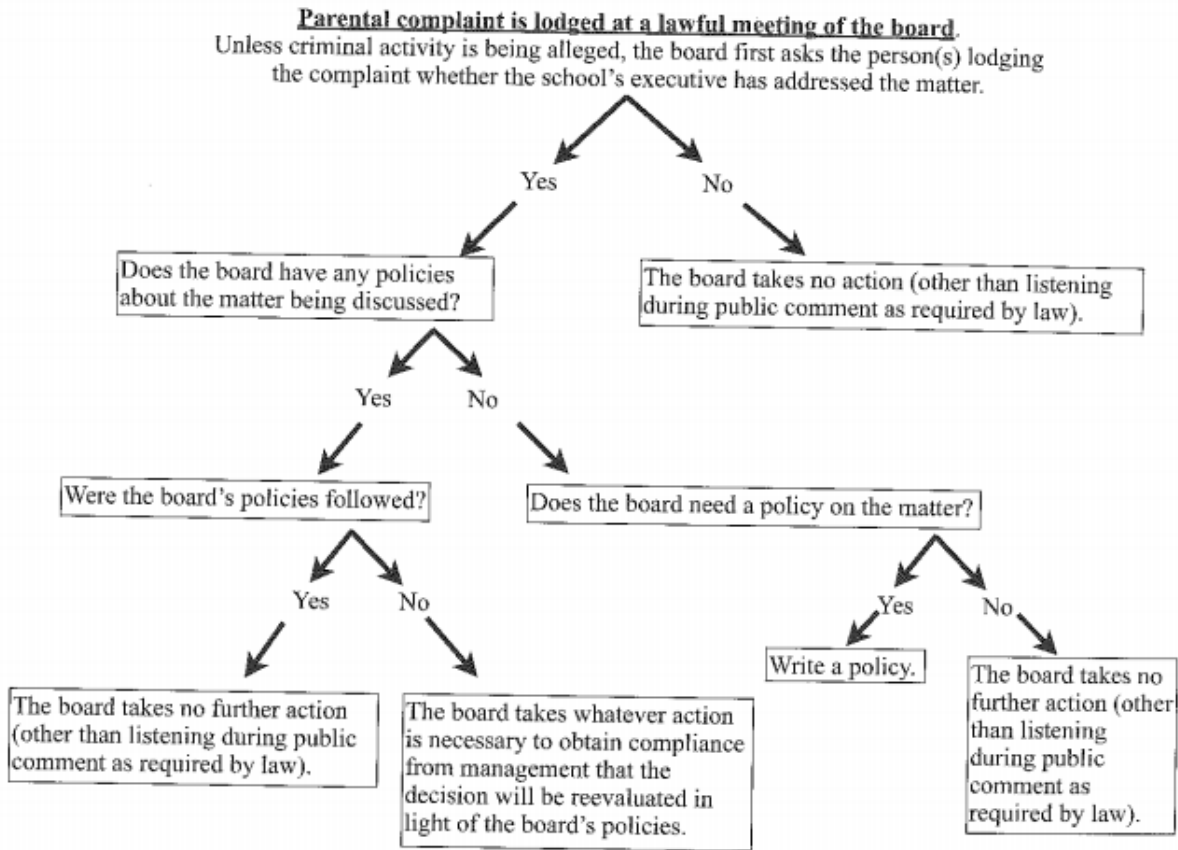
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## Board Communication Agreements

Board members will use the flow chart below to guide their response to community complaints and feedback both for official meetings and casual interactions.



In response to public comment made at an official meeting, the CEO will follow up when appropriate and report back to the Board Chair within one week. Either the CEO or the Board Chair will then report back to the full board at the next meeting.

In response to emails from members of the public to the Board, the Board Vice Chair will send the following message:

*I am writing to acknowledge receipt of your email to the Board of Directors at The Academy. We welcome community involvement and can tell this issue is very important to you. As parents ourselves, we empathize with the importance of feeling connected to your children's school experience.*

*The Board delegates decisions that are operational in nature to school administration. If you feel a Board-approved policy has been violated, you could follow the steps outlined in our formal Grievance Policy. That policy can be found on this page of [Approved Board policies](#) (in alphabetical order: Grievance Policy).*

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*Thank you for your desire to make our Academy community the best it can be.*

In the context of casual interactions, Board members can also explain that an individual board member does not have authority to get involved: “I have no authority in the matter as an individual. Our Board’s process is that all complaints will be addressed to our school leader first before the board considers any other action. If it is the case that you have already done so without a satisfying result, you must bring the matter to the whole Board. You can do this by emailing [board@theacademyk12.org](mailto:board@theacademyk12.org).”

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## **Implementation of Remote Learning During the 2022-23 School Year in Response to Disruptions Caused by COVID-19 Spread**

WHEREAS, Colorado law requires local boards, including charter school boards, to establish school calendars that maintain certain minimum annual hours of schooling; and

WHEREAS, Colorado Department of Education (“CDE”) regulations further require certain hours of “teacher-pupil contact and teacher-pupil instruction” and define this as “time when a pupil is actively engaged in the educational process of a district”; and

WHEREAS, the spread of COVID-19 may result in disruption to normal in-school operations, including requiring some or all students to receive some or all instruction at home or in non-school settings through various online and other means of instruction; and,

WHEREAS, for the 2022-23 school year CDE has granted flexibility for local school boards and charter school governing boards to implement temporary remote learning in response to public health and safety measures associated with the spread of COVID-19.

WHEREAS, the Board of The Academy of Charter Schools (“the School”) anticipates that the need may arise to implement remote learning due to public health and safety measures associated with the spread of COVID-19 during the 2022-23 school year;

NOW THEREFORE, let it be RESOLVED that for the 2022-23 school year, the School hereby defines “educational process” to include, without limitation:

- instruction (including physical activity) that is delivered in an in-person setting;
- passing time between two classes, and between a class and lunch;
- remote learning option as a result of emergency school closure;
- instruction that is delivered through physical or electronic delivery of educational materials to parents, guardians, or students;
- completion of offline work documented by parents or guardians;
- all assignments provided by an educator in school, electronically, or otherwise;
- asynchronous work time by students;
- students logging on to recorded assignments or online learning activities;

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- student-teacher electronic communication;
- educator support provided in school, home, or alternative settings;
- student classwork, project completion or demonstrations of learning; and
- any similar educator-directed activity undertaken by a student, provided such activity is appropriately reviewed and/or monitored by a teacher.

FURTHER, let it be RESOLVED that for the 2022-23 school year, the School hereby affirms that:

- All instruction and learning activities used for the purpose of designating students as engaged in the educational process during remote learning shall be in accordance with CDE guidance.
- The School shall adopt appropriate documentation to further define how instruction will be delivered during remote learning, including specifically identifying synchronous and asynchronous learning activities, as applicable;
- The School shall maintain all documentation necessary and appropriate to evidence student attendance during any periods of asynchronous remote learning, which must include affirmative documentation of active participation beyond being marked present in the School's student information system, for the purpose of documenting instructional days, teacher-student contact hours, compulsory attendance, and for the October 1 Student Count and funding documentation;
- Teacher-pupil instruction and contact time, including in-person and remote learning (synchronous and asynchronous) instruction, shall be equal to or more than the required scheduled semester hours of instruction in order to be eligible for part- or full-time per pupil funding.

Adopted this 22<sup>nd</sup> day of July, 2022.

The Academy of Charter Schools

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Kevin Sanchez, Board Chair

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### Meal Price Increase 2022-2023

CSI has recommended that we increase prices due to the increase from our suppliers. The dollar amounts in column 1 are what we recommend that the board approve for the 2022-2023 school year.

Category	New Price	Current Price	Difference
K-8 Lunch	3.75	3.40	0.35
9-12 Lunch	4.00	3.60	0.40
K-12 Breakfast	2.50	2.10	0.40
Adult Lunch	5.00	4.75	0.25
Adult Breakfast	3.25	2.75	0.50
Extra Lunch Entrée	2.25	2.00	0.25
Extra Breakfast Entrée	1.00	0.75	0.25

Approved on July 22, 2022.

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Kevin Sanchez, Board Chair

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