

# Resolution

A.C.A. § 6-24-101 et seq.

**WHEREAS** the Fort Smith School District Board of Education met in regular session on the date of June 26, 2017. The meeting was open to the public and was conducted in the usual meeting place, the Service Center Auditorium, 3205 Jenny Lind Road, Fort Smith, Arkansas; and

**WHEREAS** \_\_\_\_\_members were present, constituting a quorum for the conduct of legal business; and

**WHEREAS** the Board of Education received a recommendation from the Personnel Committee of the Board to approve contracts with the entity Red Carpet Photobooths; and

**WHEREAS** a disclosure of the relationship between said entity and the employee of the Fort Smith School District, Elias Galvan, was presented as required by A.C.A. § 6-24-101 et seq. that are relevant to the contracts; and

**WHEREAS** specific facts for the contracts were presented as shown on the accompanying Contract Disclosure Form; and

**WHEREAS** the unusual circumstances necessitating approval of the contracts was considered as set forth on said Contract Disclosure Form; and

**WHEREAS** the Board of Education considers the contracts to be in the best interest of the School District and appropriate for the normal conduct of necessary business.

**NOW THEREFORE BE IT RESOLVED:** That the Board of Education after serious consideration moves to approve contracts with Red Carpet Photobooths and further set forth any restrictions and/or limitations as noted; and

**BE IT FURTHER RESOLVED:** That the Board directs that the period of the contract shall commence upon the date of approval.

Adopted this the 26th day of June, 2017

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Superintendent of Schools

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President, Board of Education

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Secretary, Board of Education

Attachment

*Revision Date 7/2014*

## Contract Disclosure Form

Name of Public Educational Entity:	Fort Smith School District		
Name of Person Disclosing Transaction:	Elias Galvan		
Business Name of Entity:	Red Carpet Photobooths		
I am a (an)	<input type="checkbox"/> Board Member	<input type="checkbox"/> Administrator	<input checked="" type="checkbox"/> Employee
Mailing Address:	2306 N. 53rd Street Fort Smith AR 72903	Home Telephone:	479-461-8937
		Work Telephone:	479-785-2501

Nature of transaction subject to disclosure and approval:

**The District desires to work with this local retail vendor when they are priced competitively.**

Estimated dollar of transactions with public educational entity for entire school year:

**< \$10,000**

Check One:

- ☒ I have a financial interest in the transaction.  
☐ A household member has a financial interest in the transaction.  
☐ Both a household member and I have a financial interest in the transaction.

Nature of financial interest:

**Employee is the owner of Red Carpet Photobooths.**

Justification for Approval:

- ☐ Single source provider.  
☐ As needed, goods or services will be purchased on quote/bid for lowest price.  
☒ As needed, equal opportunity for local retail vendors to provide goods or services.  
☐ Check here if Emergency Transaction as defined by A.C.A. § 6-24-101(9).

Please attach any other additional information or documents you believe are necessary for a full, complete and accurate disclosure of the facts and circumstances of the transactions.

  
Employee Signature

5/15/17  
Date

For Office Use Only	
Date completed form received by district:	
School Official's Signature	Telephone Number: 479-785-2501
Local Board Action:	Fax Number: 479-784-8108
Date Presented to Board:	<input type="checkbox"/> Approved <input type="checkbox"/> Disapproved
Required to be presented to the Commissioner of the Department of Education for written approval (resolution attached)?	<input type="checkbox"/> Yes <input type="checkbox"/> No
Date Certified to ADE:	
Date Commissioner's Written Approval received by district:	
Effective Date:	

**FORT SMITH PUBLIC SCHOOLS  
EMPLOYEE  
GENERAL DISCLOSURE STATEMENT**

Employee Name: <u>Elias Galvan</u>	Social Security #: <u>448-98-2382</u>
School or Department: <u>Spradling Elementary</u>	Job Title: <u>Teacher</u>

☒ I have the following personal "direct interest" which could create transactions which are subject to Act 1599:

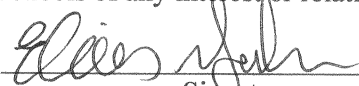
Legal Business Name	Description of Business	Ownership % (or description of direct interest)
<u>Red Carpet Photo Booths</u>	<u>Photo booth service</u>	<u>100%</u>

☐ I have the following household member(s) with a "direct interest" which could create transactions which are subject to Act 1599:

Household Member Name	Legal Business Name	Description of Business	Ownership % (or description of direct interest)

☐ I have no direct interest of which I am aware that requires disclosure under Act 1599.

I hereby certify the above information to be true and correct to the best of my knowledge. I will notify the Fort Smith Public Schools of any interest or relationship that may occur in the future that requires disclosure under Act 1599.

  
Signature

05/03/2017  
Date

**School Law (Act 1599):**

Unless disclosure is provided and approved, it is a breach of ethical standards for an employee to contract with Fort Smith Public Schools if the employee has knowledge that he or she is directly interested in the contract.

**Definitions:**

**"Contract"** means any transaction or agreement for the purchase, lease, transfer, or use of real property or personal property and personal or professional services, including but not limited to, motor vehicles, equipment, commodities, materials, services, computers or other electronics, construction, capital improvements, deposits, and investments.

**"Directly" or "directly interested"** means receiving compensation or other benefits personally or to an individual's household from the person, business, or entity contracting with the public educational entity.

**"Compensation or other benefits"** means any monetary or non-monetary gain including without limitation, salary, fringe benefits, gratuities and bonuses received by owners, officers, directors, trustees, partners, managerial employees, or other executive employee. The definition does not include compensation or other benefits received by the following individuals:

- 1) Non-managerial or non-executive level employees;
- 2) Clerical or other similar hourly compensated employees;
- 3) Individuals who own a five percent (5%) or less interest in a company or entity; and
- 4) Individuals who own stock or other equity holding in any publicly held company.