

## **UPDATED CHARTER LANGUAGE 0812**

### **a. Governance and Operation**

#### **i. Non-Profit Corporation Status**

Copies of the following are in Appendices VI, IV, and V respectfully:

- Certification of non-profit corporation from the South Carolina Secretary of State
- Articles of Incorporation
- Bylaws

#### **ii. Governing Board**

During the planning stage, the applicants convened a Charter Committee as well as advisory committees, consisting of teachers, parents, and community members with various background experiences to govern and manage the charter school through the application process. The Charter Committee will act as PSA's governing body through the planning year of implementation and until such time that a Board of Directors can be elected in October 2010 by the parent body and employees of Palmetto Scholars Academy, in compliance with H.3241, SC Law.

The procedures should provide that parents or legal guardians shall have one vote for each student enrolled in the school. Palmetto Scholars Academy's Charter Committee believes that membership on the school's Board of Directors represents a challenging responsibility. Members of the Board should be fully aware of and prepared to accept the significant responsibility of membership. To that end, the Charter Committee has developed an elections procedure, that ensure all employees of the charter school and all parents or guardians of enrolled students have a voice in the election of the school's Board and a role in the continued governance of the school. In August of each year, a Nominating Committee consisting of two (2) parents of enrolled students, and three (3) community members will be selected by the Chairman of the PSA Board of Directors. The current President of the Board of Directors will also be a non-voting advisor to the Nominating Committee. On the first Wednesday of September each year, the Nominating Committee will convene a public Pre-Election Meeting and invite all employees, parents of enrolled students, and interested community members to attend. The purpose of this meeting will be to explain the Board elections process, clarify who is eligible for Board membership, distribute nominating packets and accept written nominations for candidates. Nominating packets will continue to be made available through the school's office. Additionally, written nominations for candidates who may be either parents of enrolled students or interested members of the community at large will be accepted for two weeks after the Pre-Election Meeting. Individuals nominated for Board membership will be contacted by a member of the Nominating Committee to ensure that they have a thorough understanding of the Board's responsibilities, as well as individual member responsibilities, and are willing to serve.

Upon commencement of acceptance of written nominations, the Nominating Committee will be charged with evaluating the nominees and preparing a slate of candidates that is in compliance with H.3241 SC Law and Palmetto Scholars Academy's Bylaws. Consideration will be given to each candidate's individual

background and experiences as well as to the slate as a whole, to ensure that the final ballot includes:

1. candidates with an unwavering belief in the vision and mission of PSA;
2. a minimum of seven (7) members in compliance with PSA's Bylaws;
3. no candidate that has been convicted of a felony under state or federal law or of any other crimes related to elections and voting in compliance with constitutional and statutory provisions.

A final ballot will be composed and include two voting options:

1. approval of the slate as presented, including the names and relevant expertise of the proposed nominees;
2. disapproval of the slate.

Additionally ballots will clearly indicate the date, place and time that votes may be cast on site at the school. Ballots may be utilized online through the PSA system, or provide a written ballot, which will be kept in the ballot box in the Administrative offices. One vote will be allowed for each enrolled student. Parents and guardians within each family will determine who will cast that vote. Additionally, one vote will be given to each employee of the school, in compliance H.3241, SC Law. The Board of Directors will conduct a Board Nominating Committee for no more than 50% of the Board members, elected by the Board.

Ballots will be tallied by the Nominating Committee or their designee at a specially no later than October 15th of each year. The results will be announced as well as publicized through the school's newsletter and Web Site, as well as an official notice posted at the front of the school building. The newly elected Board of Directors will convene its first meeting in November each year, in compliance with PSA's Bylaws.

Palmetto Scholars Academy's Board of Directors will be responsible for governing, not managing, the school. Board members will ensure that Palmetto Scholars Academy's academic programs are consistent with the school's mission and are successful in educating all students, and that school funds are properly managed and accounted for. Board members will also develop and evaluate school policies to ensure that they are lawful, fair, and provide appropriate protection and opportunity for everyone involved with the school.

The Board will retain ultimate authority with regard, but not limited to:

- Employing and contracting with teachers and non-teaching employees;
- Ensuring that all certified personnel and non-certified teachers, including volunteers, undergo all lawful background checks and other investigations before being employed or allowed to volunteer at the school;
- Contracting for services, including but not limited to legal, accounting, auditing, transportation, and food service;
- Developing pay scales, performance criteria and discharge policies for its employees, including the school Principal;
- Deciding all other matters related to the operation of the school including budgeting, curriculum, and operating procedures;

- Ensuring that the school will adhere to health, safety, civil and disability rights and requirements;
- Conducting a lottery for admissions, if required (see Section 4. b. *Admissions Policies and Procedures* for additional information regarding lotteries);
- Ensuring that the administration, faculty and staff are trained in the unique methods of teaching and assessment of achievement outlined in this application prior to classes commencing in August 2010;
- Developing and aggressively implementing a series of fundraising campaigns to ensure continued financial sustainability for the school;
- Purchasing of curriculum, materials, and teacher training resources;
- Ensuring that PSA meets or exceeds the same minimum student attendance requirements as are applied to all public schools;
- Adhere to the same financial audits, audit procedures, and audit requirements as are applied to all public schools;
- Successfully completing an orientation program on leadership as sponsored by the South Carolina Department of Education within one (1) year of taking office;
- Appeal to the Sponsor with regard to any material revisions of the terms of the charter, with the understanding that the revisions may only be made with the approval of both parties. Establish or dissolve ad-hoc committees to deal with specific issues or tasks outside of the Standing Committee responsibilities, as deemed necessary.

In addition, Board members will:

- Be trustees of the values, principles and monies of Palmetto Scholars Academy, with an unwavering belief in the Vision and Mission;
- Have a clear understanding of the charter promises and other lawful obligations;
- Have clarity with regard to the roles and responsibilities of the Board, individual Board members, Standing Committees, the school Principal, the faculty, and the Sponsor;
- Recruit, hire, support, and evaluate the performance of the school's Principal;
- Ensure effective planning and policy-making;
- Ensure adequate resources;
- Effectively manage the school's resources;
- Determine, monitor, and strengthen the school's programs and services;
- Enhance Palmetto Scholars Academy's public standing;
- Ensure legal and ethical integrity;
- Maintain accountability to the students, parents, faculty, community, and Sponsor;
- Be results oriented.

Individual members of the Board will be responsible for actively participating in the work of the Board and the life of the school. Each member will be expected to:

- Believe in and be an active advocate and ambassador for the values, mission and vision of Palmetto Scholars Academy
- Work with fellow Board members to fulfill the obligations of the Board;

- Behave in a way that clearly contributes to the effective operations of the Board;
- Regularly prepare for and attend Board and Standing Committee meetings;
- Keep informed about the school and its issues;
- Actively participate in the majority of fundraising events annually;
- Inform the board of any potential conflicts of interest, whether real or perceived, and abide by the decision of the Board related to the situation;
- Serve as the Chair for a Standing Committee.

Palmetto Scholars Academy will comply fully with Title 30, Chapter 4 of the South Carolina Freedom of Information Act (hereafter sometimes referred to as FOIA). Meetings of the Board of Directors will be held at least eleven (11) times a year and conducted by the Board of Directors in accordance with all provisions of the current law and any amendments as they may be enacted. Only those matters prescribed in Section 30-4-70 of FOIA will be discussed in executive session. Additionally, Palmetto Scholars Academy will adhere to the Family Education Rights and Privacy Act by respecting the purpose of privacy regulations which include:

- assuring consumer control over student information;
- setting boundaries on the use and disclosure of student records,
- establishing appropriate safeguards to protect privacy of student information.

All student records will be secured on the premises of the school or at a site approved for their storage by the Board.