

SOUTH CAROLINA

PUBLIC CHARTER SCHOOL DISTRICT



**Public Charter
SCHOOL DISTRICT**

BOARD OF TRUSTEES

POLICY MANUAL

Effective _____

INTRODUCTION

This manual is for the use of the South Carolina Public Charter School District (SCPCSD), its employees, the schools it sponsors and members of the public.

The manual is secondary in authority to any applicable state or federal statutes or regulations. Conflicts with statute or regulations shall be resolved to result in compliance with the applicable law and, where discretion is permitted, in the best interest of students.

Board approval for substantial revisions to this manual occurred:

_____, 2023

September 10, 2020 (Financial Assistance Policy Suspended)

May 14, 2017 (Transfer policy)

January 9, 2014

August 12, 2010

May 14, 2009

February 12, 2009

December 15, 2008; first reading November 13, 2008

THE LANGUAGE IN THIS DOCUMENT DOES NOT CREATE AN EMPLOYMENT CONTRACT BETWEEN THE EMPLOYEE AND THE AGENCY. THIS DOCUMENT DOES NOT CREATE ANY CONTRACTUAL RIGHTS OR ENTITLEMENTS. THE SCPCSD RESERVES THE RIGHT TO REVISE THE CONTENT OF THIS DOCUMENT, IN WHOLE OR IN PART. NO PROMISES OF ASSURANCES, WHETHER WRITTEN OR ORAL, WHICH ARE CONTRARY TO OR INCONSISTENT WITH THE TERMS OF THIS PARAGRAPH CREATE ANY CONTRACT OF EMPLOYMENT.

TABLE OF CONTENTS

Abbreviations.....4
Section 1- Foundations.....5
Section 2 - Governance.....
Section 3 - Charter School Sponsorship.....
Section 4 - Finance.....
Section 5 - Personnel.....

DRAFT

ABBREVIATIONS

Board	S.C. Public Charter School District Board of Trustees
Board Members	Members of the South Carolina Public Charter School District Board of Trustees
District	South Carolina Public Charter School District
Policies	Policies of the S.C Public Charter School District Board of Trustees
S.C. Ethics Act	Ethical Conduct of Public Officials and Employees Act, S.C. Code §§ 8-13-10 et. seq.
School	A public charter school sponsored by the District
School Board	A School's Board of Directors
SCPCSD	South Carolina Public Charter School District
SCPCSD Board	S.C. Public Charter School District Board of Trustees
Superintendent	Superintendent of the S.C. Public Charter School District
Staff	Employees of the S.C. Public Charter School District

SECTION 1 - FOUNDATION

A. LEGAL STATUS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-220, -140.

The SCPCSD was created as a public body by the General Assembly in 2006. The SCPCSD must be considered a local education agency and is eligible to receive state and federal funds and grants available for public charter schools and other schools to the same degree as other local education agencies. The SCPCSD may not have a local tax base and may not receive local property taxes, but it may receive local funds on behalf of sponsored charter schools as provided by the General Assembly.

B. MISSION STATEMENT

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-10, -30, 220, -230.

The South Carolina Public Charter School District authorizes, champions, and supports the creation and advancement of innovative K-12 public charter schools that provide access to academic opportunities for every student in South Carolina to reach their fullest potential.

C. GOALS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-20

The goals for the SCPCSD and the Schools are set forth by the General Assembly in Section 59-40-20 of the Charter Act:

- (1) improve student learning;
- (2) increase learning opportunities for students;
- (3) encourage the use of a variety of productive teaching methods;
- (4) establish new forms of accountability for schools;
- (5) create new professional opportunities for teachers, including the opportunity to be responsible for the learning program at the school site;
- (6) assist South Carolina in reaching academic excellence; and
- (7) create new, innovative, and more flexible ways of educating children within the public school system, with the goal of closing achievement gaps between low performing student groups and high performing student groups.

In addition, the Board shall develop strategic goals every 5 years as part of a strategic plan to accomplish the goals of this section.

D. NON-DISCRIMINATION AND EQUAL OPPORTUNITY

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY:

S.C. Code § 1-13-80; Title VI, Title VII and Title IV of the Civil Rights Act of 1964; Section 504(b) of Rehabilitation Act of 1973; Equal Pay Act of 1972; Title IX of the Education Amendments Act of 1972 Age Discrimination in Employment Act; Americans with Disabilities Act

The SCPCSD is committed to compliance with all federal and state laws, regulations, and other legal requirements prohibiting

illegal discrimination. The SCPCSD also is committed to compliance with all federal and state laws providing equal opportunities.

E. RESOLUTION OF COMPLAINTS AND GRIEVANCES

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY:

S.C. Code §§ 59-40-220, -140.

S.C. Code §§ 59-63-110

Title VI and VII of the Civil Rights Act of 1964

Title IX of the Education Amendments Act of 1972

American with Disabilities Act of 1990

Section 504 of the Rehabilitation Act of 1973

1. The SCPCSD will use the employee grievance procedures set forth in Policy 5(F) to process any employee complaints based on any alleged violation of Title VII of the Civil Rights Act of 1964; Title IX of the Education Amendments Act of 1972; Titles I and II of the Americans with Disabilities Act of 1990/ or Section 504 of the Rehabilitation Act of 1973.
2. The SCPCSD procedure for resolving student complaints and grievances related to the treatment of students by charter schools, other than complaints regarding discrimination based on race, color, national origin, disability, gender identity and/or sexual orientation, is a two-step process.
 - a. Step 1: The student and/or his parent/legal guardian must follow complaint and grievance procedures required by the charter school, as approved in the charter.
 - b. Step 2: If the student or parent/legal guardian is not satisfied with the resolution or decision reached pursuant to the charter school's complaint and grievance procedures, it may submit a written complaint to the Superintendent for further consideration and action. The decision of the Superintendent shall be final in all matters except in cases where a student is denied admission to the charter school. Solely in matters involving denial of admission to a charter school, a parent or legal guardian may appeal the decision of the charter school to the District Board by written request to the District Board and Superintendent within ten days after charter school denies the request for admission.

- c. Any complaint or grievance made directly against a SCPCSD employee shall not be required or permitted to be resolved by charter school policies and procedures. A complaint or grievance directly against a SCPCSD employee shall be made in writing to the Superintendent and the policies and procedures in Step 2 shall be followed. In the event of a conflict between this policy and any employee grievance rights, employee grievance rights shall take precedence.
 - d. The Superintendent is empowered to implement procedures in furtherance of this policy.
- 3. The SCPCSD strictly prohibits all forms of disability discrimination, including disability harassment. Complaints and Appeals pursuant to the Section 504 of the Americans with Disabilities Act must be filed and processed according to procedures approved by the Superintendent.
 - 4. The SCPCSD strictly prohibits discrimination and harassment on the basis of gender, race, color, or national origin. Complaints and Appeals regarding sexual harassment, Title VI or Title IX must be filed and processed according to procedures approved by the Superintendent.
 - 5. The SCPCSD strictly prohibits acts of bullying, intimidation, or harassment as described in the Safe Schools Climate Act. Complaints regarding bullying, intimidation or harassment under *The Safe Schools Climate Act* shall proceed as described in Section 1.

F. TOBACCO FREE SCHOOLS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY:

S.C. Code §§ 59-40-50, -110; 44-95-10; 16-17-500; 59-67-150; 20 U.S.C. § 6081

The United States Surgeon General has advised tobacco use and exposure to secondhand smoke is hazardous to the health of all individuals, especially children. Therefore, the SCPCSD prohibits the use and/or possession of all tobacco products or paraphernalia, including but not limited to cigarettes, cigars, pipes, smokeless tobacco, e-cigarettes, and vaping devices by all students, staff, and visitors on all SCPCSD property. Regarding Staff, this policy will be enforced regarding staff in accordance with discipline procedures in the SCPCSD Employee Handbook. Students and visitors who refuse to comply with the policy

after being warned may be asked to leave District property.

Further, the SCPCSD requires all Schools to implement tobacco free policies on all school property. This policy will be enforced in accordance with the Accountability policies and procedures of the SCPCSD.

G. DISTRICT RECORDS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230

The District will preserve documents in accordance with applicable South Carolina Department of Archives policies for school districts. In addition, the District will comply with FOIA requirements. The Superintendent is responsible for implementing procedures to ensure compliance both with records retention requirements and FOIA.

H. ACCOUNTABILITY

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-220, -140.

The SCPCSD is committed to accountability for itself and Schools. The SCPCSD will hold itself accountable by:

- i. maintaining procedures to communicate openly with Schools, the State Department of Education, the General Assembly, the Governor's Office, and the public;
- ii. complying with the annual financial audit process required by the State Department of Education;
- iii. submitting the required annual report to the State Department of Education; and
- iv. participating in accountability systems required by the State Department of Education.

The SCPCSD will hold Schools accountable by:

- i. monitoring the performance of Schools;
- ii. conducting oversight activities of Schools;
- iii. collecting an annual report from each School;
- iv. notifying the Schools of perceived problems if performance or legal compliance appears to be unsatisfactory and providing a reasonable opportunity for the School to remedy the problem, unless the problem warrants revocation and revocation timelines apply;
- v. taking appropriate corrective actions or exercising sanctions short of revocation in response to apparent deficiencies in School performance or legal compliance;
- vi. determining whether the School's contract and charter merits renewal, nonrenewal or revocation; and
- vii. permanently closing any School at the conclusion of the school year after the school receives the lowest performance level rating as defined by the federal accountability system for three consecutive years.

SECTION 2 – GOVERNANCE

A. POWERS AND DUTIES

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230(B)

The Board has the same powers, rights, and responsibilities with respect to charter schools as other school district boards of trustees in South Carolina including, but not limited to, sponsoring charter schools and applying for federal charter school grants, except that the Board may not offer application for a charter school, issue bonds, or levy taxes. In addition, the Board has the specific powers and

duties granted to sponsors pursuant to the Charter Act, including but not limited to:

1. exercise general supervision over public charter schools sponsored by the district;
2. grant charter status to qualifying applicants for public charter schools pursuant to this chapter;
3. adopt and use an official seal in the authentication of its acts;
4. keep a record of its proceedings;
5. adopt rules of governance;
6. determine the policy of the district and the work undertaken by it;
7. prepare a budget for expenditures necessary for the proper maintenance of the board and the accomplishment of its purpose;
8. keep financial records in accordance with state and federal accounting codes and procedures;
9. comply with and ensure compliance of applicable state and federal regulations;
10. procure an outside annual certified financial audit on funds and submit to the State Department of Education as required by the State Department of Education;
11. comply with the Freedom of Information Act;
12. hire and fire the superintendent of the SCPCSD, who may have staff as needed.

The Board also has the powers and duties applicable to all other LEA's under state and federal law. The Board may censure any Board Member by majority vote of the other Board Members present (other than the Board Member accused of misconduct) for violations of any Board Policy.

B. BOARD MEMBER AUTHORITY AND RESPONSIBILITIES

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY:

S.C. Const. Art. XVI §§(1) and (1A)
S.C. Code §§ 59-40-230
S.C. Code §§ 8-13-10 et seq.
S.C. Atty. Gen. Op. (April 21, 1961)

Individual board members may exercise authority over matters within the Board’s authority solely by voting to take action at a legal meeting of the Board. Each member of the Board is a public member as defined by the Ethics Act, and each member has the responsibility for compliance with all requirements of public officers under South Carolina law. To the extent consistent with applicable legal authority, the Board will follow the general principles of Policy Governance to define and guide its relationships with each other, the Superintendent, SCPCSD staff, the public and the charter schools it oversees.

C. BOARD MEMBER CONDUCT

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY:

S.C. Code §§ 59-40-230
S.C. Code §§ 8-3-10 et seq.

Board members shall meet the following standards of conduct:

1. Board members will not willfully commit or engage in any act of malfeasance, misfeasance, absenteeism, conflicts of interest, misconduct, or persistent neglect of duty in office.
2. Board Members will act with the interests of students as the foremost priority.
3. Board Members will always engage in civil discourse and act civilly toward one another, school representatives, parents, and members of the public.
4. Board Members will conduct themselves in a manner that will provide students, parents, and the public with good examples of personal integrity, ethical conduct, public service, servant leadership, and citizenship.

5. Board Members will keep all information discussed in Executive Session confidential and protect the confidential or privileged nature of all information protected from disclosure under the Freedom of Information Act, attorney-client privilege, or other applicable authority.
6. Board Members will visit Schools only after coordinating a reasonable date and time with the School or Superintendent.

D. BOARD MEMBER ETHICS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230
S.C. Code §§ 8-3-10 et seq.

All Board Members shall comply with the applicable requirements of the Ethics Act. In addition, each Board Member shall act with the highest standards of honesty and integrity.

E. BOARD MEMBER CONFLICT OF INTEREST

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 8-13-700

Board Members are subject to the requirements of the Ethics Act regarding conflicts of interest. In addition, a conflict of interest arises for a Board Member under this policy when the Board Member has a financial, professional, or personal circumstance that may affect, or has the appearance of affecting, the Board Member's ability to influence SCPCSD business in a way that could lead to financial, professional, or personal advantage of any kind.

Board Members shall disclose potential conflicts of interest as soon as practicable after the conflict becomes known, or should have become known, to the Board Member. Board Members shall disclose the potential conflict of interest by preparing a written statement describing the potential conflict of interest and any matter requiring actions or decisions related to the potential conflict of interest. The

Board Member shall send the written statement to the Chair and Secretary of the Board, which shall cause the written statement to be published in the minutes. If the Chair determines that a conflict of interest exists, the Chair shall disqualify the vote of the Board Member on any action items for which the conflict of interest exists. If the Chair becomes aware of a potential conflict of interest for any Board Member that has not submitted a written statement, the Chair shall require the Board Member to submit a written statement and then determine whether the conflict of interest exists. In the event the Chair has a potential conflict of interest, the Vice-Chair shall act as the presiding officer and shall have the same authority and responsibilities as the Chair. The minutes shall record any vote from which a Board Member is disqualified and state the reasons for the disqualification.

F. BOARD OFFICERS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230

The Board shall have a Chair, Vice-Chair, and Secretary. Officers shall be elected by majority vote of Board Members in attendance at the last regularly scheduled meeting of the fiscal year with a quorum present. By majority vote, the Board may postpone officer elections to a board meeting to be held before the end of the calendar year.

The Chair shall serve as the presiding officer of the Board. The Chair shall have the right to offer resolutions, discuss questions and votes at Board Meetings just as all other Board Members. The Chair shall appoint Board Members to serve on and serve as chair of any Board Committee.

The Vice-Chair shall serve as the presiding officer in the absence of the Chair and Secretary in the absence of the Secretary.

The Secretary shall ensure all proceedings are recorded and the records of the Board are maintained in compliance with the law and these policies. The Secretary shall facilitate the Superintendent evaluation process by ensuring all Board Members have an opportunity to submit a written evaluation and compiling the results of the evaluation.

G. BOARD/SUPERINTENDENT RELATIONSHIP

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230
 S.C. Code §§ 59-40-230

The Superintendent serves as the chief executive officer of the District and is the sole employee of the Board. The relationship between the Board and Superintendent is governed by a negotiated employment contract, which shall be consistent with the policies of the Board.

The Superintendent and Board have distinct roles and responsibilities for the District while working together for the same common goals. The Board determines the policy of the District and approves the budget upon recommendation of the Superintendent. The Superintendent executes the policies approved by the Board and approves the expenditure of funds within the approved budget. The Superintendent is empowered to hire staff, develop operational procedures and handbooks, take executive actions, and execute contracts as allowed by procurement policies to assist him in the actions necessary to execute Board policies and fulfill the other obligations of the Superintendent's office as set forth in these Policies, in State and Federal statutes, laws and regulations, and elsewhere as may be required in the ordinary fulfillment of the duties of the office. The Board delegates to the Superintendent the power to act consistent with Board policy to the maximum extent allowed by law, including but not limited to emergency situations and circumstances where timely action is required, and Board policy is silent as to the action required.

At least annually, the Board shall evaluate the performance of the Superintendent and provide a written evaluation of the Superintendent's performance.

H. BOARD COMMITTEES

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230

The Board shall have the following standing committees:

1. Executive Committee

The Executive Committee shall consist of the Officers. The Executive Committee shall be empowered to act on behalf of the Board on administrative matters and those matters deemed, at the discretion of the Executive Committee, to require action before a full board meeting is able to be scheduled. All acts of the Executive Committee are subject to ratification by the Board at the next board meeting. In addition, the Chair may consult with the Executive Committee on matters of the SCPCSD as needed from time to time. All Executive Committee meetings must comply with FOIA.

2. Other Committees

By majority vote, the Board may create other committees from time to time to assist with the duties of the Board. The Chair shall appoint the members of the Committees.

I. BOARD MEETINGS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230
Robert's Rules of Order

Board meetings shall be conducted in accordance with the latest addition of Robert's Rules of Order and Board policies. Where Robert's Rules of Order and Board policies conflict, Board policy shall govern. The Board Chair shall enforce Robert's Rules of Order and determine all matters presented to the Chair as the presiding officer. Board Members may attend by remote means (telephone or virtual conference) with permission of the Chair.

All votes shall be by voice vote or show of hands, at the discretion of the Chair, unless a motion is made and approved by a majority of Board Members present at the time of the vote to proceed using a different method. A Board Member must be present (in-person or by remote means) to vote. Proxy votes are not permitted.

J. BOARD MEETING NOTIFICATION

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230

Notice of all board meetings shall comply with FOIA. The Board shall hold regularly scheduled meetings on the second Thursday of each month, except in July and December.

The Chair or a majority of Board Members may call a special meeting of the full board. The Chair shall ensure that notice of any special meeting will be posted in compliance with FOIA and any other applicable legal requirements. The Chair must provide all Board Members with notice of the time, place, and proposed agenda topics at least five (5) days prior to any special meeting unless emergency conditions make such notice impossible. An email sent from a District email account to a Board Member's District email account shall constitute notice of the meeting to the Board Member.

K. DEVELOPMENT OF BOARD MEETING AGENDA

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230

The Board Chair, with assistance of the Superintendent, shall develop the agenda for each Board Meeting. The Board Chair and Superintendent shall ensure that a proposed agenda is provided to each Board Member at least 3 working days prior to any board meeting absent unusual circumstances.

Any Board Member may request that an item be placed on an agenda or removed from an agenda by submitting a written request to the Chair or Superintendent to add the item to the agenda for the next or an upcoming board meeting. If the Chair declines the request to include an item on an agenda, the requesting Board Member may move at the next board meeting to add the item to the next agenda permissible under FOIA. The Chair must add the item to the next permissible agenda upon majority vote of the Board Members present.

L. PARTICIPATION BY PARENTS, SCHOOLS, AND THE PUBLIC

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230

1. The Board welcomes and encourages public participation at board meetings, including by parents, school representatives, and any other member of the public. The following policy applies to public comment at board meetings:

- Each speaker has three minutes.
- Speakers may not ask questions of Board Members.
- Board Members may not ask questions to speakers or engage in discussion with speakers.
- Speakers may not insult others or make statements that tend to breach the peace or incite violence.
- Personal attacks are not permitted.
- Scurrilous, obscene, or vulgar language is not permitted.
- Information about individual students and employee grievance/discipline matters may not be discussed or disclosed during public comment.

The Chair may allow reasonable extensions to the time allowed for comment based upon the nature of the issue and time available for the meeting. The Chair also may reasonably limit the time for each public comment or the number of public comments allowed at a particular meeting based on the time available for meeting or other considerations. The Chair has authority to enforce the public comment policy by requiring a speaker to end the public comment early. If a speaker will not comply with the requirement to stop the offending behavior, the Chair may require a speaker to leave the premises.

In addition to the above, a School may submit a written request at least ten (10) working days prior to any board meeting for an extension to the time allowed for comment related to the operation of the School or District. The Chair will rule on the request as soon as practicable, but in no event less than forty-eight (48) hours prior to the start of the meeting.

2. The board will respond to parent participation with respect for the fundamental rights of parents to direct the education of their minor-age children, including their moral and religious education.
3. The board will respond to parent participation based on the rebuttable presumption that parents act in the best interests of their children.
4. The board will not compel any public participant to state, adopt, affirm, or profess any idea contrary to one's faith or conscience, including ideas that are contrary to the Civil Rights Act of 1964.
5. Nothing in this policy prohibits teachers or students from discussing public policy issues of the day when participating before the board, or presenting to the board ideas that individuals may find unwelcome, disagreeable, or offensive as long as the requirements of subsection 1 regarding civil discourse are met.

M. INVOCATION

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 6-1-160

The Board will open its regular public meetings with a public invocation offered on a voluntary basis by a member of the Board or another permitted invocation speaker in compliance with state and federal law.

N. BOARD POLICIES AND ADMINISTRATIVE RULES

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230

Adoption of new policies and revisions to existing policies are Board responsibilities. Board policies will be added or revised

after two readings by the Board. The first reading will not require a vote of the Board. The time period between first and second reading shall be at least fifteen (15) calendar days. All Board policies shall be posted on the District website.

The Board delegates to the Superintendent the power and duty to develop procedures, handbooks, and any other documents necessary to specify the required actions and detailed processes to implement Board policies. The procedures developed by the Superintendent pursuant to this policy are the administrative rules of the District. The Board will only formulate and adopt administrative rules when required by law.

O. SUSPENSION OF POLICY

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230

Except for this policy, to the extent allowed by law, any Board policy may be suspended, in whole or part, for a specified purpose and limited time by a 2/3 majority vote of Board Members present at any legally constituted meeting of the Board.

P. BOARD/STAFF COMMUNICATIONS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-230

Board Members may request information from District staff to assist in fulfillment of their board member duties. Each request should be directed to the Superintendent with a copy to the Chair. The Superintendent shall provide the requested information and may authorize specific District staff members to respond directly to the Board Member's request.

Q. BOARD MEMBER COMPENSATION

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230

Board Members may not receive compensation for their service on the Board, but may be reimbursed for per diem, mileage, and subsistence as provided by law for members of state boards, committees, and commissions.

R. BOARD MEMBER INSURANCE/LIABILITY

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230

The District will maintain insurance to protect the District, Board, Board Members, Superintendent, and District employees against liability on account of damages or injury to persons and property resulting from any act or omission of the Board or an individual in the individual's capacity as a Board Member, Superintendent or District employee resulting solely out of the Board Member, Superintendent or District employee's membership on the Board or employment by the District.

R. BOARD MEMBER TRAINING

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-230

The Board shall annually budget an adequate amount of funding and allocate sufficient time for board member training and strategic planning.

SECTION 3 – CHARTER SCHOOL SPONSORSHIP

A. RELATIONSHIP WITH SCHOOLS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-40(4); 59-40-55; 59-40-230(B)

The District will put the interests of students first in fulfilling its statutory and contractual duties as a sponsor. The District will strive to be the primary advocate for the schools it sponsors. The District also will provide support to schools where appropriate to assist schools achieve the goals in its charter while respecting the autonomy of schools to operate and govern themselves independently of the sponsor. The District will exercise statutory and contractual powers and responsibilities to act when schools do not reach charter goals or fail to meet required standards for operation or governance set forth in statute, regulation, the charter, contract, or other applicable law.

B. COMMUNICATION WITH SCHOOLS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55(A)

Except as otherwise provided in the Charter Act or District Policy, School representatives, including both School Leaders and School Board Members, should make first contact regarding any matter with the Superintendent before bringing the matter to the attention of the Board. If the Superintendent is unable to resolve the issue, the School may request that any matter be placed on the agenda of a District Board meeting for information, discussion, or action by the District Board by written request to the District Board Chair with a

copy to all District Board Members. The District Board will decide whether to place the matter on the agenda and the process for considering the matter using the same processes it uses for creating all meeting agenda.

C. CHARTER APPLICATIONS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-60, -65, -70;
SC Regs. 43-601

In addition to the Charter Application Process requirements provided by statute and regulation, the District may utilize the following policies when reviewing charter applications.

1. The District may offer training and guidance to assist applicants with understanding application requirements. Any training and guidance offered by the District will be offered by District Staff without input from the District Board, which shall not be bound by the guidance or assistance provided by District Staff.
2. The District Board may, but is not required to, consider the opinions, reports, and recommendations of District Staff and/or third-party evaluators regarding whether the application meets statutory and regulatory criteria for approval.
3. The District Board may, but is not required to, permit an applicant to appear before the District Board during the meeting during which the application is considered. Any appearance before the District Board by an applicant shall be limited to addressing the statutory criteria for approval and will be limited to no more than 15 minutes. The Board Chair may provide for a shorter presentation time if necessary or appropriate under the circumstances.
4. District Board Trustees may, but are not required to, ask questions of an Applicant prior to a motion considering a motion to approve or deny the application. Applicants may only address the Board for the purpose of responding to questions.
5. After a motion to approve or deny the application is made, a District Board Trustee may ask an Applicant questions only with permission of the Board Chair. Applicants may only address the Board for the purpose of responding to questions.

6. “Sex” or “gender” as used in applications, charters and all official documents of the District means biological sex—either male or female—as listed on an individual’s original birth certificate. A person’s sex or gender is inherent and immutable. “Gender identity” refers to the contested and wholly subjective notion that one can have an internal “sense of gender” that can be male, female, or something else separate and distinct from one’s sexed body. This concept should not be confused or conflated with gender or sex. “Single gender” refers to schools or programs for which enrollment priority is allowed based only on sex or gender.

D. CHARTER AMENDMENTS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-60(C)

From time to time, a School may desire or require changes to one or more of the areas described in its Charter or Contract. No such change shall be effective without approval from the School’s Board and the District Board. The District Board will only approve amendment requests that meet the statutory criteria for inclusion in an original charter. All amendments must be submitted to the District in writing using the District’s *Charter Amendment Request Form* and approved by the District Board of Trustees in advance of implementation. Failure by a School to obtain the necessary approval for a change may result in formal corrective action, including sanctions or revocation in appropriate circumstances.

E. SCHOOL OVERSIGHT AND MONITORING

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code §§ 59-40-55(4) – (9)

In addition to providing support to Schools, the District will engage in at least the following oversight and monitoring activities using

the procedures described below:

1. At least annually, the Superintendent will provide written notice to each School summarizing the School's performance, including notice of any perceived areas of noncompliance.
2. District Staff will investigate any complaints of noncompliance received regarding any School.
3. District Staff will undertake reasonable monitoring and oversight activities to identify noncompliance by Schools with the Charter and Contract without unnecessarily interfering with School operations and autonomy.
4. District Staff also will undertake all monitoring and oversight activities required by LEA's under state and federal law and may undertake all monitoring and oversight activities allowed by LEA's under state and federal law.
5. In the event District Staff identifies noncompliance with the Charter or the Contract by a School, the Superintendent is empowered to issue sanctions short of revocation designed to protect students, protect taxpayer funds, correct the noncompliance as soon as possible, and prevent the noncompliance from occurring again in the future. A non-exhaustive list of possible sanctions short of revocation the Superintendent may issue includes requiring development of corrective action plans, requiring additional training and support at School expense, freezing enrollment until noncompliance is corrected, suspending school operations until noncompliance is corrected, or fining the School. The Superintendent must deliver written notice of the sanctions short of revocation stating the sanction and the basis for the sanction to the School Board Chair.
6. The School may request a hearing on the sanction short of revocation issued by the Superintendent to the District Board of Trustees by delivering written notice of the request for hearing to the District Board Chair within ten (10) days after receiving the written notice of sanctions from the Superintendent. The written notice of request for hearing must include a statement of the basis for appeal.
7. Actions by the District as LEA related to noncompliance with state and federal law may be exempt from these policies and governed by the applicable state and federal law.
8. Nothing in this section should be construed to require the Superintendent, the District Board, or the District to impose sanctions short of revocation prior to seeking revocation of a School.

F. REVOCATION

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-55(7); 59-40-110

The District will follow the statutory processes for considering revocation of charters when the District Board determines circumstances warrant consideration of the most extreme consequence for noncompliance. To the maximum extent allowed by law and consistent with the requirements of due process, the District Board Chair may determine the procedures for any revocation hearing and shall preside over the revocation hearing.

G. VOLUNTARY TERMINATION

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-115; 59-40-120

A School may submit a written request to voluntarily terminate its charter to the District Board of Trustees at any time. The charter will not terminate and the School will not dissolve until and unless the District Board agrees to the voluntary termination.

H. TRANSFER POLICY

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code §§ 59-40-115; 59-40-120

Schools requesting to transfer to the District or from the District to another sponsor must give the District notice of intent for the transfer on or before October 1 of the school year before the school wishes the transfer to become effective. The District Board will review and vote upon all requests to transfer on a case-by-case basis at a regularly scheduled board meeting after all academic, fiscal, and organizational performance data for the most recently completed school year becomes available but no later than March 1 of the school year before the school wishes the transfer to become effective. The District Board shall take into consideration the performance data from 1) the most recently completed school year; 2) previous years of operation and 3) the current school year. The District Board may also consider additional information, without limitation, such as the impact of the transfer on District students and families, the reasons for the transfer, the readiness of the receiving sponsor to accept the transferring school, and the capacity of the school to implement the transfer. The District may, but is not required to, grant the transfer request. Schools under revocation review or sanction short of revocation are ineligible to request a transfer out of the district. Schools requesting transfer into the District that are under revocation review or occupying the lowest performance rating as defined by the State or the school's current authorizer are not eligible to request a transfer. The District will not accept any transfers into the District or allow any transfers out of the District if the School has transferred previously within the past ten years unless the District, the School and the receiving or transferring sponsor all agree extenuating circumstances exist to make a second transfer within ten years in the best interest of students.

I. SCHOOL CLOSURE PROTOCOL

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-110(K)

Upon notice of the likely closure of any School for any reason, the Superintendent shall ensure the Closure Protocol (Appendix ___) is implemented timely and effectively.

J. RENEWAL

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code § 59-40-110(B)

The Superintendent shall ensure that a Renewal Application containing all statutory requirements for renewal applications is published to schools subject to renewal by August 1 of the final year of the Charter. The District Board will consider renewal applications submitted by October 1 prior to December 31. Renewal applications submitted after October 1 must be turned in on or before March 1. The District Board will consider renewal applications turned in after October 1 on or before May 1.

K. ENROLLMENT APPEALS

INITIAL ADOPTION:
REVISION DATE(S):
AUTHORITY: S.C. Code § 59-40-110(B)

If a charter school denies enrollment to a student and the parent or guardian has exhausted all school administrative procedures to appeal the denial, the parent or guardian may appeal the decision by a charter school to deny enrollment by submitting a short and plain written statement of the facts and circumstances to the Superintendent within ten (10) days after receiving written notice enrollment has been denied. The matter shall be placed on the agenda for the next board meeting scheduled at least ten (10) days after the appeal is received by the Superintendent. The Superintendent or his designee(s) shall investigate the claims and report the findings to the board at the next public board meeting. The board may, but is not required to, consider written statements or verbal testimony from the parent or guardian, school representatives, or others at the discretion of the chair. The board shall vote on the appeal in a public meeting, and the decision rendered in

the vote shall be final.

SECTION 4 – FISCAL MANAGEMENT

A. GOALS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The District will allocate limited resources to accomplish its statutory mission and purpose, the District's overall goal and mission as stated in this Policy Manual, and consistent with its strategic planning and best practices for efficient expenditure of public funds. The policies in this section refer to the fiscal management of funds controlled by the District, not funds controlled by the Schools. Policies related to oversight of funds controlled by schools sponsored by the District are included in Sections 1 and 3 of this Policy Manual.

B. BUDGET

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

On or before July 1 of each year, the District will approve a budget in a public meeting where public comment is allowed that will serve as the financial plan for operations of the District for the fiscal year. The Superintendent will prepare the initial draft of the budget to present to the District Board on or before the Board's regularly scheduled April board meeting of each year. The budget must receive two readings in a public meeting prior to approval. Budget planning and adjustment is a continuous process that should reflect changed circumstances in the District's financial circumstances as they occur. The Superintendent or the Superintendent's designee may approve line-item transfers within the budget consistent with District's strategic priorities.

The timelines for this policy may be adjusted as needed upon approval by the Board. In the event a budget is not adopted in time for the beginning of a new fiscal year, the Board may adopt a continuing resolution to continue operating on the prior year's

budget until a new budget is approved.

C. BORROWING

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Board of Trustees must approve any loan or application for extension of credit by the District by majority vote in a public meeting.

D. FUND BALANCE

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

Unless needed to fulfill statutory requirements, the District shall maintain reserve fund is maintained that is greater than or equal to six months' operating expenses based on the current year's budget as approved by the Board. In the event the reserve fund should exceed more than one year's operating revenue, the District Board shall consider and may make expenditures of fund balance amounts in excess of one year's operating revenue to assist charter schools it sponsors in the fulfillment of their mission.

E. FISCAL REPORTING

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Superintendent or Superintendent's designee shall provide a report on the District's financial status at regularly scheduled meetings of the District Board. The report must include any significant deviation from the annual budget, any line-item transfers

of a material amount, and any expected shortfall or increase in District revenues or expenditures. Any changes to District Fiscal Policies must be reported to the Board.

F. AUDITS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

In accordance with state law and regulations, the District Board will conduct a financial audit by a certified public accountant. The District Board will issue a Request for Proposal at least every three years to select the auditor.

G. FINANCIAL OPERATIONS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Financial Services Policies and Procedures Manual (Appendix __) and Procurement Policy (Appendix __), as they may be amended from time to time, are incorporated herein and adopted as policies of the District. The Procurement Policy shall be substantially similar to the Model School District Procurement Code. These documents collectively may be referred to as the “Financial Policies.” The Superintendent and Superintendent’s Designee are authorized to make such amendments and changes to the Financial Policies without approval of the Board as are necessary to effectuate the day-to-day operations of the District consistent with the requirements and intent of this Policy Manual. The Superintendent must report any material changes to the Fiscal Policies to the Board and keep this Policy Manual updated with the most recent version of the Fiscal Policies.

H. FRAUD RISK MANAGEMENT

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

All suspected acts of fraud of whatever kind or nature will be investigated and all remedies available within the full extent of the law will be applied if fraud is substantiated. Further, if fraud is detected, prevention controls will be updated as appropriate. Fraud may include, but is not limited to, any of the following acts:

- Any dishonest, fraudulent, or corrupt act;
- Theft of funds, supplies or other assets;
- Maladministration or financial misconduct in handling or reporting of money, financial transactions, or other assets;
- Making a profit from insider knowledge;
- Disclosing confidential or proprietary information to outside parties for financial or other advantage;
- Irregular destruction, removal, or abuse of records and equipment;
- Deliberately omitting or refusing to report or act upon reports of any such irregular or dishonest conduct;
- Bribery, blackmail, secret commissions and/or extortion involving a District employee in the performance of her or his duties;
- Abuse of District facilities;
- Any similar or related irregularity.

Employees must report suspected or known fraud through the organizational chain of command to the Superintendent. If an employee suspects involvement by a superior, the employee may report the suspected fraud directly to the Superintendent. If the employee suspects fraud by the Superintendent, the employee may report the suspected fraud directly the Board Chair. All

information relating to fraud that is received and investigated will be treated confidentially. The progression of investigations will be handled in a confidential manner and will not be disclosed or discussed with any person(s) other than those who have a legitimate right to such information. This is important to avoid harming the reputations of suspected persons who are subsequently found innocent of wrongful conduct. No person is authorized to supply any information with regard to allegations or incidents of fraud to the media without the express permission of the Superintendent.

No person will suffer any penalty or retribution for reporting in good faith any suspected or actual incident of fraud. Employees must not make allegations which are false and made with malicious intentions. Where such false allegations are discovered, the person making the allegations will be subjected to disciplinary actions.

I. DISTRICT OFFICE/REAL PROPERTY

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The District Office building at 1824 Barnwell Street and 1826 Barnwell Street may not be sold, transferred, encumbered, or conveyed without approval of the Board.

No real property may be purchased, rented, or leased by the District without approval by the Board.

The Superintendent has authority to lease out the portion of the District Office building known as 1826 Barnwell Street to an appropriate tenant.

J. USE OF DISTRICT OFFICE BY THE PUBLIC

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Superintendent is authorized to allow use of the District office buildings to outside organizations and individuals subject to the Facility Use Agreement (Appendix ___) that limits use to those organizations with a mission and purpose consistent with the statutory purpose of the District. Charter schools sponsored by the District shall have first priority for use of the facility over other organizations. Non-profit organizations serving charter schools sponsored by the District shall have second priority for use of the facility over other organizations. No use by any outside organization shall interfere with the operations of the District or require the District to pay staff to be present.

SECTION 5 – PERSONNEL

A. GOALS

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-110(B)

All District Staff positions exist to assist with execution of the District’s mission, strategic goals, and objectives. The Board is responsible for hiring the Superintendent. The Superintendent is responsible for hiring all other District employees. The Superintendent will be responsible for developing, maintaining, and publishing an Employee Handbook to all District Staff with policies and procedures based on the following principles:

- Compliance with all applicable employment laws
- Recruitment and employment of a qualified, collegial team of professionals best suited to assist the District fulfill its mission, strategic goals, and objectives
- Continuous professional growth of each Staff member, including at least annual written evaluation of each Staff member’s job performance
- Compensation and benefits sufficient to attract and retain employees
- At-will employment

- Ethical behavior

B. EQUAL EMPLOYMENT OPPORTUNITY

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The District is an equal opportunity employer. As such, the District recruit, hire, train, promote and make other employment decisions on the basis of merit and without discrimination because of race, color, religion, national origin, sex, disability, age, alienage, marital status, immigrant status, or English-speaking status as required by applicable state and federal laws.

The District also does not discriminate under Section 504 of the Rehabilitation Act of 1973 (“Section 504”), the Americans with Disabilities Act of 1990 (“ADA”) or related federal regulations. As used in this policy and any implementing administrative rules, a disabled person is a person who has, or had, or is regarded or was regarded as having, a physical or mental impairment that substantially limits one or more of the individual's major life activities.

C. STAFF SEXUAL DISCRIMINATION AND HARASSMENT

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Board prohibits sexual harassment, all forms of sexual discrimination, and other inappropriate conduct of a sexual nature.

Sexual harassment of employees consists of unwelcome sexual advances, requests for sexual favors and other verbal or physical conduct of a sexual nature when: (1) submission to such conduct is made either expressly or impliedly a condition of employment; (2) submission to or rejection of such conduct by an individual is used as the basis for employment decisions

affecting the individual; or (3) such conduct has the purpose or effect of unreasonably interfering with the employee's work performance or creating an intimidating, hostile or offensive working environment.

The Superintendent shall include administrative procedures for employees to file a complaint if any employee either is subjected to or becomes aware of actions the employee believes constitutes sexual harassment. The Superintendent shall develop administrative procedures for addressing sexual harassment complaints pursuant to the following principles:

- All allegations will be investigated promptly and confidentially
- Employees who file a complaint of sexual harassment will not be subject to retaliation or reprisal in any form
- If claims of sexual harassment are substantiated, appropriate actions will be taken to rectify past instances of sexual harassment and prevent future instances of sexual harassment

The District will make available to Staff information from the Equal Employment Opportunity Commission and the South Carolina Human Affairs Commission about filing claims of sexual harassment and inappropriate conduct of a sexual nature with these entities.

D. STAFF ETHICS/CONFLICT OF INTEREST

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Superintendent shall not engage in any activity that raises a reasonable question of conflict with the Superintendent's duties and responsibilities to the District.

The Superintendent also shall not allow any Staff to engage in any activity that raises a reasonable question of conflict with the Staff member's duties and responsibilities to the District.

The Superintendent shall not hire as an employ of the District or contract with, directly or indirectly, any of Superintendent's

immediate family members, any immediate family members of any current Board member, or any immediate family members of a current Staff member without express permission from the Board, which shall only be given for good cause and when in compliance with the Ethics Act. For purposes of this policy, an immediate family member is any of the following relationships:

- Married
- Parent-child (including step-parent relationship)
- Mother-in-law/father-in-law - son-in-law/daughter-in-law
- Grandparent/grandchild
- Sibling
- Niece/nephew – uncle/aunt

E. PERSONNEL FILE

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

The Superintendent shall ensure that a personnel file is maintained for each employee. The personnel file must include at least the following records:

- Application information
- Pre-employment references
- Criminal background check

- Offer of employment / contract, including amendments
- Job Description
- Evaluations, Commendations or Complaints
 - The Employee shall have the right to review and respond to any evaluation or complaint prior to it being placed in the personnel file. Any written response by the Employee also must be included in the personnel file.
- Professional qualifications, including Educator Credentials
- Application records
- Compensation information

Health or medical records shall be maintained in a separate file for each employee to protect confidentiality.

To the maximum extent allowed by FOIA, the personnel files shall be treated as confidential and access limited to the Superintendent and the Superintendent's designee(s).

F. STAFF GRIEVANCE PROCEDURES

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

For purposes of this policy, a grievance is any dispute or concerns regarding District operational matters such as the scope of job duties, compensation, availability of resources and any other matter occurring in the ordinary course of business that may interfere with the ability of a Staff member to perform job duties. A grievance does not include employee termination.

The Superintendent shall develop administrative procedures for Staff to informally resolve grievances with their immediate supervisor(s). The procedures must include a process for the employee to communicate the grievance to the Superintendent within thirty (30) days of first raising the issue with the employee's immediate supervisor(s) in writing.

After providing the Superintendent a reasonable opportunity to address the grievance, the employee may request a meeting with the Board to discuss the grievance. The Board will consider the request at a regularly scheduled board meeting and inform the employee in writing whether it believes a meeting is warranted. Any meeting between the Staff member and Board will be informal and non-adversarial.

G. AT-WILL EMPLOYMENT

INITIAL ADOPTION:

REVISION DATE(S):

AUTHORITY: S.C. Code § 59-40-55, -220

Like all employment in South Carolina, absent a contractual or statutory provision to the contrary, District Staff is employed on an at-will basis. Therefore, the Superintendent may terminate an employee for any reason or no reason as long as it does not violate any law that protects the Staff member. The Staff member can appeal the termination to the Board by submitting a written request to the Board Chair within fourteen (14) days of receiving notice of the termination. The written request must state the basis for the appeal and include all facts, documents and corroborating witnesses supporting the grounds for appeal. The Board, at its discretion, may schedule a hearing to receive further information. The Board will render a written decision on the appeal within ninety (90) days of receiving a completed written appeal. The District will not incur the expenses of the employee bringing the grievance.