

SOUTH CAROLINA

PUBLIC CHARTER SCHOOL DISTRICT



BOARD OF TRUSTEES

POLICY MANUAL

UNDER REVIEW FY21

INTRODUCTION

This manual is for the use of the South Carolina Public Charter School District (SCPCSD) and its staff.

The policies in this manual are categorized as defined in Policy III.A.

The manual is secondary in authority to any applicable statutes or state regulations. Conflicts with statute or regulations should be brought to the attention of the Superintendent immediately.

For purposes of this manual, the codified provisions of the South Carolina Code of Laws, which are cited herein as *authority*, relate to the subject matter of the policy. The text of the policy statement is that which has been adopted by the SCPCSD and, therefore, should not be construed as the actual wording of the provision. For the exact wording of all provisions cited herein, refer to the 1976 South Carolina Code of Laws, as amended, and its subsequent annual supplements.

Board approval for substantial revisions to this manual occurred:

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.

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DRAFT

ABBREVIATIONS

Board	South Carolina Public Charter School District Board of Trustees
Board Members	Members of the South Carolina Public Charter School District Board of Trustees
Charter public schools	Schools within the South Carolina Public Charter School District
District	South Carolina Public Charter School District
Policies	Policies of the South Carolina Public Charter School District Board of Trustees
School’s Charter Board	The Board of Trustees of a member school within the South Carolina Public Charter School District
SCPCSD	South Carolina Public Charter School District
SCPCSD Board	South Carolina Public Charter School District Board of Trustees
Superintendent	Superintendent of the South Carolina Public Charter School District

I.A. MISSION STATEMENT

POLICY TYPE: Outcome and Ends
 POLICY NUMBER: I.A.
 INITIAL ADOPTION:
 REVISION DATE(S): October 11, 2012
 MONITORING:
 AUTHORITY: S.C. Code §§ 59-40-30, -220, -230.
 The South Carolina Public Charter School District (*SCPCSD or the District*) serves the students and families of South Carolina by authorizing and fostering innovative high quality public charter schools for all South Carolinians by offering public education through the leadership and integrity of the SCPCSD Board.

I.B. ACCOUNTABILITY

POLICY TYPE: Outcome and Ends
 POLICY NUMBER: I.B.
 INITIAL ADOPTION:
 REVISION DATE(S):
 MONITORING:
 AUTHORITY: S.C. Code §§ 59-40-220, -230.

The Board shall report periodically to the Governor on its stewardship. At least once each year, the Board shall disseminate a statement of its values and give an accounting of its financial resources and the extent to which these funds have been translated into services.

II.A. DELEGATION TO THE SUPERINTENDENT

POLICY TYPE: Board-Superintendent Relationship
 POLICY NUMBER: II.A.
 INITIAL ADOPTION: September 8, 2011; first reading August 11, 2011
 REVISION DATE(S):

MONITORING: Review annually in March
AUTHORITY: S.C. Code §§ 59-40-220, -230.

The Superintendent is accountable to the full Board. The Board will establish the broadest policies, delegating implementation and more detailed policy development to the Superintendent.

1. All Board authority delegated to staff is delegated through the Superintendent, so that all authority and accountability of staff--as far as the Board is concerned--is considered to be the authority and accountability of the Superintendent.
2. *The Strategic Plan* directs the Superintendent to achieve certain results; *Executive Limitations* policies constrain the Superintendent to act within acceptable boundaries of prudence and ethics. With respect to the *Strategic Plan* and *executive means*, the Superintendent is authorized to establish all further policies, make all decisions, take all actions and develop all activities as long as they are consistent with *any reasonable interpretation* of the Board's policies.
3. The Board may change its *Strategic Plan* and *Executive Limitations* policies, thereby shifting the boundary between Board and Superintendent domains. By so doing, the Board changes the latitude of choice given to the Superintendent. But so long as any particular delegation is in place, the Board and its members will respect and support the Superintendent's choices. This does not prevent the Board from obtaining information in the delegated areas.
4. No Board member, officer or committee has authority over the Superintendent, except to the extent the Board has authorized such persons or groups a specific and limited use of staff resources. Without such Board authorization, the Superintendent can refuse, with reasons, requests for information or assistance that require--in the Superintendent's judgment--a material amount of staff time or funds or is disruptive.
5. See Policy III.S. - Commitment to Special Education: "More specifically, the Board delegates to the Superintendent the monitoring of special education programs of the District's member charter schools. If action needs to be taken in order to bring member charter schools into compliance, the Superintendent or his/her representative is delegated the authority to work directly with the member charter school. The Board may get involved at the discretion of the Superintendent."

II.B. SUPERINTENDENT JOB DESCRIPTION

POLICY TYPE: Board-Superintendent Relationship
POLICY NUMBER: II.B.
INITIAL ADOPTION: July 8, 2010; first reading June 10, 2010
REVISION DATE(S):
MONITORING: Review annually in March
AUTHORITY: S.C. Code §§ 59-40-220, -230

As the Board's single official link to the operating organization, the Superintendent's performance will be considered to be synonymous with organizational performance as a total. Consequently, the Superintendent's job contributions can be stated as performance in only two areas:

1. Organizational progress towards the Strategic Plan.

2. Organization operation within the boundaries of prudence and ethics established in board policies on Executive Limitations.

II.C. MONITORING SUPERINTENDENT PERFORMANCE

POLICY TYPE:	Board-Superintendent Relationship
POLICY NUMBER:	II.C.
INITIAL ADOPTION:	July 8, 2010; first reading June 10, 2010
REVISION DATE(S):	
MONITORING:	Review annually per policy schedule
AUTHORITY:	S.C. Code §§ 59-40-220, -230

Monitoring the Superintendent's performance is synonymous with monitoring organizational performance against the *Strategic Plan* and *Executive Limitations*. Any evaluation of Superintendent's performance, formal or informal, may be derived only from these monitoring data.

1. The purpose of monitoring is simply to determine the degree to which Board policies are being fulfilled. Information which does not do this will not be considered to be monitoring. Monitoring will be as automatic as possible, using a minimum of Board time so that meetings can be used to create the future rather than to review the past.
2. A given policy may be monitored in one or more of three ways:
 - A. Internal report: Disclosure of compliance information to the Board from the superintendent.
 - B. External report: Discovery of compliance information by a disinterested, external auditor, inspector or judge who is selected by and reports directly to the Board. Such reports must assess executive performance only against policies of the Board, not those of the external party unless the Board has previously indicated that party's opinion to be the standard.
 - C. Direct Board inspection: Discovery of compliance information by a Board member, a committee or the Board as a whole. This is a Board inspection of documents, activities or circumstances directed by the Board which allows a "prudent person" test of policy compliance.
3. Upon the choice of the board, any policy can be monitored by any method at any time. For regular monitoring, however, each *Executive Limitations* policy will be classified by the board according to frequency and method. Frequencies and methods of monitoring each *Executive Limitations* policy are listed on the Board calendar and at the end of each policy statement. Progress toward strategic outcomes will be compared by key measures of key initiatives.
4. The Superintendent is employed by the Board. A written performance evaluation of the Superintendent shall be prepared annually after seeking input from the Board members at a Board meeting.

These steps will be followed in the performance evaluation process for the

Superintendent:

Activity	Who	When
Review and finalize Performance Appraisal tool, job description and annual goals	Board and Officers	January
Receive feedback from Board of Superintendent's performance	Board	February
Complete Performance Appraisal	Officers/Performance Committee	March
Discuss Performance Appraisal with Superintendent	Officers	March
Renegotiate Contract (every three years)	Officers	March
Include possible salary adjustment in budget (starting May 1)	Board	June
Review Superintendent compensation based on student achievement data	Board	September

II.D. SUPERINTENDENT COMPENSATION & BENEFITS

POLICY TYPE: Board-Superintendent Relationship
 POLICY NUMBER: II.D.
 INITIAL ADOPTION: July 8, 2010; first reading June 10, 2010
 REVISION DATE(S):
 MONITORING: Review annually in March
 AUTHORITY: S.C. Code §§ 59-40-220, -230

The District will pay its Superintendent fair market value for his/her services within the context of fiscal responsibility to the District. Comparable compensation and benefit packages will be researched by the Superintendent or an outside source at the discretion of the Board on an annual basis. The Board will review benefits and adjustments to the range annually, using this research as a guide.

III.A. POLICY CATEGORIES-BOARD JOB DESCRIPTION

POLICY TYPE: Board Governance Process
 POLICY NUMBER: III.A.
 INITIAL ADOPTION: September 8, 2011; first reading August 11, 2011
 REVISION DATE(S): June 2013 (this draft)
 MONITORING:
 AUTHORITY: S.C. Code §§ 59-40-230(E); S.C. Code §§ 59-40-220, -230

Policy Categories: The SCPCSD Board has adopted the Policy Governance® model of operation. Pursuant to that model, the Board has four types of policies:

- I. Outcomes and Ends Policies: A proactive, positive, prescriptive statement of the impacts,

outcomes, products, results, and ends that South Carolina’s taxpayers and citizens expect from the SCPCSD and this Board in terms of what benefits, for which needs, at what costs. Included within these policies are statements of accountability performance measures for monitoring performance in achieving these outcomes and ends.

- II. Board-Superintendent Relationship Policies: Policies governing the relationship between the Board, which sets the outcomes and ends, and the Superintendent of the District, who is charged with accomplishing the means to those ends.
- III. Board Governance Process Policies: How the Board will go about its job in a proactive, positive, prescriptive way, including how the Board will comply with specific laws relating to school boards and the District’s member charter schools (e.g., approving applications).
- IV. Executive Limitations Policies: A statement of Board values defining which means it does not want used in the District, statements of prudence and ethics to be observed by staff or means that are limited by South Carolina or federal law.

Each policy will be listed by type, adoption date, and monitoring cycle. Numbering is based upon the policy category (Roman Number) and sequence (letter) and is included for each reference.

Board Job Description: The job of the Board is to make certain contributions that lead the organization toward the desired performance and assure that it occurs. The Board’s specific contributions are *unique* to its trusteeship role and *necessary* for proper governance and management. Board members should have:

- Commitment to the District and its mission;
- Knowledge about the programs and goals of the District;
- Capacity to focus that knowledge on decision making that benefits the organization as a whole;
- Ability and eagerness to deal with values, vision and the long-term future of the organization;
- Ability to participate assertively in deliberation.;

The job contributions of the Board shall be:

1. The link between the organization and its “ownership”; the Board is accountable as trustees to the District. This includes a role as guardian of the vision and values of the organization, both currently and in the future.
2. Written governing policies.
3. The assurance of Superintendent performance (against policies in 2A and 2D above).

Leadership Approach:

The SCPCSD Board will approach its task in a manner which emphasizes strategic leadership more than administrative detail, clear distinction of Board and staff roles, focus on the future rather than

past or present, and function pro-actively rather than reactively.

The Board will govern with one voice through written policies with an emphasis on long term ends.

It is in this spirit that the Board will:

1. Confine its major involvement to the intended long-term impact of the SCPCSD, not with the daily operational administrative efforts of the District.
2. Direct, control, and inspire the District through the careful deliberation and establishment of policies as stated in Policy III.A.
3. Enforce upon itself whatever discipline is needed to govern with excellence and integrity. Discipline will apply to attendance, policy-making principles, respect of clarified roles, speaking with one voice, and self-policing the Board tendencies to stray from rigorous governance.
4. Be accountable to the general public for competent, conscientious and effective accomplishment of its obligations as a body. Allow no officer, individual, or committee of the Board to usurp this role or deter this discipline.
5. As an initiator of policy, be responsible for its own performance,

Required conditions that must be met for this governance model to operate effectively are:

1. *A Board with strong leadership and forward-thinking abilities.*
2. *A competent and capable Superintendent who is charged with leading schools and directing District staff.*
3. *Frequent and measurable accountability assessments from the Superintendent to the Board as outlined in Board policy.*
4. *Clearly defined, printed corrective measures for under- and low-performing schools and noncompliant schools. The freedom of charter public schools to be wholly responsible to the SCPCSD Board and accountable with clearly defined timetables of accountability measures for the academic achievement of their students and the financial viability of their charter public schools.*

Commentary: This governance model offers broad parameters in which charter schools can self-govern with accountability to the SCPCSD Board for student achievement; self-management through prudent financial management and practices; mandates academic excellence through data driven proven educational innovation; and hold themselves accountable to the SCPCSD for academic progress through clearly defined accountability measures defined in Board policy.

III.B. POLICY DEVELOPMENT

POLICY TYPE:	Board Governance Process
POLICY NUMBER:	III.B.
INITIAL ADOPTION:	
REVISION DATE(S):	Subsection 2: December 15, 2008
MONITORING:	
AUTHORITY:	S.C. Code § 59-40-230(B), (E): “The South Carolina Public Charter School District Board of Trustees has the same powers, rights, and responsibilities with respect to charter schools as other school district boards of trustees of this State including, but not limited to, sponsoring charter schools and applying for federal charter school grants, except that the South Carolina Public Charter School District Board of Trustees may not offer application for a charter school, issue bonds, or levy taxes.” S.C. Code §§ 59-40- 220, -230

1. Policy Adoption:

The Board shall have full authority, not inconsistent with the laws of the State of South Carolina, to prescribe policies governing the manner in which the general business of the District may be conducted and the powers granted to it may be exercised and embodied including the obligation to review and determine whether to hear appeals from District teachers and parents regarding policy matters of District schools.

2. Policy Development:

Proposed new policies, or revisions to existing policies shall be prepared and submitted in writing to the Board by the Chair, and fellow Board members. Associations, interest groups, and individuals may propose suggestions for new policies or revisions to existing policies by submitting in writing these suggestions to the Chair of the Board.

Any new policies adopted by the Board must have two (2) readings. The two readings requirement may be waived by a majority vote of the members present and voting. (Revision to two readings: December 15, 2008).

3. Policy Review:

The SCPCSD Board shall initiate a formal review of the existing policies of the Board at such time as is considered appropriate by a majority of the members of the Board.

4. Policy Dissemination:

This Policy Manual for the SCPCSD Board of Trustees shall contain all policies and operating procedures of the Board and is available for review, upon completion, on-line and in the office of the Superintendent.

Revisions to existing policies, as approved by the Board, shall be disseminated on a routine basis by the Superintendent to each Board member and made available to the public through the Superintendent’s office and the District website.

5. Suspension of Policies:

The Board, by a two-thirds vote of those members present and voting, may suspend or waive any or all of its policies provided that no violation of laws will occur. See also Policy III.K.2.

III.C BOARD MEMBER CONDUCT

POLICY TYPE:	Board Governance Process
POLICY NUMBER:	III.C.
INITIAL ADOPTION:	January 14, 2010; first reading November 12, 2009
REVISION DATE(S):	
MONITORING:	
AUTHORITY:	S.C. Code §§ 8-13-100 et seq.; 59-5-130; 59-31-590; S.C. Code §§ 59-40-220, -230

The Board commits itself and its members to ethical, professional, and lawful conduct, including proper use of authority and appropriate decorum when acting as Board members.

Accordingly,

1. Loyalty:

Board members must be loyal to the interests of the District. This duty of loyalty supersedes any conflicting loyalty such as that to advocacy or interest groups and membership on other boards or staffs. It also supersedes the personal interest of any Board member acting as a member.

2. Ethics:

The 1991 Ethics, Government Accountability and Campaign Reform Act, as amended, governs the conduct of the Board members. Other ethical provisions may be added and attached to this policy by majority vote of the Board during the regularly scheduled meeting of the Board.

3. Conflicts of Interest:

Members must avoid conflicts of interest with respect to the fiduciary responsibility and with regard to the duty of loyalty.

- a. In addition to those activities mentioned in the South Carolina State Ethics Act, the following actions may constitute a conflict of interest and would warrant action by the Board, at the discretion of the Executive Committee:
 1. Acting as agents for textbook publishers (S.C. Code § 59-31-590).
 2. Making a contract or having pecuniary interest in any contract to which the SCPCSD any other authorizer, the District or any charter school regardless of authorizer is a party (S.C. Code § 59-5-130).
- b. There must be no private business or personal services conducted between any Board members and the District or its schools unless approved by the Board and procedurally controlled to assure no competitive advantage. Any perceived conflict of interest should be reported to the Board Chair.
- c. When the Board is to decide upon an issue about which a member has an unavoidable conflict of interest, that Board member shall absent herself or himself without comment from not only the vote but also from the deliberation.

- d. Board members must not use their positions to obtain employment for themselves, family members, or close associates with the District or any public or private entity with which the District maintains or may maintain a business relationship.
- e. Board members will annually disclose their involvement with other sponsors, charter schools, education trade associations or professional associations, with vendors, or any other association or organization that creates a current conflict, could create the appearance of a conflict, or might produce conflict in the future.

4. One Voice:

Board members may not attempt to exercise individual authority over the organization except as explicitly set forth in Board policies.

- a. Board members' interaction with the Superintendent or with staff must recognize the lack of authority vested in individuals except when explicitly Board-authorized.
- b. Board members' interactions with the public, press, governmental or other entities must recognize the same limitation and prohibition against any Board member speaking for the Board except to repeat explicitly stated Board decisions and to support official Board policies. In most circumstances and unless otherwise designated, the Superintendent and Chair are the spokespersons for the District.
- c. Board members understand that their individual opinion of the Superintendent or staff performance is of no consequence without official Board action.

5. Confidential Executive Sessions:

Board members will respect confidentiality of executive sessions in accordance with state law.

6. Courtesy & Decorum:

Board members will conduct the business of the District in a professional manner with proper decorum.

- a. Board members will comport themselves in a courteous manner, always debating issues rather than individuals and never impugning another's motivation or character.
- b. Board members will conduct the business of the District only at duly called Board meetings, recognizing that only when the Board convenes *as a body* does it have the authority to act by way of an official vote.

7. Discipline:

The Board will discipline itself by taking appropriate action with regard to any member who is in repeated, flagrant or malicious violation of this Code of Conduct.

III.D. BOARD RESIGNATION

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.D.
INITIAL ADOPTION:
REVISION DATE(S):

MONITORING:
AUTHORITY: S.C. Code § 59-40-230

A member of the Board may resign by submitting a letter of resignation to the Board Chair. The Chair will forward the resignation letter to the Secretary of State and the entity appointing the seat.

III.E. REMOVAL FROM THE BOARD

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.E.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Constitution Article VI, §§ 3, 8-9. Art. XVII; S.C. Code §§ 1-3-240, -250, 8-1-10, -90, -110, 59-40-230

Under S.C. Code § 59-40-230(A), a “member of the board may be removed after appointment pursuant to Section 1-3-240.” That section provides as follows:

- (A) Any officer of the county or State, except:
 - (1) an officer whose removal is provided for in Section 3 of Article XV of the State Constitution;
 - (2) an officer guilty of the offense named in Section 8 of Article VI of the State Constitution; or
 - (3) pursuant to subsection (B) of this section, an officer of the State appointed by the Governor, either with or without the advice and consent of the Senate; who is guilty of malfeasance, misfeasance, incompetency, absenteeism, conflicts of interest, misconduct, persistent neglect of duty in office, or incapacity must be subject to removal by the Governor upon any of the foregoing causes being made to appear to the satisfaction of the Governor. Before removing any such officer, the Governor shall inform him in writing of the specific charges brought against him and give him an opportunity on reasonable notice to be heard.
- (B) A person appointed to a state office by the Governor, either with or without the advice and consent of the Senate, other than those officers enumerated in subsection (C), may be removed from office by the Governor at his discretion by an Executive Order removing the officer.

Therefore:

1. Incapacity, misconduct, or neglect are grounds for removal from the Board under the State Constitution and South Carolina Code of Laws. “*Officers shall be removed for incapacity, misconduct, or neglect of duty in such manner as may be provided by law when no mode of trial or removal is provided by this Constitution.*” (Article VI, §9, S.C. Constitution, provides: See also S.C. Code §§ 1-3-240, -250 (right to appeal), 59-40-230(A).)
2. Any public official can be removed by the Governor for crimes involving misuse of public

funds or moral turpitude. (See Article VI, §8, S.C. Constitution.) (See also S.C. Code § 8-1-10, pertaining to definition of public officials.)

3. The Governor may remove SCPCSD Board members who are convicted of misconduct. (See S.C. Code § 8-1-90.)
4. Dual office-holding (Article VI, §3 and Article XVII, S.C. Constitution), dueling (Article XVII, §1B, S.C. Constitution), conviction of a crime involving misuse of public funds or involving moral turpitude (Article VI, §8, S.C. Constitution and S.C. Code § 8-1-110), collecting and retaining rebates, and failure to fulfill duties related to public records (S.C. Code § 30-1-10) are also potential grounds for removal.
5. Board members who are found guilty of making a contract or otherwise profiting from a contract with the SCPCSD Board may be removed from office. (See S.C. Code § 59-5-130.)
6. SCPCSD Board members should consult the Ethics Commission concerning potential conflicts of interest in order that the member may remove himself from a potential conflict of interest situation if it is determined necessary by the Ethics Commission according to its rules and regulations. (See S.C. Code §§ 2-17-5, et seq. and 8-13-700, et seq. (state ethics laws.))
7. Board members have the right to due process in removal cases with appeal to the Circuit Court. (See Article I, §22, S.C. Constitution.) The Attorney General's Office has the authority to bring action against usurpers and those who have forfeited public office (S.C. Code §15-63-60).

III.F. BOARD ATTENDANCE

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.F.
INITIAL ADOPTION:
REVISION DATE(S): January 9, 2014
MONITORING:
AUTHORITY: S.C. Code §§ 1-3-240, -245, -250, 59-40-230

1. Excessive, unexcused absences from regularly scheduled board meetings are a neglect of duty and grounds for dismissal from the Board.
2. The Board Chair will determine whether the absence is an excused or non-excused absence.
3. Determination of whether an absence is excused is at the discretion of the Board Chair; acceptable reasons include but are not limited to illness and emergencies.
4. "Excessive" is defined as unexcused absences for more than one-third (1/3) of the **REGULARLY SCHEDULED** meetings in any fiscal year July 1-June 30, or more than three (3) consecutive **REGULARLY SCHEDULED** meetings.
5. By statute, three consecutive unexcused absences from regularly scheduled meetings causes the member to be considered removed and a vacancy is created. S.C. Code § 1-3-245.

6. It is acceptable for Board Members to attend the meeting via pre-arranged conference call.
7. The Board will adopt an annual schedule of meetings that will be published by the Superintendent as required by the Freedom of Information Act.

III.G. OFFICERS OF THE BOARD OF TRUSTEES

POLICY TYPE:	Board Governance Process
POLICY NUMBER:	III.G.
INITIAL ADOPTION:	
REVISION DATE(S):	January 9, 2014; first reading July 11, 2009 (beginning of term)
MONITORING:	Annual elections, last meeting of the fiscal year
AUTHORITY:	S.C. Code § 59-40-230(C): The South Carolina Public Charter School District Board of Trustees annually shall elect a Chairman and other officers, as it considers necessary from among its membership.

The officers of the Board shall be: Chair, Vice-Chair, and Secretary elected from among its membership.

1. Chair:

The Chair of the Board shall be elected by the Board at the last meeting thereof in each fiscal year and shall serve at the pleasure of the Board. In the case of three or more nominees for Chair, the position must be filled by a majority vote of the quorum. Run-off elections will be held until a majority vote is reached. The Chair shall preside over all the meetings of the Board and shall have general powers and duties usually vested in such offices. On behalf of the District, the Chair shall sign such agreements, papers and reports as the Board shall direct. The Chair is to ensure the integrity of the Board process including the effectiveness of meetings and the Board's adherence to its own rules. The order of succession, in cases of temporary absence of the Chair, is the Vice-Chair then the Secretary.

2. Vice-Chair:

The Vice-Chair shall be elected by the Board at the last meeting thereof in each fiscal year and shall serve at the pleasure of the Board. In the absence or incapacity of the Chair, the Vice-Chair shall perform the duties of that office. The Vice-Chair will work with the Chair on the activities of the Board.

3. Secretary:

The Secretary shall be elected by the Board at the last meeting thereof in each fiscal year and shall serve at the pleasure of the Board. The Secretary shall keep, or cause to be kept, correct and complete minutes of meetings of the Board; keep, or cause to be kept, the official records of the Board; keep, or cause to be kept, the official records of the District, and perform such other duties as are prescribed by the Board. The Secretary, by affixing his/her signature, shall attest formally to the legitimacy of Board documents. The Secretary is also responsible to the Board for reporting on and noting any inconsistencies of Board actions.

4. Assistant Officers:

Assistant officers whom the Board may elect shall perform such duties as the policies of the Board may prescribe.

III.H. COMMITTEES OF THE BOARD OF TRUSTEES

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.H.
INITIAL ADOPTION:
REVISION DATE(S): January 9, 2014
MONITORING:
AUTHORITY: S.C. Code § 59-40-230(B), (E)

Board Committees may be established by the Board for the purpose of accomplishing the mission of the Board, and to aid the process of board governance, but in keeping with its policy of governing with one voice through written policies with an emphasis on long term ends.

The Standing Committees shall be the Executive Committee, which shall consist of the officers.

The Committee shall perform such duties as the Board may direct. The Chair shall have the power to fill any vacancies on such committees.

1. STANDING COMMITTEE'S DUTIES AND MEETINGS

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.H.
INITIAL ADOPTION:
REVISION DATE(S): January 9, 2014
MONITORING:
AUTHORITY: S.C. Code § 59-40-230(B), (E); S.C. Code § 30-4-20(d) (definition of meeting as quorum); 30-4-60 (open meeting requirement); 30-4-80 (public notice of regular meetings each calendar year; post agendas at least 24 hours prior; notify those requesting it); S.C. Code § 59-40-230(E)(11) (subject to FOIA); *Lambries v. Saluda, County Council*, 728 S.E.2d 488 (2012); S.C. Code § 30-4-80(a).

1. Duties:

- a. Develop recommendations to present to the Board for action.
- b. Perform functions as specified in the Authority Matrix adopted by the Board and included in these policies.
- c. Perform other duties assigned by the Board.
- d. Assist the Board in performing its role in developing and promulgating policy for the District.

2. **Meetings of Standing Committees:** Meetings of each standing committee may be called by its Chair, or by the Chair of the Board. Each committee shall hold its meetings in accordance with such rules of procedure and at such places as shall be fixed by a majority of the members of such committee and in accordance with applicable state laws and regulations. Meetings of each standing committee shall comply with all applicable requirements of South Carolina's Freedom of Information Act.

III.I. BOARD MEMBERS' COMPENSATION AND EXPENSES

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.I.
INITIAL ADOPTION:
REVISION DATE(S): January 9, 2014
MONITORING:
AUTHORITY: S.C. Code § 59-40-230(D)

1. Members of the Board receive per diem, mileage, and subsistence as provided by law for members of state boards, committees, and commissions for Board meetings attended. Reimbursement for actual expenses will be provided subject to the rate provided for by law.
2. **Board Travel Policy:** Board travel shall comply with the requirements set forth in the State Travel Regulations. Board members shall submit travel reimbursements at the monthly Board meetings for the Board Chair's approval. Travel reimbursements other than mileage and per diem for Board meetings must be preapproved by the Chair at least three (3) days prior to the anticipated travel. No Board member shall submit a reimbursement request to the Superintendent unless it has been approved by the Chair and is in compliance with State Travel Regulations.

III.J. BOARD MEETINGS & AGENDAS

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.J.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Code § 30-4-20(d) (definition of meeting as quorum); 30-4-60 (open meeting requirement); 30-4-80 (public notice of regular meetings each calendar year; post agendas at least 24 hours prior; notify those requesting it); 59-40-230(E)(11)(subject to FOIA); *Lambries v. Saluda, County Council*, 728 S.E.2d 488 (2012); S.C. Code § 30-4-80(a).

1. **Notice of Board Meetings:** The Board shall meet at the call of its Chair or upon the request of a majority of its members or at such place as may be designated in the meeting notice, subject to the requirements of the Freedom of Information Act. A calendar of regularly scheduled meetings will be published at the beginning of each calendar year.
2. **Board Meetings by Conference Call Or Other Virtual Format:** To the maximum extent permitted by South Carolina's Freedom of Information Act, the Board may meet by conference call or other virtual format at the discretion of the Chair.
3. **Board Agendas:** The Board has sole authority over its agenda. The Chair will exercise this control on behalf of the Board. However, any Board member, with majority agreement, can add or delete business from the agenda. The Chair shall, in consultation with the Superintendent, develop an agenda for the regular meetings of the Board at least one week prior to the meeting. Whenever practicable, material related to the agenda will be given to Board members with the draft agenda. Agendas for regular and special meetings must be posted at least twenty-four (24) hours before any such meeting. The Board will approve the agenda

at the beginning of each Board meeting. Agendas may be amended by majority vote of the Board to the maximum extent permitted by the Freedom of Information Act, or by any other procedure allowed by the Freedom of Information Act.

Commentary on the Agenda Concept: Only those issues which are within the Board's sphere of authority (see Board mission) shall consume Board time. That is, the Board will work only on the Board's job, not on the staff's jobs, though the Board may review staff performance against Board Policies at any time it wishes. Board members are obligated to prepare for meetings and to participate productively in discussion.

III.K. RULES OF ORDER & SUSPENSION OF RULES OR POLICIES

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.K.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Code § 59-40-230(B), (E)

1. The rules contained in the most current addition of **Robert's Rules of Order, revised** shall guide the actions of the Board when not inconsistent with the policies and by-laws of the Board. Failure to follow said rules shall not invalidate any action taken by the Board in good faith. The Chair shall appoint a parliamentarian if necessary.
2. By a two-thirds vote of those present and voting, the Board may suspend any policy resolution or rule, including the second reading of same. See also Policy III.B.2.

III.L. VOTING METHOD

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.L.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Code § 59-40-230(B), (E)

Votes of the Board shall be by voice vote. Any member may call for a roll call vote if desired. This vote is to be recorded beside the roster of Board members and noted in the Minutes of the meeting. Votes may be cast by participating Board members, not by proxy.

III.M. BOARD MEETING MINUTES

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.M.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:

AUTHORITY: S.C. Code § 30-4-90, 59-40-230(B), (E)

Minutes of meetings of the SCPCSD Board shall comply with the requirements of S.C. Code § 30-4-90.

The Secretary, or designee of the Secretary, shall keep the Minutes of the Board. The Minutes shall be kept in the office of the Superintendent and shall be open to inspection by the public.

The Minutes of a meeting of the Board shall be sent to each Board member and shall be approved at the succeeding meeting. The Minutes shall not be considered official until approved by the Board.

III.N. PUBLIC PARTICIPATION AT DISTRICT BOARD MEETINGS

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.N.
INITIAL ADOPTION: July 11, 2009
REVISION DATE(S): June 11, 2020 (second reading waived); January 14, 2010;
first reading November 12, 2009
AUTHORITY: S.C. Code §§ 30-4-60 (open meetings), 59-40-230(B), (E)

1. **Record in the Minutes:** If a public speaker appears at a Board meeting or submits written comments in advance, the minutes will reflect it.
2. **Rules of Participation:** The official meeting of the Board is by law a public meeting and the Board values citizen input. Therefore, public comment may be heard by the Board during the “*Public Comments*” section of the agenda or as otherwise directed by the Board Chair. During public hearings, comments may be restricted to the subject matter of the public hearing, at the discretion of the Board Chair. Otherwise, comments may address any subject matter addressed toward the betterment of the District and the schools it authorizes, regardless of whether the topic is listed on the agenda. The following rules of conduct also apply:
 - Each speaker must sign in prior to the Public Comment period on the date of the Board meeting. Speakers will be called to speak in the order they appear on the sign-in sheet.
 - Each speaker should introduce himself or herself and state the name of the organization or group represented, if applicable. More than one person may speak for an organization or group, but speakers should not be repetitive. No solicitation is permitted.
 - Speakers must take care not to inappropriately identify students or families. Speakers may not personally attack any Board member, staff member, or any other person. Speakers must not be disruptive, use obscene language, or otherwise engage in uncivil behavior.
 - Each speaker may speak for up to three minutes. This time may be altered by the Board Chair.
 - Speakers may not ask questions of individual Board members, and individual Board members may not engage in dialogue or respond to speakers during Public Comment. The Board will consider public comments as a whole and respond, when required, in the appropriate time and manner.
 - The Chair may terminate the remarks of any person in violation of the spirit or intent of this policy.

3. **Public Participation by Written Comment:** In order to allow participation by members of the public that may not attend in person or for other purposes related to meeting logistics, the public may participate by submitting written comments in advance of the meeting. Written comments may be read aloud during the meeting or shared in written format. All written comments must meet the requirements of III.N.@. Above, including but not limited to the requirement of being limited to three minutes when read aloud unless otherwise altered by the Board Chair.

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III.O. EXECUTIVE SESSIONS

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.O.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Code §§ 30-4-70 (open meetings), 59-40-230(B), (E)

Executive sessions of the SCPCSD Board shall comply with the requirements of S.C. Code § 30-4-70.

III.P. PETITIONS AND REVIEW OF BOARD DECISIONS

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.P.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Constitution Article 1 § 22; S.C. Code §§ 1-23-126, -150 (Administrative Procedures Act); 30-4-70 (open meetings), 59-40-50(B)(7); 59-40-230(B), (E); S.C. Reg. § 43-601.III. (B)(2), (6)

1. **Due Process**: The Board shall comply with the requirements of due process.

Constitutional Provision: Article 1, §22, South Carolina Constitution, provides for due process before administrative agencies, including judicial review of their decisions. The degree of review varies depending upon statutory provisions. Sometimes the review is limited to conclusions of law; at other times, there is review of both finding of fact and conclusion of law. In some cases, a new or second hearing may be granted.

2. **Petition Concerning Policy**: An interested person may petition the Board in writing requesting the promulgation, amendment, or repeal of a policy. Within thirty (30) days after submission of such petition, the Board shall either deny the petition in writing (stating its reasons for the denial) or shall initiate the action in such petition.

Statutory Provision: See S.C. Code § 1-23-126. (See S.C. Code § 1-23-150(a).)

3. **Petition Concerning Applicability**: A petition for a declaratory ruling as to the applicability of a policy of the Board shall be addressed to or forwarded to the Chair. Upon receipt, the Chair will:
 - a. Prepare a recommended ruling for consideration by the Board; or
 - b. Refer the petition to a committee and request its recommendation.

The recommended ruling should be considered at the next meeting of the Board following receipt of the petition and be approved or revised by the full Board. The declaratory ruling of the Board must be issued at this meeting or not later than within thirty (30) days after receipt.

The Chair, or his designee, shall notify the petitioner in writing of the declaratory ruling of the Board.

4. **Appeal to the District Board:** The Board will consider appeals from parents or guardians of students denied admission except when the enrollment would exceed a charter school's capacity and the determination was made by an approved lottery process.

III.Q. BOARD RECORDS

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.Q.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: Freedom of Information Act

1. **Archives:** The District shall send two (2) copies of all printed material published by the District to SC Department of Archives (SCDAH).
2. **Public Use:** The District shall provide fifteen (15) copies of all state publications which are reproduced in multiple copies to SC State Library (SCSL) within fifteen (15) days of printing. Distribution is as follows: Eleven (11) to SC depositories, one (1) to the Library of Congress, and 2 to remain at the SCSL for reference.
3. **Statement of Printing Costs:** All bound publications must include the text within the document providing the total cost for the printing of the document, total number of documents printed, and cost per unit.

Statutory Provisions: Generally, Board records are open to public inspection during the business hours of the custodian with the right to copy such records for a reasonable charge. (Freedom of Information Act, S.C. Code §§ 30-4-10, et seq.) Upon written request for records each public body shall, within fifteen (15) days, notify the person making the request of its determination and reasons therefore. (See S.C. Code § 30-4-30(c).) There are very specific provisions for the preservation, management, and destruction of public records of the State and political subdivisions. (See S.C. Code §§ 30-1-10, et seq.) The Superintendent is designated as the custodian of the Board records. (See S.C. Code § 9-5-50.)

III.R. FISCAL GOVERNANCE POLICIES

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.R,
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY: S.C. Constitution Article X§10; S.C. Code §§ 11-9-80; 59-1-200

1. *District Fiscal Year*

The fiscal year is coterminous with the scholastic year, beginning on the first day of July of each year and ending on the thirtieth day of June each year.

2. *Financial Assistance Policy (Suspended as of September 10, 2020)*

The SCPCSD Board may at its discretion provide financial assistance for member schools. A school may initiate a request for financial assistance with a resolution from its Board of Directors.

III.S. COMMITMENT TO SPECIAL EDUCATION

POLICY TYPE: Board Governance Process
POLICY NUMBER: III.S.
INITIAL ADOPTION: June 29, 2011; first reading 5/12/2011
REVISION DATE(S): Carver format October 13, 2011
MONITORING: Review annually in March
AUTHORITY: See *References* below.

It shall be the policy of the SCPCSD to ensure appropriate special education programs, services, and support for all eligible children. This program is fully described in federal and state regulations cited below.

More specifically, it shall be the policy of the Board that schools sponsored by the District shall be bound both by its Charter and by the Contract executed between the School and the District to fully comply with each and all of the federal and state statutes, laws and regulations cited below, as may be amended from time to time. The Board delegates to the Superintendent the day to day responsibility for monitoring, oversight and supervision of special education programs of the District's member charter schools. Further, it shall be the policy of the Board that a school's failure to comply with the federal and state regulations cited below shall be deemed a material breach of the Charter and therefore grounds for sanctions and/or revocation.

References:

Federal Legislation

-The Individuals with Disabilities Education Act, PL. 108-446 -Americans with Disabilities Act of 2008, PL. 110-325 -Rehabilitation Act of 1973, PL 93-112

S.C. Code 1976, as amended

59-33-10, et seq. - Mandates that the State Board of Education establish a program for all students with disabilities.

59-33-30- Mandates that the state board establishes a Child Find process and special education programs and services

State Board of Education Regulations:

R-43-243- South Carolina Special Education: Education of Students with Disabilities R-43-243.1
- Criteria for Program Entry into Programs of Special Education for Students with Disabilities.

III.T. BOARD GOVERNANCE OF MEMBER CHARTER SCHOOLS

POLICY TYPE:	Board Governance Process
POLICY NUMBER:	III.T.
INITIAL ADOPTION:	
REVISION DATE(S):	January 9, 2014; Transfer Policy, October 10, 2017
MONITORING:	
AUTHORITY:	S.C. Constitution Article X§10; S.C. Code §§ 11-9-80; 59-1-200

1. CERTIFICATION OF PROFESSIONAL PERSONNEL:

The District will accept as certified any teacher who is certified through the National Board Certification (NCLB) process or is deemed certified by the American Board for Teacher Certification (ABTC). The ABTC has been deemed acceptable certification under NCLB for highly qualified teachers. The Board may request the State Board of Education affirm, for the purpose of revocation, any teacher, or administrator who is found in violation of the laws of this state or the policies of the SCPCSD.

The State Board of Education is charged with issuing, and when appropriate, revoking or suspending, a teaching credential. The SCPCSD Board oversees quality certified professionals but may dismiss any credentialed teacher who is deemed unfit or has lost his/her moral authority to be a teacher/mentor in the classroom. A School's Charter Board does not have the authority to suspend or revoke the State credential (certification). It is the intent of the State Board that individuals credentialed in this state manifest conduct demonstrating a fitness for teaching and mentoring students. Therefore, the District Superintendent, at the direction of a School's Charter Board of Trustees, shall report to the Chair of the State Board of Education and the State Superintendent of Education the name and certificate number of any certified educator who is dismissed, resigns, or otherwise separated from District employment for conduct which is reasonably believed to constitute evidence that the individual's conduct is unfit for teaching. (See § 59-25-430 of the Code of Laws, and Board Regulations 43-58 and 43- 58.1.)

A School's Charter Board shall make available to the SCPCSD Board the reasons for separation and, when requested, any available written supporting evidence to be used by the State Board of Education in its deliberations. Findings of the State Board of Education regarding the discipline of a credentialed employee shall be published on the State Department of Education website for employee reference.

2. INTERSCHOLASTIC ATHLETICS:

The sponsor district has no obligation to provide extracurricular activities or access to facilities of the school district for students enrolled in a charter school.

3. DISTRICT POLICIES FOR CHARTER SCHOOLS

The following policies are necessary to fulfill the requirements of the S.C. Public Charter School Act, 2006, SCDE Regulations and Federal Regulations:

A. Enrollment Expansion:

INITIAL ADOPTION: May 1, 2008

Charter schools authorized by the SCPCSD may apply for an expansion in their enrollment numbers beyond the projections in the authorized application for the next school year.

B. Annual Report Policy:

To satisfy the requirements of the S.C. Code §§ 59-13-120, -140 and 59-40-140(H), five (5) working days prior to December 31 of each year has been established as the due date for submission of Annual Reports from the schools to the ***SCPCSD Audit Policy:***

INITIAL ADOPTION: May 14, 2009; first reading February 12, 2009; amended January 9, 2014. An Annual Audit of all financial records shall be made by a licensed certified public accountant who meets the requirements placed on all other public schools. The school shall be responsible for retaining the external accountant to perform the Annual Audit. A copy of the audit in the format prescribed by the State Department of Education shall be filed with the SCPCSD by November 1 following the close of the fiscal year. If this date falls on a weekend, the due date shall be the Friday immediately preceding November 1. One (1) hard copy and one (1) electronic copy (presented in PDF Format) shall be submitted.

C. Audit Policy

INITIAL ADOPTION: May 14, 2009; first reading February 12, 2009; amended January 9, 2014. An annual audit of all financial records shall be made by a licensed certified public accountant who meets the requirements placed on all other public schools. The school shall be responsible for retaining the external accountant to perform the annual audit. A copy of the audit in the format prescribed by the State Department of Education shall be filed with the SC Public Charter School District by November 1 following the close of the fiscal year. If this date falls on a weekend, the due date shall be the Friday immediately preceding November 1. One (1) hard copy and one (1) electronic copy (presented in PDF Format) shall be submitted.

S.C. Code§ 59-40-50(B)(3)(adhere to financial audit requirements); 59-17-100.

D. Interim Auditor Reporting:

INITIAL ADOPTION: May 14, 2009; first reading February 12, 2009

Schools will provide to the District a Letter of Engagement with its audit firm no later than May 30th of each year. If this date falls on a weekend, the due date is the Friday immediately preceding May 30th. At a minimum, the Letter of Engagement will contain the audit firm's name and address

as well as the point of contact (POC) at the audit firm: name, telephone number and email address. The Letter of Engagement will direct the audit firm POC to provide the Annual Audit no later than the due date in its current version, final or draft. The Letter of Engagement will direct that if the audit is still in draft form, the audit firm will provide the reason(s) why the audit has not been completed to final version.

E. Financial Resources Accountability Standards:

INITIAL ADOPTION: May 14, 2009; first reading February 12, 2009

Financial Resources are to be allocated, expended, and accounted for in accordance with accounting practices specified in the SC Department of Education Annual Audit Guide, Financial Accounting Handbook, Funding Manual and the Pupil and Staff Accountability Manual.

F. Transfer Policy:

S.C. Ann. 59-40-115 allows for the transfer of a charter before the expiration of the ten-year term if all parties under contract with the school agree to the transfer. Schools requesting to transfer to the SCPCSD, or from the SCPCSD to another sponsor, must give the SCPCSD notice of request for consent to transfer in writing on or before October 1 of the school year prior to the school year in which the school wishes the transfer to become effective. (For example, a school wishing to be considered for a transfer from its current sponsor and beginning to operate in the SCPCSD in school year 2019-2020 must send the written request to transfer to the SCPCSD by October 1, 2018.) The SCPCSD 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 the Board's February meeting. When considering the transfer request, the SCPCSD 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 year. The SCPCSD Board may also consider additional information, without limitation, such as the impact of the transfer on the SCPCSD 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 SCPCSD may, but is not required to, allow the school to present information in person at the Board meeting during which the SCPCSD considers the request. After considering the information presented, the Board may, but is not required to, grant the transfer request. No transfer shall be granted if the proposed sponsor does not meet the requirements for a Local Education Agency for all purposes under federal law.

IV.A. FISCAL LIMITATION POLICIES

POLICY TYPE: Executive Limitations
POLICY NUMBER: IV.A.
INITIAL ADOPTION: IV.A.2. revised May 9, 2013
REVISION DATE(S):
MONITORING:

AUTHORITY: S.C. Code § 59-69-40

1. BUDGETING AND FINANCIAL PLANNING:

INITIAL ADOPTION: May 13, 2010; first reading April 5, 2010

Financial planning for any fiscal year or for the remaining part of any fiscal year shall not deviate materially from the Board's Ends Policies/Strategic Plan or place the organization at risk of official jeopardy.

Accordingly, the Superintendent shall not, without notifying the Board of any deviation, allow budgeting that:

- a. Contains too little information to enable credible projection of revenues and expenses, separation of capital and operation items, cash flow, and disclosure of planning assumptions.
- b. Plans the expenditure in any fiscal year of more funds than are conservatively projected to be received in that period.
- c. Reduces liquid reserves to less than six months of budgeted expenses.
- d. Provides for less Board prerogative during the year than is set forth in these policies.

Additionally, the Superintendent shall note any financial deviations from the above guidelines in the monthly financial report to the Board.

2. FUND BALANCE POLICY:

First Reading: May 9, 2013
Earlier Versions: July 9, 2009; Information Items March 14 and April 11, 2013

The Superintendent shall not fail to assure that a 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. The Board is to be notified by the Superintendent at the next monthly meeting when the reserve falls below the amount specified in this policy.

3. GIFTS AND BEQUESTS:

The District Superintendent shall take and hold in trust for the State any grant or devise of lands and any gift or bequest of money or other personal property made to him/her for educational purposes (§59-69-40).

4. CONTRACTUAL AGREEMENTS:

All contractual agreements between the Board and any other agency, organization, or individual, public or private, shall be consistent with the general purpose and intent of current Board policies and state statutes and regulations. Such plans or contractual agreements shall be kept on file in the Office of the District Superintendent and other State offices as required by law, for public

inspection and review.

5. DISTRICT EMPLOYEE TRAVEL POLICY:

District employee travel shall comply with the requirements set forth in the State Travel Regulations. Employees shall submit travel reimbursements monthly for the Superintendent's approval. Travel reimbursements other than mileage associated with school visits must be pre-approved by the Superintendent. The Superintendent shall authorize the Finance Director only to process and pay travel reimbursements approved by the Superintendent and in compliance with State Travel Regulations.

6. CONSULTANT SERVICES:

Engaging the services of a consultant to support the specific responsibilities and initiatives of the District in excess of \$15,000 may be authorized only by the Board. Recommendations for engaging a consultant(s) may be brought to the Board by the following:

- 1) Board Chair
- 2) Chairs of the Subcommittees
- 3) Superintendent

Engaging the services of a consultant to support specific responsibilities and initiatives of the District under \$15,000.00 may be at the discretion of the Superintendent.

The District utilizes a variety of consultants on a case-by-case basis. Consultants may submit a written request detailing their rates for specified tasks on a daily rate or provide a fixed price for a given task.

IV.B. STAFF TREATMENT & GRIEVANCE POLICY

POLICY TYPE:	Executive Limitations
POLICY NUMBER:	IV.B.
INITIAL ADOPTION:	Grievance, July 9, 2009; Treatment, July 8, 2010; first reading June 10, 2010
REVISION DATE(S):	Treatment, June 11, 2020 (Second Reading Waived)
MONITORING:	Annual
AUTHORITY:	

1. At Will Employee Grievance Policy:

All SCPCSD employees are at-will employees, accountable to the Superintendent. The Superintendent may terminate an employee for any reason allowable by law. The employee can appeal his/her termination to the Board in a written request within fourteen (14) days. The written request must state the basis for the appeal and include all facts, documents and corroborating witnesses supporting the grounds for appeal. The appeal will be heard at the discretion of the Board, and the Board will render a 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.

2. Staff Treatment Policy:

With respect to treatment of paid and volunteer staff, and subject to the at-will character of all employment with the District, the Superintendent may not:

- a. Operate without personnel procedures which clarify personnel rules for staff, provide for effective handling of grievances, and protect against unlawful conditions.
- b. Discriminate against any staff member.
- c. Prevent staff from grieving to the Board when (A) internal grievance procedures have been exhausted and (B) the employee alleges either (i) that Board policy has been violated to his or her detriment or (ii) that Board policy does not adequately protect his or her rights.
- d. Fail to acquaint staff with their rights under this policy.
- e. Operate without job descriptions.
- f. Fail to provide written performance evaluations or other written feedback on job performance on at least an annual basis.
- g. Allow any employee to telecommute from outside the state of South Carolina.
- h. Allow the Chief Financial Officer to be based anywhere other than the Columbia, South Carolina office.

IV.C. COMMUNICATION & COUNSEL TO THE BOARD

POLICY TYPE: Executive Limitations
POLICY NUMBER: IV.C.
INITIAL ADOPTION: July 8, 2010; first reading June 10, 2010
REVISION DATE(S):
MONITORING:
AUTHORITY:

With respect to providing information and counsel to the Board, the Superintendent may not permit the Board to be uninformed. Accordingly, he or she may not:

1. Let the Board be unaware of relevant trends, anticipated adverse media coverage, or material external and internal changes, particularly changes in the assumptions upon which any Board policy has previously been established.
2. Fail to submit the required monitoring data (see policy II.C. MONITORING SUPERINTENDENT PERFORMANCE) in a timely, accurate and understandable fashion, directly addressing provisions of the Board policies being monitored.
3. Fail to marshal for the Board as many staff and external points of view, issues and options as needed for fully informed Board choices.
4. Present information in unnecessarily complex or lengthy form.
5. Fail to provide a mechanism for official Board, officer or committee communications.
6. Fail to deal with the Board as a whole except when (a) fulfilling individual requests for information or (b) responding to officers or committees duly charged by the Board.

7. Fail to report in a timely manner an actual or anticipated noncompliance with any policy of the Board.
8. Fail to indicate correspondence with the Board as “monitoring,” “incidental information” or “decision making.”
9. Fail to provide summaries of action at Board meetings.

IV.D. ANNUAL POLICY REVIEW

POLICY TYPE: Executive Limitations
POLICY NUMBER: IV.D.
INITIAL ADOPTION:
REVISION DATE(S):
MONITORING:
AUTHORITY:

The Superintendent shall annually, or more often if appropriate, review, with the assistance of other professionals as necessary, these policies to ensure that they are consistent with current statutes, laws, regulations, federal grant requirements, state finance policies and procedures, and all other District policies and procedures. The Superintendent shall maintain a copy or database of all applicable statutes, laws, regulations, federal grant requirements, and state finance policies and procedures that is available to the Board as soon as practicable after discovery. As long as not inconsistent with any other law or legal requirement, the Board may waive any of its own policies without amending the policy for a period not to exceed one year.

Discussion Purposes

Approval Authority of the Officers and Staff of SCPCSD				
Action and/or Role	Superintendent	Executive Committee	Board of Trustees	Notes
Hire/ Fire/ Supervise & Direct Staff	X			
Performance Evaluation of Staff				
Superintendent			X	
Staff	X			
Financial Audit				
Records Maintenance	X			
Vendor Contract	X		A	Superintendent <\$16000; Board >\$15000
Audit Report Review			A	
Operational Adjustments	I		A	
Performance Evaluation of Board			X	
Partnerships or Co-Development				
Delivery of Services to Customers				
Technical Assistance	X			
Orientation	X			
Site Visits	X			
Dissemination of Information	X			
Compliance Monitoring	X			
Administrative Operations – District Office				
Distribution of Funds	X			
Data Collection	X			
Data Reporting	X			
Purchasing	X			
Website Maintenance	X			
New/Renewal of Leases	X		A	
Human Resources & Accounting				
Board Reimbursement	X		R	
Staff	X		R	
Professional Development	X			
Development/Implementation of Required District Plans	X		A	
Textbook Inventory	X			
Host Board Meetings	X			
Legal Consulting	X		A	
Budget Development & Review	D		A	
Insurance Contracting/Renewal	X		A	
Structure of Organization				

Approval Authority of the Officers and Staff of SCPCSD				
Action and/or Role	Superintendent	Executive Committee	Board of Trustees	Notes
By-Laws	0		A	
Policies & Procedures	0		A	
Employee Handbook	X		A	
Conferences and Training				
Board of Directors		X		
Staff	X			
Business Plan	D		A	
Capital Investment Plan	0		A	
Compensation Plan (Pay) Benefits	D		A	
General Pay Increase or Bonus	D		A	
Contracts for consulting:				
Greater than \$15000			A	
Less than \$15000	X			
Personnel Policies	D		A	
Capital Invest. Expend. – Approved Proj.	X			
Promulgation of Policies	D		A	
Grants				
SCPCSD District Grants	X		R	
School Endorsements	X			
Co-Applicant with Charter Schools	X		R	
Research & Evaluation	X			
Admissions Denial Appeal			X	
Public Relations/Press Releases	X			For Board members getting press call, direct them to the superintendent or Board Chairman
Application Process				
Review of Applications	X		R	
Authorization of Applications			X	
Site Visits	X			Board members invited to participate; Superintendent to coordinate

Letter Key
X = Designated
D = Develop
R = Review
A = Approve

I = Implement

DRAFT