



# Welcome to Charter School Orientation Program For Boards, Leaders, and Stakeholders

APRIL 2016

Public Charter School Alliance  
of South Carolina  
Schools for South Carolina's Future

CELEBRATING  
20 YEARS  
OF CHARTERING SCHOOLS  
IN SOUTH CAROLINA

Content has been developed  
in collaboration with the  
SCDE, SCPCSD, local  
districts, and national  
partners.



*Thank you for your service!*

Great charter boards make  
great schools possible  
for students.

# Orientation Program Presented by The Public Charter School Alliance of South Carolina

Content has been developed in collaboration with the SCDE, SCPCSD, local districts, and national partners.



## What does the Alliance do?



# Why are you here?

- A.** You want to be an excellent steward of public funds
- B.** You want to advance the mission of a public charter school
- C.** You want to ensure the charter will not be revoked
- D.** You are required to be here by law
- E.** All of the Above!

# Why are you here?

References in the law to remember:

## State Required Orientation

**Section 59-40-155.** Within one year of taking office, all persons elected or appointed as members of a charter school board of trustees after July 1, 2006, shall complete successfully an orientation program in the powers, duties, and responsibilities of a board member including, but not limited to, topics on policy development, personnel, instructional programs, school finance, school law, ethics, and community relations. The orientation must be provided at no charge by the State Department of Education or an association approved by the department.

Why are you here?

What is your role as a board member?

To support the growth and development of a great school.



# Board Orientation Agenda



- Welcome and Why are You Here?
- What is a charter school?
- Standards of Effective Board Governance
- Holding Productive Meetings
- Board Member Responsibilities
- Are we in Compliance with the Law?
- Hiring for Success
- Fiscal Responsibilities and Charter Finance
- Accountability – Student Achievement
- Wrap Up

# How to get the most out of this Orientation

There is a sea of knowledge out there – catch what you can and know where to find the info you need.



- Ask questions as we go.
- Understand according to state law this training is to be an orientation. Advanced trainings are offered at the SC Charter Conference, Webinars, and Leadership Summit.
- Gain confidence to ask informed questions at board meetings and know where to find resources.
- Reflect on your strengths and areas where you need to focus on your own professional development.
- Use this slide deck for future reference.  
<http://www.sccharterschools.org/board-training-and-elections>



The SC Department of Education works to ensure compliance with the board orientation program requirements.

Orientation program includes the powers, duties, and responsibilities of a board member including, but not limited to, topics on:

- ✓ policy development
- ✓ personnel
- ✓ instructional programs
- ✓ school finance
- ✓ school law
- ✓ ethics
- ✓ community relations

You are responsible for your participation records – please complete the Evaluation Form:

[https://scde.formstack.com/forms/form\\_1\\_form\\_12](https://scde.formstack.com/forms/form_1_form_12)

### Board Orientation Evaluation Form

Charter School Board Member Orientation

Office of School Transformation (Charter Schools Program)

*To complete this form, type directly in the text boxes or click on the button that represents your opinion.*

Upon submission of this form, you will receive a confirmation screen that your submission has been received. The SC Department of Education will verify all information upon receipt; you will receive a letter noting that you have fulfilled the requirements of board member orientation.

*Please save a copy of all information for your records.*

**Name\***

First Name

Last Name

**Home Mailing Address\***

City

State

Zip Code

**Phone Number\***

**E-mail\***


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**Charter School\***

**Date Elected as Board Member\***

Month

Day

Year

Calendar

**Date of Orientation\***

Month

Day

Year

Calendar

**Orientation provided by\***

**Matrix\***

|   | Strongly Disagree     | Disagree              | Neutral               | Agree                 | Strongly Agree        |
|---|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| Able to understand the federal and state definitions of a charter school and can communicate the purpose of charter schools in S.C. | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Informed about the legal expectations for Charter boards in the S.C. charter law  | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |
| Informed about the legal expectations for S.C. Freedom of   | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> | <input type="radio"/> |

Based on this orientation program you should be informed of or able to do these 18 items:

(On the evaluation form)

1. Able to understand the federal and state definitions of a charter school and can communicate the **purpose** of charter schools in S.C.
2. **Informed** about the legal expectations for Charter boards in the S.C. charter law
3. Informed about the legal expectations for S.C. Freedom of Information Act
4. Informed about the legal expectations for admission of students (lottery and priority)
5. Informed about the legal expectations for Election of board members
6. Informed about the **legal expectations** of the Ethics Act
7. **Aware of** how charter boards are structured
8. Able to **understand the role of the governing board** and the role of the school leader
9. Able to understand the importance of developing **effective board policies**
10. Aware of ways to hold **productive meetings**
11. Able to communicate the legal and ethical expectations of board members
12. Aware of **common governance problems** faced by charter boards in South Carolina
13. Able to articulate revenue sources for charter schools and how to prepare a working budget
14. Informed about the components of yearly and monthly **budget** reports
15. Aware of the requirement to conduct an annual audit and how that process works
16. Able to determine how staffing a school supports the education program and vision and the board's responsibility for **holding the school leader accountable**
17. Capable of discussing **student academic performance** data as a board and ensuring it is communicated to the public
18. **Able to determine if the school is fulfilling its mission and vision**

# What is a Charter School?

Are you able to understand the federal and state definitions of a charter school and can you communicate the purpose of charter schools in SC?

# Federal Definition

How does the statute define a charter school?

Definition in section 5210(1) of the ESEA, which is as follows:

The term “charter school” means a public school that:

- a) **In accordance with a specific State statute** authorizing the granting of charters to schools, is exempt from significant State or local rules that inhibit the flexible operation and management of public schools, but not from any rules relating to the requirements in paragraphs 1 through 12 of this definition;
- b) Is created by a developer as a public school, or is adapted by a developer from an existing public school, and is operated under public supervision and direction;
- c) **Operates in pursuit of a specific set of educational objectives** determined by the school’s developer and agreed to by the authorized public chartering agency;
- d) Provides a program of elementary or secondary education, or both;
- e) Is nonsectarian in its programs, admissions policies, employment practices, and all other operations, and is not affiliated with a sectarian school or religious institution;
- f) **Does not charge tuition;**
- g) Complies with the Age Discrimination Act of 1975, title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, title II of the Americans with Disabilities Act of 1990, as amended, and part B of the Individuals with Disabilities Education Act;
- h) **Is a school to which parents choose to send their children**, and that admits students on the basis of a lottery, if more students apply for admission than can be accommodated;
- i) Agrees to comply with the same Federal and State audit requirements as do other elementary schools and secondary schools in the State, unless such requirements are specifically waived for the purpose of this program;
- j) Meets all applicable Federal, State, and local health and safety requirements;
- k) Operates in accordance with State law; and
- l) **Has a written performance contract with the authorized public chartering agency** in the State that includes a description of how student performance will be measured in charter schools pursuant to State assessments that are required of other schools and pursuant to any other assessments mutually agreeable to the authorized public chartering agency and the charter school. 20 U.S.C. 7221f(1).

<http://www2.ed.gov/programs/charter/fy14cspnonregguidance.doc>

# What is a charter school?

## State Definition:

### SECTION 59-40-40. Definitions.

**(1) A "charter school" means a public, non-religious, non-home-based, nonprofit corporation forming a school that operates by sponsorship** of a public school district, the South Carolina Public Charter School District, or a public or independent institution of higher learning, but is accountable to the board of trustees, or in the case of technical colleges, the area commission, of the sponsor which grants its charter. Nothing in this chapter prohibits charter schools from offering virtual services pursuant to state law and subsequent regulations defining virtual schools.

# Alliance Lingo

Charter schools are public schools that are allowed the freedom to be more innovative while being held accountable for improving student achievement.

We have increased autonomy in exchange for increased accountability.

**Tip:**  
**Your school should develop a common and cohesive language used by all stakeholders.**

What is the purpose of public charter schools in South Carolina?

How is your school meeting this purpose?  
Is your mission still reflective of the purpose and intent of the act?

**Section 59-40-20.** This chapter is enacted to:

- (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**.

<http://www.scstatehouse.gov/code/t59co40.php>

The True  
Purpose –  
Great  
Graduates  
that are  
College and  
Career Ready





# SC Charter School Landscape In South Carolina

20<sup>th</sup>  
Anniversary  
in 2016!

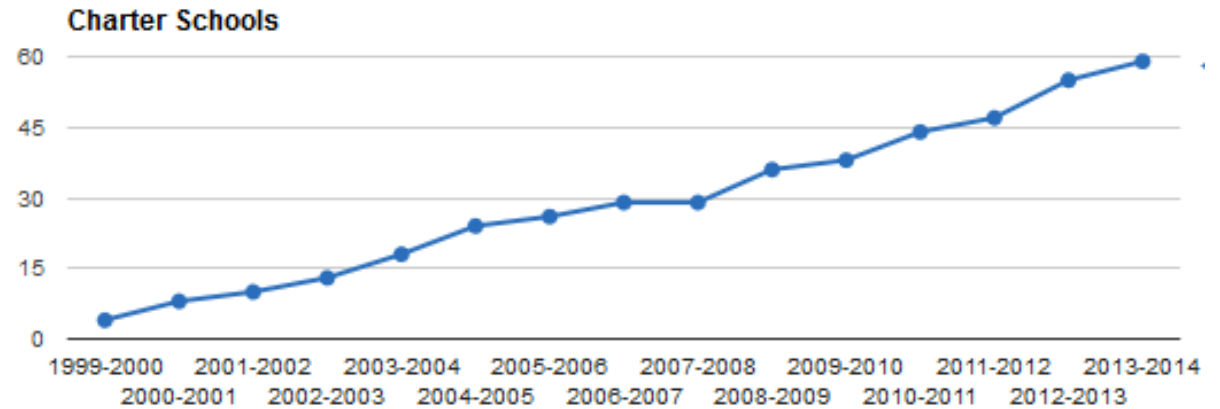
- Laws first enacted in 1996.
- Major changes in 2006 with creation of the SC Public Charter School District.
- Major changes in 2012 and 2014 with addition of research based best practices.

| Number of Years Schools have been Open |       |       |
|--|-------|-------|
| Open 1-3 Years                         | 18    | 30.5% |
| Open 4-6 Years                         | 18    | 30.5% |
| Open 7-9 Years                         | 8     | 13.6% |
| Open 10+ Years                         | 15    | 25.4% |
| Average Number of Years Open           |       |       |
| Average Number of Years Open           | 6.271 |       |

# Steady Growth

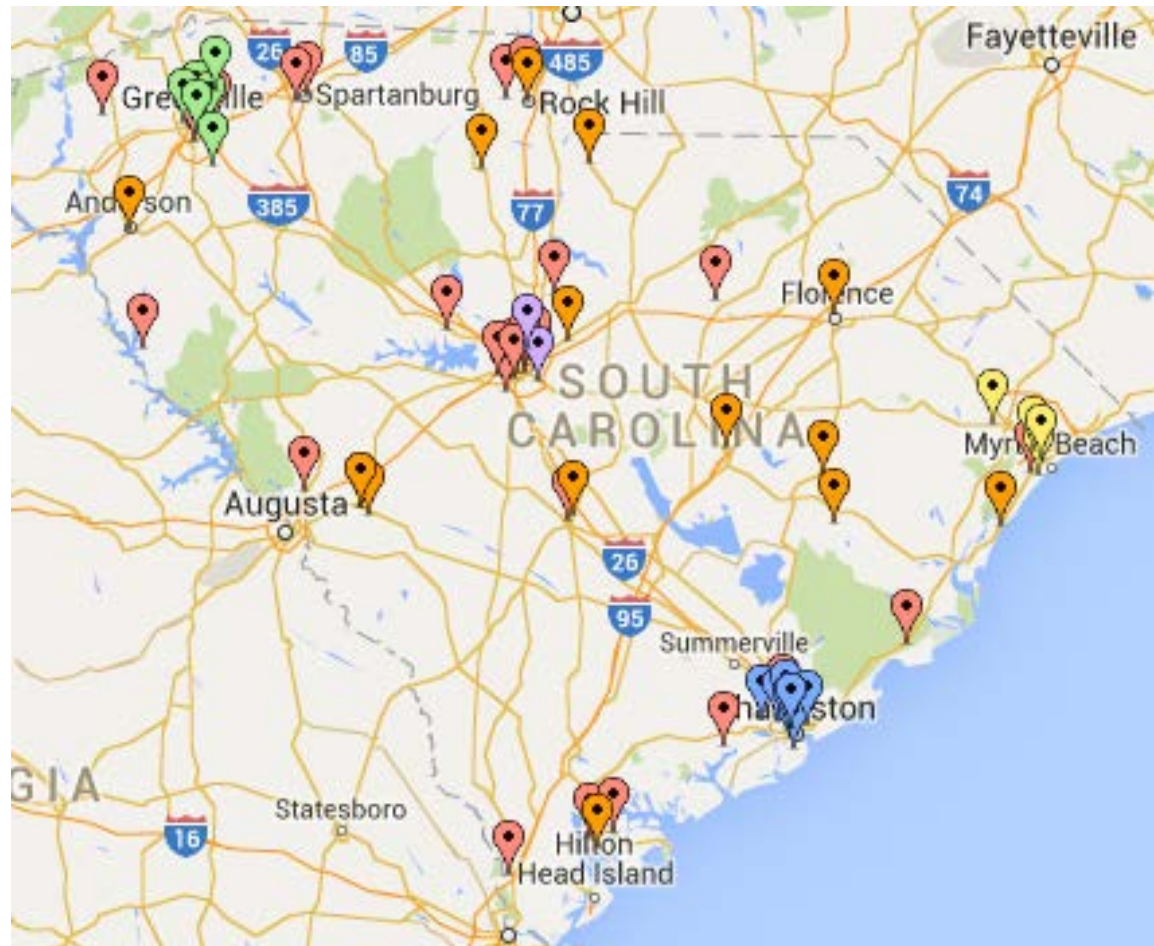
1996 - Charter Act Signed  
2006 – SCPCSD Added  
2012 – IHEs added

## Total Number of Schools



Note: An additional 24 public charter schools have opened and closed.

Where are  
the schools?



Students are enrolled in virtual public charter schools in every community.

[Link to interactive map](#) created on 

# Where do I fit in as a board member?



State Laws set the autonomy and accountability of public charters. This is drafted and passed by State Legislators and signed by the Governor. Education Oversight Committee, as created by the legislature, monitors educational outcomes.

SC Board of Education creates related regulations.

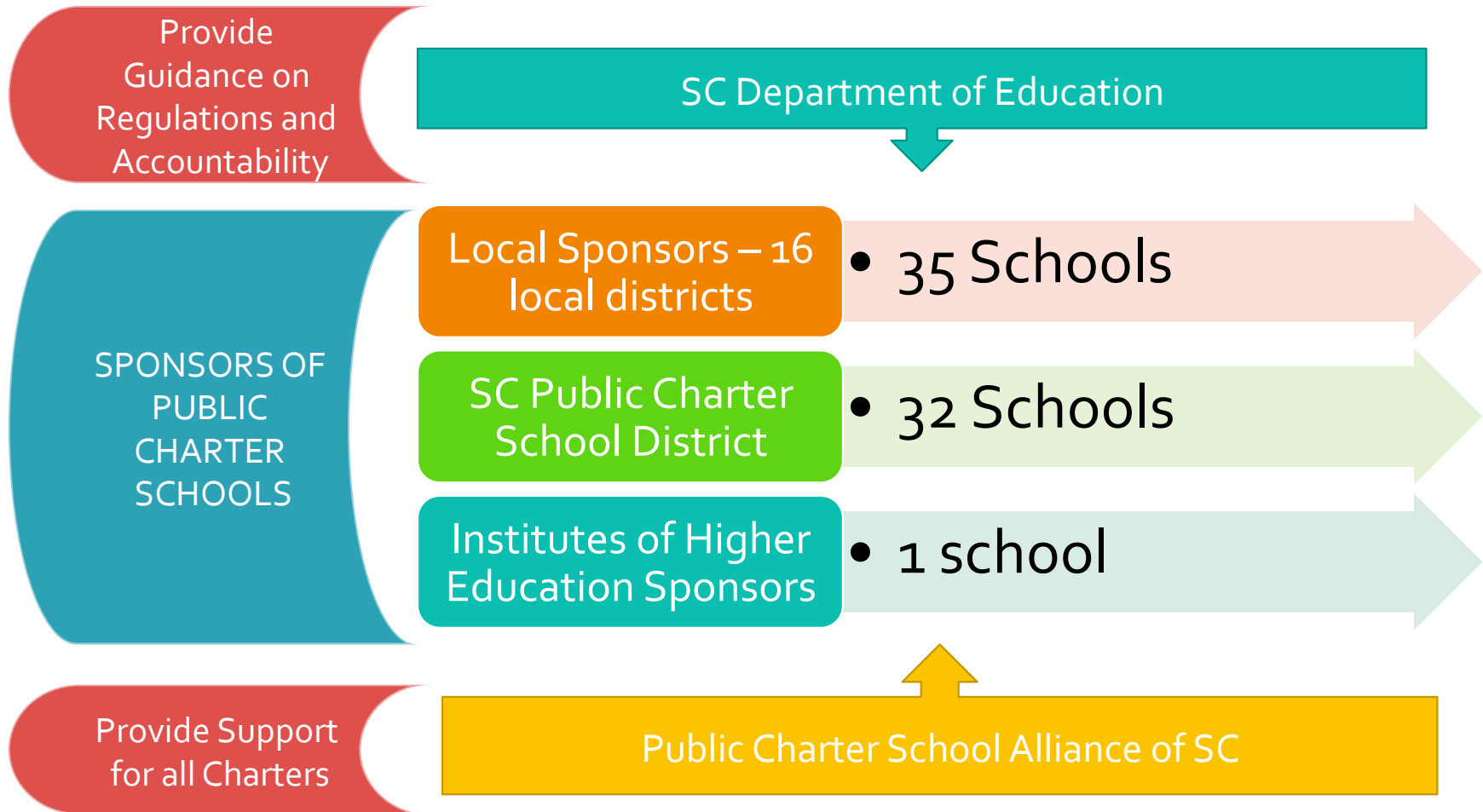
SC Department of Education creates guidelines and templates and supports sponsors and schools.

Sponsoring Districts or Higher Ed Institutions approve and sponsor public charter schools. They hold the board responsible for the implementation of the charter and contract.

Charter School Boards govern the charter schools through a contract with the sponsor. They are an autonomous 501c3. They hold the school leader responsible for implementing the charter and contract.

School Leaders oversee the day to day operations of school.

# Who is my sponsor?



# Sponsor Responsibilities

## **Section 59-40-55-- (A)** A charter school sponsor shall:

- (1) approve charter applications that meet the requirements specified in Sections 59-40-50 and 59-40-60;
- (2) decline to approve charter applications according to Section 59-40-70(C);
- (3) negotiate and execute sound charter contracts with each approved charter school;
- (4) monitor, in accordance with charter contract terms, the performance and legal/fiscal compliance of charter schools to include collecting and analyzing data to support ongoing evaluation according to the charter contract;
- (5) conduct or require oversight activities that enable the sponsor to fulfill its responsibilities outlined in this chapter, including conducting appropriate inquiries and investigations, only if those activities are consistent with the intent of this chapter, adhere to the terms of the charter contract, and do not unduly inhibit the autonomy granted to public charter schools;
- (6) collect, in accordance with Section 59-40-140(H), an annual report from each of its sponsored charter schools and submit the reports to the Department of Education;
- (7) notify the charter school of perceived problems if its performance or legal compliance appears to be unsatisfactory and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants revocation and revocation timeframes apply;
- (8) take appropriate corrective actions or exercise sanctions short of revocation in response to apparent deficiencies in charter school performance or legal compliance. These actions or sanctions may include requiring a school to develop and execute a corrective action plan within a specified timeframe;
- (9) determine whether each charter contract merits renewal, nonrenewal, or revocation; and
- (10) provide to parents and the general public information about charter schools authorized by the sponsor as an enrollment option within the district in which the charter school is located to the same extent and through the same means as the district in which the charter school is located provides and publicizes information about all public schools in the district. A charter school shall notify its sponsor of its enrollment procedures and dates of its enrollment period no less than sixty days prior to the first day of its enrollment period.

# Sponsor Responsibilities

## Section 59-40-55--Newly added

- Approve Charters
- Negotiate contracts
- Monitor
- Oversight
- Collect reports
- Notify charter of perceived problems
- Take corrective action
- Determine renewal, nonrenewal or revocation
- Provide public info about charter school opportunities

# Standards of Effective Board Governance

What does great charter board governance look like?



Alliance partner GreatBoards has developed these standards of effective board governance.



Focus relentlessly on student achievement



Ensure exceptional school leadership



Commit to exemplary governance



Act strategically



Raise and use resources wisely



Maintain legal and regulatory compliance

## STANDARD ONE:



### Focus Relentlessly on Student Achievement

#### Govern to Fulfill the Mission of the School and the Promises of the Charter

- Believe in the mission of the school
- Assume ultimate responsibility for school and student success
- Use student data to inform board decisions

#### Know Whether Students are on Track for High-level Achievement

- Agree on the definition of academic excellence
- Understand how student achievement is measured at the school
- Review indicators of student success regularly to measure progress toward school goals

## STANDARD TWO:



### Ensure Exceptional School Leadership

#### Hire and Support a Strong School Leader

- Hire the right leader who can manage the school to achieve its goals
- Cultivate a trusting, candid relationship with the school leader, addressing challenges proactively
- Build an effective partnership between the school leader and board chair
- Champion the school leader
- Maintain an up-to-date school leader succession plan

#### Evaluate and Hold the School Leader Accountable

- Collaborate with the school leader each year to establish his/her annual goals
- Evaluate the leader each year using a formal and transparent process, and hold him/her accountable for achieving concrete results
- Invest in ongoing professional development to support the leader's progress toward his/her goals

## STANDARD THREE:



### Commit to Exemplary Governance

#### Build and Maintain a High-Functioning and Engaged Board

- Recruit and maintain a full slate of excellent board members who bring diverse skills, experience, and perspectives
- Elect a board chair who can successfully lead the board and engage all members
- Remove disengaged members from the board
- Invest in the board's development, providing orientation and ongoing training

#### Implement Best Governance Practices

- Adopt job descriptions for the officers, committees, and board members
- Require that each board member sign an annual agreement, committing to fulfill his/her responsibilities
- Hold well-run, regularly scheduled, strategic meetings
- Employ a robust committee structure to accomplish board work strategically and efficiently
- Assess board performance annually, holding the board accountable for achieving its goals and governing effectively

## STANDARD FOUR:



### Act Strategically




#### Determine the Strategic Direction for the School

- Oversee the development of a clear strategic plan that reflects the board's vision and priorities for the school's future
- Set annual goals for the school, board, and each board committee
- Organize the board, its committees, and all meetings to advance the aims of the school's annual goals and strategic plan

#### Respect the Balance Between Oversight and Management

- Define and build board-wide understanding of the oversight role of the board and the management role of the school leader
- Give the school leader the autonomy and authority to manage the school while maintaining strong and close oversight

## ④ Act Strategically: Balance Between Oversight and Management

|               | Must account for  | The performance of |
|---------------|---|--------------------|
| Board         |  | School Leader      |
| School Leader |  | Teachers           |
| Teacher       |  | Students           |

## STANDARD FIVE:



### Raise and Use Resources Wisely

#### Manage Resources Responsibly

- Ensure that all members understand the school's finances, and provide necessary training
- Review financial data regularly and carefully, using it to make sound decisions that protect the school's short- and long-term sustainability
- Approve a budget each year that allocates resources strategically and aligns with the student performance goals of the school

#### Expand Awareness and Raise Funds

- Set and meet realistic fundraising goals to provide additional resources the school needs
- Require that each board member make the school a top personal philanthropic priority each year
- Raise the school's profile and engage donors
- Understand the political context of public charter schools and advocate for policies that promote and support the charter sector

## STANDARD SIX:



### Maintain Legal and Regulatory Compliance

#### Minimize Risks

- Adhere faithfully to the legal and ethical duties of loyalty, obedience, and care
- Oversee the development, board approval, and regular review of all school and board policies
- Maintain the highest standards of transparency by accurately documenting meeting proceedings and board decisions
- Apply sound business judgment by avoiding conflicts of interest, observing tax requirements, and maintaining liability insurance

#### Meet Expectations

- Confirm that the school is proactively adhering to the legal requirements set forth by the authorizer, the federal and local governments, and the Internal Revenue Service
- Operate in accordance with bylaws and review them at least every three years
- Comply with open meeting laws of the school's jurisdiction



# Holding Productive Board Meetings

Are your meetings effective?

Are your meetings in compliance with applicable laws?

# Setting an agenda for success

Poor agenda = Poor decisions

Agendas are meant to:

- Inform members
- Lock in business
- Alert the public of issues to be discussed

Determine who is involved in developing the agenda and the timeline for making it public and sharing with the board. The school leader and board chair should work on the agenda together to ensure that all needed action items and informational items are included.

Agenda items:

- Open by reading Mission Statement
- Be specific with action items listed
- Consider consent agenda items (List of items that are voted on in a block instead of being voted on individually)
- SC Freedom of Information—are you compliant? Make sure the public has been made aware of the meeting date, time, and location.

Mission -  
Take a  
Moment to  
stoke the fire  
of your  
board's  
passion.

- With the reading of the mission consider adding a one minute presentation of recent impact related to the school's mission – a student success, teacher accomplishment, etc...not long – just a way to refocus the group for the night's work.



# Board Packet

*What information needs to be in board packets or reported at the board meeting?*

Instead of spending the entire meeting listening to and looking at reports put as much information as you can into the board packets.

## **Board Packet May Include:**

- Finances with Enrollment Figures
- Academic Achievement Data
- Information concerning action items
- Items from an annual calendar of compliance items to be covered at different meetings during the year.
- Strategic plan progress updates

## **When does it need to go out?**

About a week before the meeting. Ensure the board members will have enough time to review all documents needed to come to the board meeting prepared to make informed decisions.

# Notice to Sponsor of Meetings and Freedom of Information Act (FOIA)

According to **SECTION 59-40-50** a charter school must:

- be subject to the Freedom of Information Act, including the charter school and its governing body. A board of directors of a charter school shall notify its sponsor of any regular meeting of the board **at least forty-eight** hours prior to the date on which it is to occur.

**A+ Tip**  
Send a copy of your board meeting schedule to your sponsor at the beginning of each school year.

FOIA - *New for 2015:*  
Posting on  
Website and  
Printed Version  
and Need a 2/3s  
vote to amend  
and a finding that  
is an emergency  
or exigent  
circumstance.

**Effective June 8, 2015**, the requirements for notice and agendas of meetings of public bodies have been amended under the Freedom of Information Act, 30-4-80. For the full text of the new law, please click [here](#).

Here are a few important items:

- Agendas are required for all regular and special meetings and must be posted on a bulletin board in a publicly accessible place in the charter school's administrative office or meeting place, and provided to requesting media and other persons at least 24 hours in advance of the meeting. This is a technical change, in that it requires a printed agenda even for regular meetings be posted and available at least 24 hours before the meeting.
- The agenda must also be posted on the public body's website, if it has one. This is a brand new requirement. Note that posting on the website is required **in addition to** posting on a bulletin board and notifying the media.
- Once an agenda is posted, additional items may added be to the agenda (a) at least 24 hours in advance of the meeting, following the steps outlined in 1 and 2 above, *or* (b) **added to the agenda at the meeting in question if approved by a 2/3 vote of the members** of the governing body present and voting at that meeting.
- In the event that an item proposed to be added to an agenda would constitute final action on the matter, *or* if the item is one in which there has not been and will not be an opportunity for public comment with prior public notice given (in accordance items 1 and 2 above) prior to final action, then that item may only be added to the agenda by (a) **a 2/3 vote of the members present and voting and (b) a finding by the body that an emergency or an exigent circumstance exists** if the item is not added to the agenda.

## Ready to call the meeting to order?

As public schools, charter schools are subject to the requirements of the SC FOIA

- Meeting takes place only if a quorum is present
- A quorum is a simple majority
- Remember board approved minutes are public record
- Open Meetings—all charter board meetings must be open to the public unless there is a valid legal reason to go into executive session.

SC Freedom of Information Act:

<http://www.scstatehouse.gov/code/t30c004.php>

Nonprofit Act:

<http://www.scstatehouse.gov/code/t33c031.php>

# Reasons for Executive Session – per SC FOIA

## 30-4-60. Meetings of public bodies shall be open.

Every meeting of all public bodies shall be open to the public unless closed pursuant to Section 30-4-70 of this chapter.

## 30-4-70. Meetings which may be closed; procedure; circumvention of chapter; disruption of meeting; executive sessions of General Assembly.

A public body may hold a meeting closed to the public for one or more of the following reasons:

- Discussion of **employment, appointment, compensation, promotion, demotion, discipline, or release of an employee, a student, or a person regulated by a public body or the appointment of a person to a public body**; however, if an adversary hearing involving the employee or client is held, the employee or client has the right to demand that the hearing be conducted publicly. Nothing contained in this item shall prevent the public body, in its discretion, from deleting the names of the other employees or clients whose records are submitted for use at the hearing.
- Discussion of **negotiations incident to proposed contractual arrangements** and proposed sale or purchase of property, the receipt of legal advice where the legal advice relates to a pending, threatened, or potential claim or other matters covered by the attorney-client privilege, settlement of legal claims, or the position of the public agency in other adversary situations involving the assertion against the agency of a claim.
- Discussion regarding the development of **security** personnel or devices.
- Investigative proceedings **regarding allegations of criminal misconduct**.
- Discussion of matters relating to the **proposed location**, expansion, or the provision of services encouraging location or expansion of industries or other businesses in the area served by the public body.



## Executive Session - Which Action Can Be Taken?

- **Before going into executive session the public agency shall vote in public on the question and when the vote is favorable, the presiding officer shall announce the specific purpose of the executive session.** As used in this subsection, "specific purpose" means a description of the matter to be discussed as identified in items (1) through (5) of subsection (a) of this section. However, when the executive session is held pursuant to Sections 30-4-70(a)(1) or 30-4-70(a)(5), the identity of the individual or entity being discussed is not required to be disclosed to satisfy the requirement that the specific purpose of the executive session be stated.
- **No action may be taken in executive session except to (a) adjourn or (b) return to public session.** The members of a public body may not commit the public body to a course of action by a polling of members in executive session.

# What if we have a quorum outside of a board meeting?

- FOIA: No** chance meeting, social meeting, or electronic communication may be used in **circumvention** of the spirit of requirements of this chapter to act upon a matter over which the public body has supervision, control, jurisdiction, or advisory power.
- Do not conduct discussions over email or on the phone.
- You can all be at a school function. Do not conduct business or discuss any board related matters.

## Wait, what about Subcommittees?

(c) Subcommittees, other than legislative subcommittees, of committees required to give notice under subsection (a), must make reasonable and timely efforts to give notice of their meetings.

## Conflict of Interest – When does a board member need to recuse themselves from discussion?

### **Conflict of Interest**

Charter schools fall under the State Ethics Act. Board members who may benefit from an action of the board must recuse themselves from any discussion or vote regarding that action.

#### Implementation of Conflict of Interest–

- When a board member recuses himself or herself they must do so in writing to the board chair. That should be included with the minutes.
- They should not be part of the discussion either.
- It is suggested that they leave the room.

# Making Motions – Hold the Emotion

- Priority: Set consistent cultural norms for your meetings.
- How you conduct the business of the meeting should be aligned with the culture of the school and should set clear expectations.
- Roberts Rules vs. Democratic Rules of Order vs. Consensus Building...what does your charter/bylaws say? Do you say you are doing Policy Governance?
- Are the motions being made advancing the mission of the school?

# Basic Robert's Rules of Order

- Encourage orderly discussion
- Maintain order
- Speakers remarks must be germane
- Right to speak with no interruptions

# Adopting a Motion

There are six steps for adopting a motion:

**Step 1** A member makes a motion

**Step 2** A member seconds a motion

**Step 3** The chair states the question

**Step 4** The members debate

**Step 5** The members vote

**Step 6** The chair announces the vote

Lots of  
resources out  
there

## Making and Handling Motions Following Robert's Rules

In an organization that's following Robert's Rules, when that light bulb goes off in your head and you have a great idea, you make a motion to get your idea discussed and a decision made. Here are the eight steps required from start to finish to make a motion and get the decision of the assembly. Each step is a required part of the process.

| <b>Step</b>   | <b>What to say</b>   |
|---|--|
| 1. The member rises and addresses the chair.          | "Mr./Madam Chairman."  |
| 2. The chair recognizes the member.                   | "The chair recognizes Ms. Gliggenschlapp."   |
| 3. The member makes a motion.                         | "I move to purchase a copy of <i>Robert's Rules For Dummies</i> for our president."  |
| 4. Another member seconds the motion.                 | "Second."  |
| 5. The chair states the motion.                       | "It is moved and seconded to purchase a copy of <i>Robert's Rules For Dummies</i> for your president. Are you ready for the question?"                     |
| 6. The members debate the motion.                     | "The chair recognizes Ms. Gliggenschlapp to speak to her motion. . . ."  |
| 7. The chair puts the question, and the members vote. | "Those in favor of adopting the motion to buy a copy of <i>Robert's Rules For Dummies</i> for your president, say 'Aye.' [pause] Those opposed, say 'No.'" |
| 8. The chair announces the result of the vote.        | "The ayes have it, and the motion carries. A copy of <i>Robert's Rules For Dummies</i> will be purchased for your president."                              |



# More resources...some may be too extreme for charter boards. Create a culture that reflects the school.

The motions below are listed in order of precedence. A motion can be introduced if it is higher on the chart than the pending motion.

| §   | YOU WANT:  | YOU SAY:  | INTERRUPT? | 2ND? | DEBATE? | AMEND? | VOTE?    |
|-----|--|---|------------|------|---------|--------|----------|
| §21 | Close meeting  | I move to <b>adjourn</b>                                | No         | Yes  | No      | No     | Majority |
| §20 | Take break   | I move to <b>recess</b> for ...                         | No         | Yes  | No      | Yes    | Majority |
| §19 | Register complaint                                     | I rise to a <b>question of privilege</b>                | Yes        | No   | No      | No     | None     |
| §18 | Make follow agenda                                     | I call for the <b>orders of the day</b>                 | Yes        | No   | No      | No     | None     |
| §17 | Lay aside temporarily                                  | I move to <b>lay the question on the table</b>          | No         | Yes  | No      | No     | Majority |
| §16 | Close debate   | I move the <b>previous question</b>                     | No         | Yes  | No      | No     | 2/3      |
| §15 | <b>Limit or extend debate</b>                          | I move that debate be limited to ...                    | No         | Yes  | No      | Yes    | 2/3      |
| §14 | <b>Postpone to a certain time</b>                      | I move to postpone the motion to ...                    | No         | Yes  | Yes     | Yes    | Majority |
| §13 | <b>Refer</b> to committee                              | I move to refer the motion to ...                       | No         | Yes  | Yes     | Yes    | Majority |
| §12 | Modify wording of motion                               | I move to <b>amend</b> the motion by ...                | No         | Yes  | Yes     | Yes    | Majority |
| §11 | Kill main motion                                       | I move that the motion be <b>postponed indefinitely</b> | No         | Yes  | Yes     | No     | Majority |
| §10 | Bring business before assembly (a <b>main motion</b> ) | I move that [or "to"] ...                               | No         | Yes  | Yes     | Yes    | Majority |

Jim Slaughter, Certified Professional Parliamentarian/Professional Registered Parliamentarian  
P.O. Box 41027, Greensboro NC 27404-1027 Phone: 336-378-1899  
e-mail: [jim@jimslaughter.com](mailto:jim@jimslaughter.com) web site: [www.jimslaughter.com](http://www.jimslaughter.com)

<http://www.jimslaughter.com/robertsrules.htm>

# Managing Public Comment Sessions

- Have a policy
- Have sign-up procedure
- Limit scope of comments to items on agenda
- Have a time limit – stick to it
- Do not allow comments to be directed at individuals (individual staff & board members)
- Board Chair keeps control
- Don't allow response from board members:
  - Do not engage – Do not enrage
- Establish who will follow-up with individuals who comment

# Great Minutes Matter

- As public schools, charter schools are subject to the requirements of the SC FOIA including board approved minutes are public record
- Build from the Agenda on a computer at the meeting
- Call to order by whom and time
- Approval of current agenda/last minutes
- Member attendance recorded
- Discussion summary
- Motions
- **Record results including names with how they voted**
- Include any documentation of members recusing themselves due to a conflict of interest.
- Executive Session-NO MINUTES

## So, what is the “normal” length of a board meeting?

- As long as you need...
- In general, 90 minutes seems to cover most needs.
- Most schools meet monthly. More than once a month leads to micromanagement with boards going beyond governance.
- Younger schools tend to need to meet more than once a month prior to opening and then a monthly meeting will usually be enough.

So, where and when does the business of the board take place?

**Not appropriate board meeting locations:**

- Not on Facebook
- Not in email
- Not on an impromptu phone call with other board members
- Not in the parking lot before and after meetings
- Not in carpool line

**STOP**

**Yes – We are having a meeting. We meet all of these:**

- Yes, we are in a public space that was announced.
- Yes, we met all FOIA requirements including the posting of the meeting.
- Yes, we have a quorum.

**GO**

# The Board and Your Responsibilities as a Board Member



# Who is governing the school?

## SECTION 59-40-40. Definitions.

### Existing charter schools:

#### The Board

2) A charter school:

C) must be administered and governed by a governing body in a manner agreed to by the charter school applicant and the sponsor, the governing body to be selected as provided in Section 59-40-50(B)(9);

*For new Schools prior to your first election:*

#### *The Charter Committee*

(7) "Charter committee" means the governing body of a charter school formed by the applicant to govern through the application process and until the election of a board of directors is held. After the election, the board of directors of the corporation must be organized as the governing body and the charter committee is dissolved.

# Board Composition

Law requires your board:

Consists of at least 7 or more members

All members to be residents of the state of SC

50% have a background in K-12 education or business

At least 50% are elected by the parent body and staff. The other 50% can be appointed.

May have up to 2 year terms and may run for more than one term.

According to SECTION 59-40-50 a charter school must:

- consist of a board of directors of **seven or more individuals** with the exact number specified in or fixed in accordance with the bylaws. Members of a board of directors **may serve a term of two years**, and may serve additional terms. A choice of the membership of the board must take place every two years. **Fifty percent of the members of the board as specified by the bylaws must be individuals who have a background in K-12 education or in business**, and the bylaws of the charter school also must provide for the manner of selection of these members. In addition, at **least fifty percent of the members of the board as specified by the bylaws must be elected** by the employees and the parents or guardians of students enrolled in the charter school. Parents or guardians shall have one vote for each student enrolled in the charter school. **All members must be residents of the State of South Carolina**. A person who has been convicted of a felony must not be elected to a board of directors. If the board of directors consists of an odd number of members, the extra member must be an individual who has a background in K-12 education or in business;



## Elections and Appointments

- The process for elections and appointments should be clearly defined in the charter and bylaws.
- Elections may be done electronically or on paper, but is determined by what is in the charter and bylaws.
- The terms should be staggered so an entire board does not rotate off at the same time. All board members will have no more than two year terms, but may be re-elected or reappointed for additional terms.
- At least fifty percent of the members of the board as specified by the bylaws must be elected by the employees and the parents or guardians of students enrolled in the charter school.
- Parents or guardians shall have one vote for each student enrolled in the charter school.

## Board Member Responsibilities

Each school defines this in their bylaws, policies, and board expectations.

Responsibilities may include:

- ☑ Regular attendance at board meetings and special school events
- ☑ Participating in training courses
- ☑ Engaging in respectful discourse during periods of conflict

# General Standards for Directors

*– You must act in the best interest of the corporation.*

## SECTION 33-31-830. General standards for directors.

- (a) A director shall discharge his duties as a director, including his duties as a member of a committee:
- (1) in good faith;
  - (2) with the care an ordinarily prudent person in a like position would exercise under similar circumstances; and
  - (3) in a manner the director reasonably believes to be in the best interests of the corporation.
- (b) In discharging his or her duties, a director is entitled to rely on information, opinions, reports, or statements, including financial statements and other financial data, if prepared or presented by:
- (1) one or more officers or employees of the corporation who the director reasonably believes is reliable and competent in the matters presented;
  - (2) legal counsel, public accountants, or other persons as to matters the director reasonably believes are within the person's professional or expert competence;
  - (3) a committee of the board of which the director is not a member, as to matters within its jurisdiction, if the director reasonably believes the committee merits confidence; or
  - (4) in the case of religious corporations, religious authorities and ministers, priests, rabbis, or other persons whose position or duties in the religious organization the director believes justify reliance and confidence and who the director believes is reliable and competent in the matters presented.
- (c) A director is not acting in good faith if the director has knowledge concerning the matter in question that makes reliance otherwise permitted by subsection (b) unwarranted.
- (d) A director is not liable to the corporation, a member, or any other person for any action taken or not taken as a director, if the director acted in compliance with this section.
- (e) A director shall not be deemed to be a trustee with respect to the corporation or with respect to any property held or administered by the corporation, including without limit, property that may be subject to restrictions imposed by the donor or transferee of the property.
- (f) An action against a director asserting the director's failure to act in compliance with this section and consequent liability must be commenced before the sooner of (i) three years after the failure complained of or (ii) two years after the harm complained of is, or reasonably should have been, discovered. This limitations period does not apply if the failure to act in compliance with this section has been fraudulently concealed.

# Governance v. Management

**Implementation of law - The Charter Committee serves as the governing board until the first election. Once the board has hired a school leader they hold them accountable for these items.**

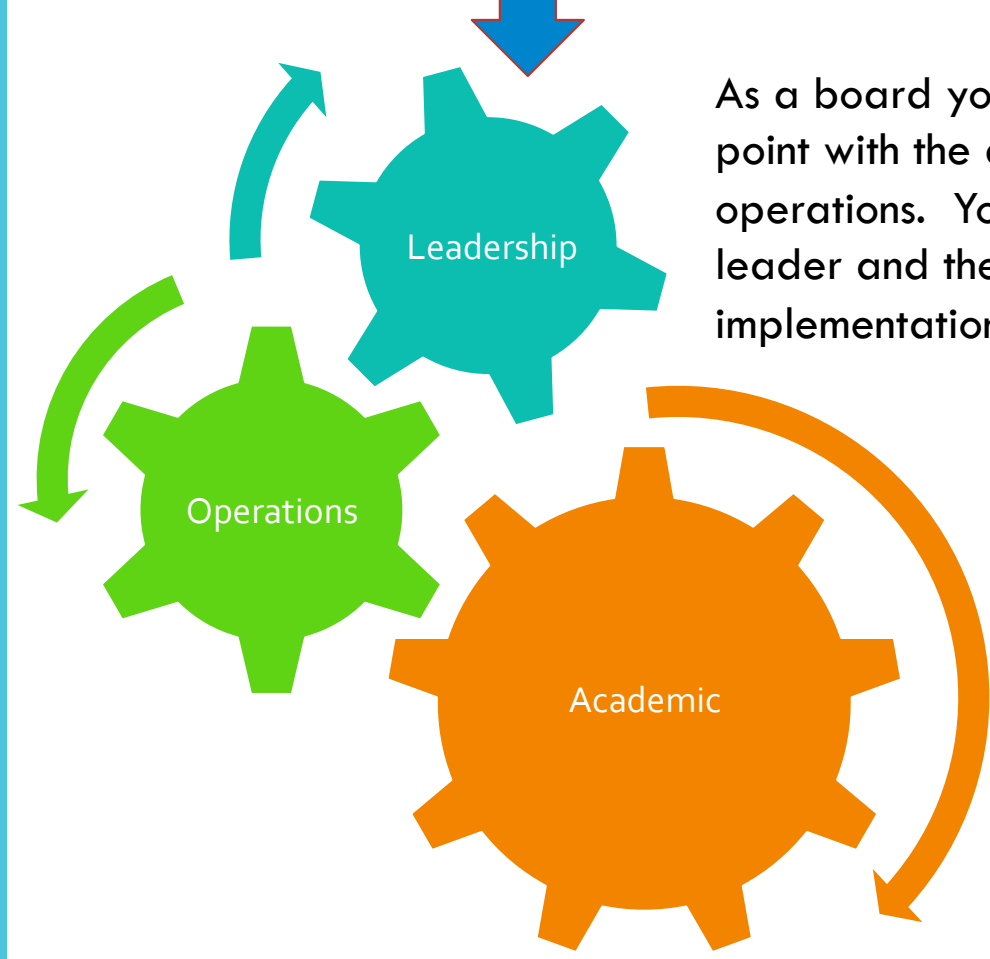
(E) A charter committee is responsible for and has the power to:

- (1) submit an application to operate as a charter school, sign a charter school contract, and ensure compliance with all of the requirements for charter schools provided by law;
- (2) employ and contract with teachers and nonteaching employees, contract for services, and develop pay scales, performance criteria, and discharge policies for its employees. All teachers whether certified or noncertified must undergo the background checks and other investigations required for certified teachers, as provided by law, before they may teach in the charter school; and
- (3) decide all other matters related to the operation of the charter school, including budgeting, curriculum, and operating procedures.

# Framework for Success

The Board acts as one. No individual board members acts alone.

**Governance**



As a board you have one touch point with the day to day operations. You hire a school leader and they oversee the implementation of the charter.

# Board Structure

**Must reflect your bylaws** – if you want to change it, it must amend bylaws and get approval from your sponsor as it is a material change. You may be able to make some adjustments through board resolution.

## **Board Officers**

Chairperson/President

Vice Chair/Vice President

Secretary

Treasurer

## **Committees--what is in your bylaws?**

- **Board Development Committee**—Look at gaps in skills on the board
- **Finance Committee**

# Who is ultimately responsible for the school?

- The key to effective governance lies in effective policy-making. It is not about the board controlling more or less, but controlling the *right things in the right way*.
- The board must hold the school leader strictly accountable for the policies it has stated.
- The board cannot hold the school leader accountable for the policies it has *not* stated, nor can it take on responsibilities that belong to the staff and administration.

# Sound Policy Structure

## Policy

- Adopted by the Board

## Related Procedures

- Developed and Implemented by Admin and Staff
- Clear Work Instructions
- Other Documentation



# Sound Policy Creation

- The board assigns a team to draft new policy
- Who would be key people to include?**
- Write policy draft
- Be careful not to be too detailed—the means belongs to the administrator. Recognize the difference between policy and procedure
- Ask legal counsel to review if pertinent
- Present policy draft to the board for approval
- Use samples and examples, but do not do adopt just any policy!**

## Policy Governance

Do you state in  
your bylaws or  
charter you  
will implement  
Policy  
Governance?

<http://www.carvergovernance.com/model.htm>

Policy Governance is a specific trademarked approach to governance.

“In contrast to the approaches typically used by boards, Policy Governance separates issues of organizational purpose (ENDS) from all other organizational issues (MEANS), placing primary importance on those Ends. Policy Governance boards demand accomplishment of purpose, and only limit the staff's available means to those which do not violate the board's pre-stated standards of prudence and ethics.”

# Legal and Ethical Expectations

Updated 2015

**Updated Language:** Charter school boards and employees must:

“(11) be subject to the ethics and government accountability requirements for public members and public employees as contained in Chapter 13, Title 8. For purposes of this subsection, employees of the charter school board are considered public employees. The charter contract in accordance with Section 59-40-60(B) must contain a statement of assurance of ethical compliance on behalf of the school.”

[http://www.scstatehouse.gov/sess121\\_2015-2016/prever/4084\\_20150602.htm](http://www.scstatehouse.gov/sess121_2015-2016/prever/4084_20150602.htm)

## **State Ethics Act and Code of Conduct**

- No person can use their official position for economic gain for himself or family.
- No person can use their position to influence a governmental decision. You cannot endorse candidates!
- Link to State Ethics Act:  
<http://www.scstatehouse.gov/code/t08c013.php>

# Nepotism

**SECTION 8-13-750.** Employment, promotion, advancement, or discipline of family member of public official, member, or employee. [SC ST SEC 8-13-750]

(A) No public official, public member, or public employee may cause the employment, appointment, promotion, transfer, or advancement of a family member to a state or local office or position in which the public official, public member, or public employee supervises or manages.

(B) A public official, public member, or public employee may not participate in an action relating to the discipline of the public official's, public member's, or public employee's family member.

**HISTORY:** 1991 Act No. 248, § 3, eff. January 1, 1992 and governs only transactions which take place after December 31, 1991.

## Common Pitfalls to Avoid

- Indecision – Decision making paralysis
- Too Much, Too Quick
- Parking Lot Board Meetings
- Nepotism
- Mishandling Conflict
- Founders Syndrome
- Lack of Continuity and Institutional Memory
- Personal Agendas
- Micromanagement
- Overly dependent on the Administrator
- Overextending Administrators
- Financial Mismanagement
- Lack of Policy Infrastructure
- Unqualified or Poorly Qualified Board Members

## Conflict Resolution Skills

The defeatist:

“We tried that before and it did not work.”  
Ask why they think it did not work then and have any of the circumstances changed. Do we have different resources, different employees, etc...? Work towards solutions.

The bully:

Keep the agenda tight and provide data so that all board members can make informed decisions.

The devoted parent:

Focus on the mission of the school. Can they make long term decisions for the good of the school?

## Board Responsibilities:

## What you really need to know as a board member

- Know your charter – What does it say?
- Know your bylaws – Do they need to be amended?
- Know your contract with your sponsoring district. Are you meeting expectations? Is the sponsor doing what they committed to?
- Know what is on the agenda. Did you read the board packet?
- Know how you are holding your school leader accountable and evaluating them. Are they meeting their goals for the year?

# Are we in compliance with the law?

What you need to know as a board member.



# SC Charter Schools Act

Already been to Board Orientation? Significant changes and additions were made to the act and signed into law in 2012 and 2014.



[Click here to link to the law](#)

# Charter Contract

## SECTION 59-40-40. Definitions.

- (g) "Charter school contract" means a fixed term, renewable contract between a charter school and a sponsor that outlines the roles, powers, responsibilities, and performance expectations for each party to the contract.

### SECTION 59-40-60.

- (B) A contract between the charter school and the sponsor must be executed and must reflect all provisions outlined in the application as well as the roles, powers, responsibilities, and performance expectations for each party to the contract. A contract must include the proposed enrollment procedures and dates of the enrollment period of the charter school. All agreements regarding the release of the charter school from school district policies must be contained in the contract. The Department of Education shall develop a contract template to be used by charter schools and the sponsor. The template must serve as a foundation for the development of a contract between the charter school and the sponsor.
- (C) A material revision of the terms of the contract between the charter school and the sponsor may be made only with the approval of both parties.

Remember:

- The charter application remains the guiding document.
- The contract is the signed agreement between the two boards – the Sponsor and the School.
- This will be developed upon approval or renewal.

I thought  
we were  
exempt  
from state  
and federal  
laws?

Well...

**SECTION 59-40-50.** Exemption; powers and duties; admission to charter school.

(A) Except as otherwise provided in this chapter, a charter school is exempt from all provisions of law and regulations applicable to a public school, a school board, or a district, although a charter school may elect to comply with one or more of these provisions of law or regulations.

**According to SECTION 59-40-50  
there are certain things you  
MUST do.**

Got it?

Same  
Health,  
Safety,  
Civil Rights,  
and  
Disability  
Rights

**According to SECTION 59-40-50 there are certain things you MUST do.**

A charter school must:

- adhere to the **same health, safety, civil rights, and disability rights requirements** as are applied to public schools operating in the same school district or, in the case of the South Carolina Public Charter School District or a public or independent institution of higher learning sponsor, the local school district in which the charter school is located;
- Example:  
Providing school lunch that meets federal requirements?  
Do you have a nutrition plan policy with related procedures that meet federal requirements?

Do we have  
to go 180  
days?

**According to SECTION 59-40-50 there are certain things you MUST do.**

A charter school must:

- meet, but may exceed, the **same minimum student attendance requirements** as are applied to public schools;

**A+ Tip:**

**Sorry – no extra money if you go extra days, but research shows it works.**

# Enrollment

According to SECTION 59-40-50 there are certain things you **MUST** do.

A charter school must:

(7) **admit all children eligible to attend public school to a charter school, subject to space limitations,** except in the case of an application to create a single gender charter school. **However, it is required that the racial composition of the charter school enrollment reflect that of the local school district in which the charter school is located or that of the targeted student population of the local school district that the charter school proposes to serve, to be defined for the purposes of this chapter as differing by no more than twenty percent from that population.** This requirement is also subject to the provisions of Section 59-40-70(D). **If the number of applications exceeds the capacity of a program, class, grade level, or building, students must be accepted by lot, and there is no appeal to the sponsor;**

# Enrollment Preference:

A charter school must:

**(8) not limit or deny admission or show preference in admission decisions to any individual or group of individuals, except in the case of an application to create a single gender charter school, in which case gender may be the only reason to show preference or deny admission to the school;**

a charter school may give enrollment priority to a sibling of a pupil currently enrolled and attending, or who, within the last six years, attended the school for at least one complete academic year. A public charter school shall give enrollment preference to students enrolled in the public charter school the previous school year. An enrollment preference for returning students excludes those students from entering into a lottery. A charter school also **may give priority to children of a charter school employee and children of the charter committee**, if priority enrollment for children of employees and of the charter committee does not constitute more than twenty percent of the enrollment of the charter school. In addition, a charter school located on a federal military installation or base where the appropriate authorities have made buildings, facilities, and grounds on the installation or base available for use by the charter school as its principal location also may give enrollment priority to otherwise eligible students who are dependents of military personnel living in military housing on the base or installation or who are currently stationed at the base or installation not to exceed fifty percent of the total enrollment of the charter school. This priority is in addition to the other priorities provided by this item, but no child may be counted more than once for purposes of determining the percentage makeup of each priority;

- Single Gender
- Siblings
- Up to 20% preference to employees and charter committee members
- Federal Military families if located on a base (currently one school).

# Racial Composition

## SECTION 59-40-70.

(D) In the event that the racial composition of an applicant's or charter school's enrollment differs from the enrollment of the local school district in which the charter school is to be located or the targeted student population of the local school district by more than twenty percent, despite its best efforts, the board of trustees or area commission from which the applicant is seeking sponsorship shall consider the applicant's or the charter school's recruitment efforts and racial composition of the applicant pool in determining whether the applicant or charter school is operating in a nondiscriminatory manner. **A finding by the board of trustees or area commission that the applicant or charter school is operating in a racially discriminatory manner justifies the denial of a charter school application or the revocation of a charter** as provided in this section or in Section 59-40-110, as may be applicable. A finding by the board of trustees or area commission that the applicant is not operating in a racially discriminatory manner justifies approval of the charter without regard to the racial percentage requirement if the application is acceptable in all other aspects.



# Enrollment

- (C)(1) If a charter school denies admission to a student, the student may appeal the denial to the sponsor. The decision is binding on the student and the charter school.
- (2) If a charter school suspends or expels a student, other charter schools or the local school district in which the charter school is located has the authority but not the obligation to refuse admission to the student.

So, what  
does this  
mean for  
our  
lottery?

- Have clear, consistent, and transparent enrollment and lottery procedures.

# What else do we need to know about enrollment?

Add to your board calendar:  
Have we informed the district of our enrollment procedures and dates for next year?

## Charter Act States

(A) A charter school sponsor shall:

10) provide to parents and the general public information about charter schools authorized by the sponsor as an enrollment option within the district in which the charter school is located to the same extent and through the same means as the district in which the charter school is located provides and publicizes information about all public schools in the district.

And:

A charter school shall notify its sponsor of its enrollment procedures and dates of its enrollment period no less than sixty days prior to the first day of its enrollment period.

# Student Access to Extracurricular and Athletics at Resident School

- (b) A charter school student is eligible to compete for, and if selected, participate in any extracurricular activities not offered by the student's charter school which are offered at the resident public school he would otherwise attend. A charter school student is eligible to compete for, and if selected, participate in an activity governed by the South Carolina High School League offered at the resident public school he would otherwise attend if the league governed activity is not offered at the student's charter school.
- (c) A charter school student is eligible for extracurricular activities at the student's resident public school consistent with eligibility standards as applied to full-time students of the resident public school.
- (d) A school district or resident public school may not impose additional requirements on a charter school student to participate in extracurricular activities that are not imposed on full-time students of the resident public school.
- (e) Charter school students shall pay the same fees as other students to participate in extracurricular activities.
- (f) Charter school students shall be eligible for the same fee waivers for which other students are eligible.

*Note: Please work with your local schools to make this a positive change in South Carolina. If there are grade requirements or other requirements please ensure data is properly released to the resident school in a timely manner. \_*

## FOIA vs. FERPA

## Family Education Rights and Privacy Act

**Know the difference!**

- Family Education Rights and Privacy Act is a federal law that governs the privacy of student records. Applies to all schools that receive federal funds.
- All charter schools are required to follow the requirements of FERPA with regard to student records.
- In general, **student records cannot be disclosed to third parties** without the consent of the parent (or student if 18 or older), except under limited circumstances.
- FERPA sets out the exceptions to this rule
- School must give notice to parents of their rights under FERPA-usually in student or parent handbook.

# Hiring for Success

It is your mission!

# Personnel Compliance

Review what your charter and terms of employment state.

## At-will Employees

The Charter School may choose to hire its teachers and staff as employees-at-will, which means that they can be fired for no reason at all unless there is a discriminatory reason and they may quit for any reason at all without any liability.

## Contract Employees

Under the statute, when determining hiring practices the Charter School may adopt hiring practices that the school district follows, which means that the teachers are hired contractually on a year-to-year basis.

The charter school may also decide to use the grievance procedures that are outlined pursuant to the statute under Article 5, Chapter 25 of Title 59, which allows a teacher to follow a grievance and termination procedure. This is not required for non-conversion schools, but schools may opt to.

# Do we have to hire a certified administrator?

According to SECTION 59-40-50 there are certain things you **MUST** do.

A charter school must:

- hire or contract for, in its discretion, administrative staff to oversee the daily operation of the school. At least one of the administrative staff must be certified or experienced in the field of school administration;
- Regs go on to state that the person must have at least one year of administrative experience.

**A+ Tip:**  
When hiring a school leader without SC certification ensure they are being mentored by a school leader with certification and participating in trainings. Write that into their terms of employment and have them report progress to the board.



## Hiring for Success

- The Board needs to follow the charter's hiring procedures along with applicable laws and common sense. This process must be aligned with the mission and culture of the school. All involved in the hiring process must understand the educational program and vision of the school.

# Do we have to hire certified teachers?

According to **SECTION 59-40-50** there are certain things you **MUST** do.

A charter school must:

- in its discretion hire noncertified teachers in a ratio of up to twenty-five percent of its entire teacher staff; however, if it is a converted charter school, it shall hire in its discretion noncertified teachers in a ratio of up to ten percent of its entire teacher staff. However, in either a new or converted charter school, a teacher teaching in the core academic areas as defined by the federal No Child Left Behind law must be certified in those areas or possess a baccalaureate or graduate degree in the subject he or she is hired to teach. Part-time noncertified teachers are considered pro rata in calculating this percentage based on the hours which they are expected to teach;

And in

- **SECTION 59-40-60. E)** ...All teachers whether certified or noncertified must undergo the background checks and other investigations required for certified teachers, as provided by law, before they may teach in the charter school;

## Hiring For Success

### Board Decisions - Benefits

Depends on fiscal decisions made at the board level and what is in the charter.

- State Retirement Plan
  - If you offer it - Full time and part time employees participate
  - Once in it, you must remain in it
- Other Retirement Plan options may be attractive to both the bottom line and employees
- State Health Plan--If you offer it all are eligible to participate
- Supplemental – Understand impact on education program

# School Leader Evaluation

- School Leader – It is the board’s responsibility to ensure there are clear performance expectations for their school leader developed prior to work commencing for that time period.
- School Leader evaluations should be aligned to the unique mission and vision of the school with clear accountability for the goals and objectives of the charter along with operations and finance.

# Fiscal Responsibilities and Charter Finance

Show me the MONEY!

What does it  
mean to be  
Fiscally  
Compliant?

## Section 59-40-110 (C)

(C) A charter **must** be revoked or **not renewed** by the sponsor if it determines that the charter school:

(3) failed to **maintain its books and records according to generally accepted accounting principles or failed to create an appropriate system of internal control, or both**

## Audit Requirements

### A+ Tip:

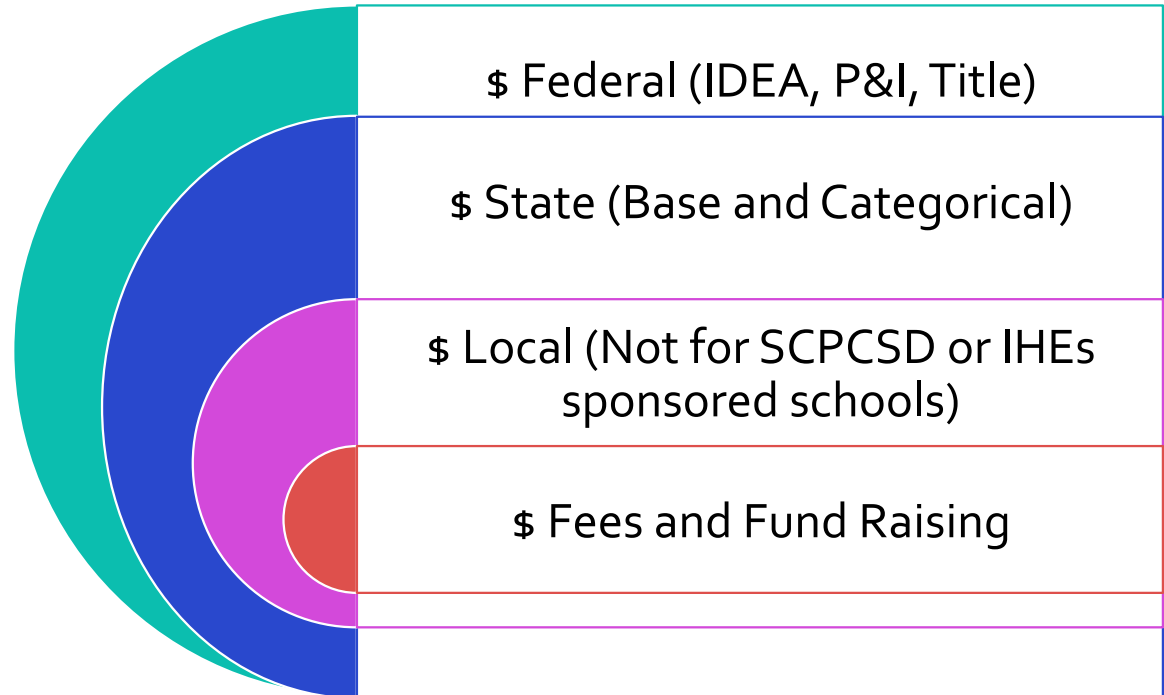
Please get the audit in on time and review it as a board. You paid for it. What does it say? Turn those into action items.

## Section 59-40-50. (B)

(3) adhere to the same financial audits, audit procedures, and audit requirements as are applied to public schools;

- Your annual audit is not an option!!
- Know the Due Dates
- Who performs the audit?
- SCDE has a Single Audit Guide

Funding  
aka  
Revenue





# The Funding Manual and Financial Accounting Handbook

## Revenues & Expenditures

Become familiar and know what funding the school is entitled to.

Link to Manuals

- <https://ed.sc.gov/finance/financial-services/manual-handbooks-and-guidelines/>

**Student Accountability Manual**

**Pupil Accounting Manual**

**PCS Manual**

**Funding Manuals**

- Programmatic spending guidelines
  - Salaries (100)
  - Fringe Benefits (200)
  - Purchased Services (300)
  - Supplies/Materials (400)
  - Capital Outlay (500)

# Base Funding for Charter School Students

## SCPCSD and IHEs

*Full Base Student Cost – for this year estimated to be \$ 2220.00*

*Plus Sustainable Funding Line –*

*Brick and Mortar - \$3600 per student  
– total base \$5820 per pupil*

*Virtual - \$1900 per student –total  
base \$4120 per pupil*

*Total increase was about \$12 million  
and growth is expected to be about  
the same this year.*

## Local Districts

*Based on previous year's audited  
revenues of sponsor district's  
general operating fund ÷ number of  
weighted pupil units in the district  
from the 135 day count of the  
previous year*

*Average across the state was is  
\$6100 in 2015*

*Note: When the base is cut mid year  
– Locally sponsored schools are cut  
that year and the next.*

# Base Funding Weights by Categories

FY15 Changes

|                                |      |
|--------------------------------|------|
| All Students (K-12)            | 1.00 |
| Trainable Mentally Handicapped | 2.04 |
| Speech                         | 1.90 |
| Homebound                      | 1.00 |
| Emotionally Handicapped        | 2.04 |
| Educable Mentally Handicapped  | 1.74 |
| Learning Disabled              | 1.74 |
| Hearing                        | 2.57 |
| Visual                         | 2.57 |
| Orthopedically Handicapped     | 2.04 |
| Autism                         | 2.57 |
| Residential Treatment          | 2.10 |
| Career and Technology          | 1.29 |

# Add On Weighting

|                             |        |  |
|-----------------------------|--------|--|
| Gifted and Talented         | + 0.15 | Gifted and talented students are students who are classified as academically or artistically gifted and talented or who are enrolled in Advanced Placement (AP) and International Baccalaureate (IB) courses in high school.   |
| Academic Assistance         | + 0.15 | Students in need of academic assistance are students who do not meet state standards in mathematics, English language arts, or both on state approved assessments in grades 3 through 12. The additional weight generates funds needed to provide additional instructional services to these students. |
| Limited English Proficiency | + 0.20 | Students with limited English proficiency are students who require intensive English language instruction programs and whose families require specialized parental involvement intervention.   |
| Pupils in Poverty           | + 0.20 | Students in poverty are students eligible for the free or reduced price Federal lunch program and/or are eligible for Medicaid.  |

## How the weightings work

### Child A

5800 base funding x 1.90 Speech + .20 PiP = **\$12,180**

### Child B

5800 base x 1.0 base + .15 GT + .20 ELL = **\$7,830**

# Enrollment Impacts Cash Flow

- Base Funding is distributed  $1/12$  of total each month and adjusted based on your Average Daily Membership (ADM) and Weighted Pupil Units (WPU)
- The Funding will be prorated reflecting the students and their weightings for the days enrolled at the school.
- Adjustments are made based on:
  - 5<sup>th</sup> day of school ADM should adjust funding for growing schools
  - Adjustment for 45<sup>th</sup>-day comes in December or January's check.
  - Adjustment for 135<sup>th</sup>-day comes in May or June's check.
- Documentation and coding of students is critical
- Do NOT overestimate students in your budget

## Fiscal Management: Revenue

Questions the board should be asking

- Is our base funding correctly reflecting our enrollment?
- What is our actual v. our budget?
- Is our data correct?

## State Categorical Funding

### Education Improvement Act

- Reading Coaches*
- Technology*
- Vocational*
- Professional Development*
- At Risk Student Funding*
- Teacher Supplies*
- National Board*
- K-8 Science Kits*
- Formative Assessments*
- Lottery*
- Education License Plates*



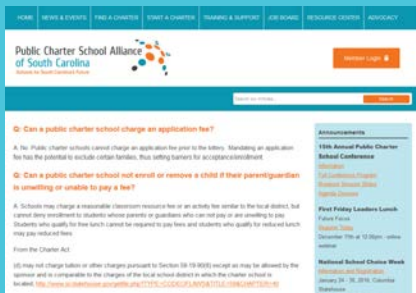
## Federal Categorical Funding

- IDEA is special education dollars.
- Title dollars are triggered by students population.
- Most federal funding is based on reimbursement – You must spend first, then get reimbursed.
- Claims must be accurate and complete.
- You are subject to federal audits and reviews of documents.

# FAQs - Fees

Check out more FAQs at

<http://www.sccharterschools.org/faq-s>



## Q: Can a public charter school charge an application fee?

A: No. Public charter schools cannot charge an application fee prior to the lottery. Mandating an application fee has the potential to exclude certain families, thus setting barriers for acceptance/enrollment.

## Q: Can a public charter school not enroll or remove a child if their parent/guardian is unwilling or unable to pay a fee?

A: Schools may charge a reasonable classroom resource fee or an activity fee similar to the local district, but cannot deny enrollment to students whose parents or guardians who can not pay or are unwilling to pay. Students who qualify for free lunch cannot be required to pay fees and students who qualify for reduced lunch may pay reduced fees.

From the Charter Act:

(d) may not charge tuition or other charges pursuant to Section 59-19-90(8) except as may be allowed by the sponsor and is comparable to the charges of the local school district in which the charter school is located;

<http://www.scstatehouse.gov/getfile.php?TYPE=CODEOFLAWS&TITLE=59&CHAPTER=40>

Education Statute 59-19-90(8)

(8) Charge matriculation and incidental fees. Charge and collect matriculation and incidental fees from students; however, regulations or policies adopted by the board regarding charges and collections must take into account the students' ability to pay and must hold the fee to a minimum reasonable amount. Fees may not be charged to students eligible for free lunches and must be reduced pro rata for students eligible for reduced price lunches;

<http://www.scstatehouse.gov/getfile.php?TYPE=CODEOFLAWS&TITLE=59&CHAPTER=19>

| FND | REV | Revenues | Budget                              | MTD                 | YTD                | Remaining           | %                   |               |
|-----|-----|----------|-------------------------------------|---------------------|--------------------|---------------------|---------------------|---------------|
| 1   | 100 | 1999     | Summer Enrichment                   | \$24,000.00         | \$6,000.00         | \$6,000.00          | \$18,000.00         | 75.00%        |
| 2   | 100 | 1920     | Contributions and Donations         | \$152.00            | \$152.00           | \$152.00            | \$0.00              | 0.00%         |
| 3   | 100 | 3312     | Education Finance Act (Primary)     | \$7,786.75          | \$648.90           | \$1,297.80          | \$6,488.95          | 83.33%        |
| 4   | 100 | 3313     | Education Finance Act (Elementary)  | \$47,940.80         | \$3,995.07         | \$7,990.14          | \$39,950.66         | 83.33%        |
| 5   | 100 | 3314     | Education Finance Act (High School) | \$81,248.65         | \$6,770.72         | \$13,541.44         | \$67,707.21         | 83.33%        |
| 6   | 100 | 3315     | Education Finance Act (TMH)         | \$13,288.46         | \$1,107.37         | \$2,214.74          | \$11,073.72         | 83.33%        |
| 7   | 100 | 3316     | Education Finance Act (SP)          | \$27,068.04         | \$2,255.67         | \$4,511.34          | \$22,556.70         | 83.33%        |
| 8   | 100 | 3321     | Education Finance Act (EH)          | \$319,687.83        | \$26,640.64        | \$53,281.28         | \$266,406.55        | 83.33%        |
| 9   | 100 | 3322     | Education Finance Act (EMH)         | \$51,208.09         | \$4,267.34         | \$8,534.68          | \$42,673.41         | 83.33%        |
| 10  | 100 | 3323     | Education Finance Act (LD)          | \$37,509.11         | \$3,125.76         | \$6,251.52          | \$31,257.59         | 83.33%        |
| 11  | 100 | 3326     | Education Finance Act (OH)          | \$8,795.24          | \$732.94           | \$1,465.88          | \$7,329.36          | 83.33%        |
| 12  | 100 | 3331     | Education Finance Act (AU)          | \$2,890.51          | \$240.88           | \$481.76            | \$2,408.75          | 83.33%        |
| 13  | 100 | 3399     | Education Finance Act (OHI)         | \$51,941.96         | \$4,334.50         | \$8,663.00          | \$43,278.96         | 83.32%        |
| 14  | 203 | 4510     | IDEA                                | \$63,233.00         | \$0.00             | \$0.00              | \$63,233.00         | 100.00%       |
| 15  | 203 | 4510     | IDEA (GH)                           | \$90,756.00         | \$0.00             | \$0.00              | \$90,756.00         | 100.00%       |
| 16  | 300 | 3501     | Increase High School Diploma        | \$3,378.00          | \$0.00             | \$0.00              | \$3,378.00          | 100.00%       |
| 17  | 377 | 3577     | Teacher Supplies                    | \$500.00            | \$0.00             | \$0.00              | \$500.00            | 100.00%       |
| 18  | 391 | 3591     | Excellence in Middle Schools        | \$1,070.00          | \$0.00             | \$0.00              | \$1,070.00          | 100.00%       |
| 19  | 927 | 3117     | EEDA 8th Grade Awareness            | \$106.00            | \$0.00             | \$0.00              | \$106.00            | 100.00%       |
| 20  |     |          | <b>Total Revenue</b>                | <b>\$832,560.45</b> | <b>\$60,271.79</b> | <b>\$114,385.58</b> | <b>\$718,174.87</b> | <b>86.26%</b> |

| FND | FCT | OBJ | Expenditures - Instruction            | Budget       | MTD         | YTD         | Remaining    | %       |
|-----|-----|-----|---------------------------------------|--------------|-------------|-------------|--------------|---------|
| 21  | 100 | 112 | 110 Teacher Salaries                  | \$173,180.00 | \$11,918.58 | \$30,153.18 | \$143,026.82 | 82.59%  |
| 22  | 100 | 112 | 115 Teacher Assistant Salaries        | \$56,150.00  | \$4,319.24  | \$8,638.48  | \$47,511.52  | 84.62%  |
| 23  | 100 | 112 | 210 Group Health & Life Insurance     | \$27,457.32  | \$2,727.23  | \$4,362.59  | \$23,094.73  | 84.11%  |
| 24  | 100 | 112 | 230 Social Security                   | \$17,543.75  | \$1,526.20  | \$3,535.53  | \$14,008.22  | 79.85%  |
| 25  | 100 | 112 | 260 Unemployment Compensation Tax     | \$2,142.00   | \$0.00      | \$128.61    | \$2,013.39   | 94.00%  |
| 26  | 100 | 112 | 270 Worker's Compensation Tax         | \$1,592.54   | \$0.00      | \$668.50    | \$924.04     | 58.02%  |
| 27  | 100 | 112 | 311 Instructional Services            | \$8,500.00   | \$195.00    | \$195.00    | \$8,305.00   | 97.71%  |
| 28  | 100 | 112 | 410 Instructional Supplies            | \$15,500.00  | \$2,234.75  | \$2,534.75  | \$12,965.25  | 83.65%  |
| 29  | 100 | 112 | 420 Instructional Textbooks           | \$10,000.00  | \$3,361.36  | \$3,361.36  | \$6,638.64   | 66.39%  |
| 30  | 100 | 112 | 446 Instructional Software & Supplies | \$1,000.00   | \$0.00      | \$0.00      | \$1,000.00   | 100.00% |
| 31  | 100 | 112 | 540 Instructional Equipment           | \$1,500.00   | \$615.45    | \$615.45    | \$884.55     | 58.97%  |
| 32  | 100 | 112 | 545 Instructional Cap Computers       | \$9,500.00   | \$0.00      | \$0.00      | \$9,500.00   | 100.00% |
| 33  | 100 | 120 | 110 Exceptional Teacher Salaries      | \$90,460.00  | \$685.87    | \$11,316.65 | \$79,143.35  | 87.49%  |
| 34  | 100 | 120 | 210 Group Health & Life Insurance     | \$10,176.22  | (\$151.78)  | \$676.54    | \$9,499.68   | 93.35%  |
| 35  | 100 | 120 | 230 Social Security                   | \$7,698.67   | \$11.05     | \$782.88    | \$6,915.79   | 89.83%  |
| 36  | 100 | 120 | 260 Unemployment Compensation Tax     | \$1,190.00   | \$0.00      | \$517.33    | \$672.67     | 56.53%  |
| 37  | 100 | 120 | 270 Worker's Compensation Tax         | \$1,473.99   | \$0.00      | \$1,353.70  | \$120.29     | 8.16%   |
| 38  | 203 | 120 | 110 IDEA Teacher Salaries             | \$38,000.00  | \$5,846.16  | \$5,846.16  | \$32,153.84  | 84.62%  |
| 39  | 203 | 120 | 210 Group Health & Life Insurance     | \$5,906.78   | \$0.00      | \$0.00      | \$5,906.78   | 100.00% |
| 40  | 203 | 120 | 230 Social Security                   | \$2,907.00   | \$447.23    | \$447.23    | \$2,459.77   | 84.62%  |

| FND | FCT | OBJ | Expenditures - Support Services       | Budget                  | MTD                | YTD                  | Remaining           | %             |         |
|-----|-----|-----|---------------------------------------|-------------------------|--------------------|----------------------|---------------------|---------------|---------|
| 72  | 100 | 256 | 460                                   | Food Services           | \$200.00           | \$0.00               | \$0.00              | \$200.00      | 100.00% |
| 73  | 100 | 263 | 359                                   | Marketing & Advertising | \$2,000.00         | \$615.00             | \$1,215.00          | \$785.00      | 39.25%  |
| 74  | 100 | 271 | 660                                   | Field Trips             | \$1,500.00         | \$309.00             | \$309.00            | \$1,191.00    | 79.40%  |
| 75  |     |     | <b>Total Support Services Expense</b> | <b>\$222,637.62</b>     | <b>\$9,492.61</b>  | <b>\$35,604.95</b>   | <b>\$187,032.67</b> | <b>84.01%</b> |         |
| 76  |     |     | <b>Total Expenditures</b>             | <b>\$816,191.11</b>     | <b>\$57,581.25</b> | <b>\$125,091.19</b>  | <b>\$691,099.92</b> | <b>84.67%</b> |         |
| 77  |     |     | <b>FY-08 Budget Balance</b>           | <b>\$16,369.34</b>      | <b>\$2,690.54</b>  | <b>(\$10,705.61)</b> |                     |               |         |
| 78  |     |     | <b>FY-07 Cash Balance</b>             | <b>\$235,565.64</b>     |                    | <b>\$235,565.64</b>  |                     |               |         |
| 79  |     |     | <b>Fund Balance</b>                   | <b>\$251,934.98</b>     |                    | <b>\$224,860.03</b>  |                     |               |         |

# Budget Workshop Tips

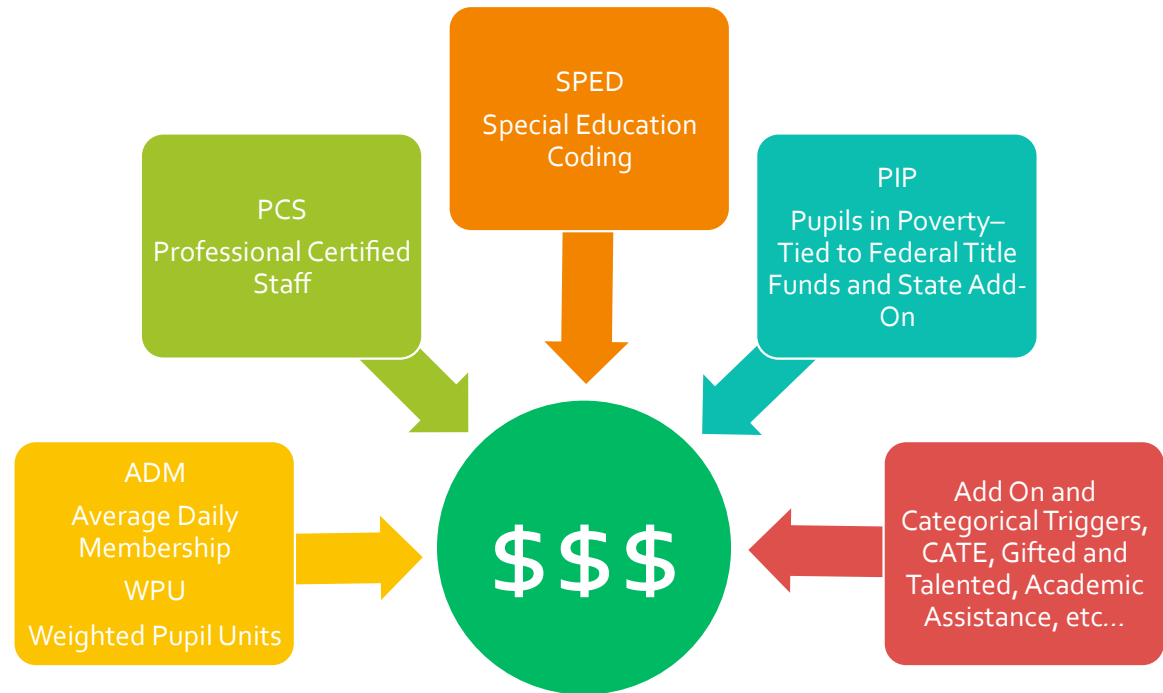
- Review goals and objectives of charter. Where are there gaps in achievement? Research where you can have the most impact.
- Look at your historical data and projected growth
- Consider involving a team of administrators, board members, and educators.



# Fiscal Management -Expenditures

- **Staffing**—Account for 65-67% of total expenditures
- **Facilities**—generally about 20% portion of your expenditures
- **Instructional**—allocated funds to weighted classifications must be spent as direct and indirect aid to those who generated those funds.
- **Administration** – needs to be aligned with other schools. IRS checks.

No Data =  
No Money



This documents the importance of your data clerk – not a minimum wage job. They control your bottom line.



# Establish Sound Fiscal Policies

## Internal Fiscal Controls

A system of policies and procedures that protect the assets of an organization, create reliable financial reporting, promote compliance with laws and regulations, and achieve effective and efficient operations.

## Establish Internal Fiscal Controls

- Budgeting
- Cash Receipts (Cash, Checks, Teachers, Fundraisers, Athletics)
- Deposits
- Petty Cash
- Disbursements
- Payroll
- Fixed Assets
- Electronic Data Processing
- Audit Ready 365 days a year

# Fiduciary Responsibilities

- Sound Fiscal policies and management
- Realistic and accurate budget creation
- Close oversight by multiple parties
- Make adjustments when necessary
- Always ask questions—NEVER assume absolute expertise

## Standards of Noncompliance

- Failure to monitor and understand budget
- Failure to account for spending
- Failure to ask the important questions
- Failure to make critical financial decisions
- Deferral of fiduciary responsibility
- Lack of timely annual audit

# Categorical Funds and Inventory

- **Distribution of categorical funds within 10 days**

**Section 59-49-140 (D)** After receipt of federal or state categorical aid funds, sponsors shall, within ten business days, supply to the charter school the proportional share of each categorical fund for which the charter school qualifies. If the sponsor fails to do so, the Department of Education may fine the sponsor an amount equivalent to the withheld amounts. Fines imposed must be remitted to the charter school from which the amounts were withheld.

You can find the monthly payments to districts here:

<http://ed.sc.gov/finance/financial-services/payment-information/monthly-payments-to-districts/>

- **Keep fixed asset inventory**

(e) is subject to the same fixed asset inventory requirements as are traditional public schools.

# Exempt from Property Tax if school is Renting or Owning

- H4871 provides property tax exemption for charters renting from for-profit landlords.
- [http://www.scstatehouse.gov/sess120\\_2013-2014/prever/4871\\_20140520.htm](http://www.scstatehouse.gov/sess120_2013-2014/prever/4871_20140520.htm)

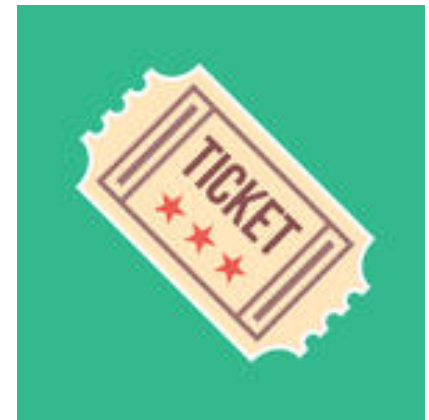
## Fundraising – Who is responsible?

- Who created the budget?
- Who came up with that amount?
- Is it reasonable?
- Is there a coordinated fundraising plan?
- Who is coordinating the PTO, booster club, student fundraisers?
- Are revenue projections and expenditures aligned to reflect reality monthly/quarterly?

# Raffles – Do you want to take a chance?

Raffles are NOW legal, but there is a lot of paperwork to fill out before you start selling those raffle tickets.

- The SC legislature has ratified a constitutional amendment to allow nonprofit organizations to conduct raffles in the state of SC beginning April 4, 2015. Before you start raffling, please read the intel here: <http://www.sos.sc.gov/Raffles>





## EXEMPT AND NONEXEMPT RAFFLES AT A GLANCE

| REQUIREMENTS/RESTRICTIONS   | EXEMPT RAFFLES   | NONEXEMPT RAFFLES   | NOTES   |
|---|--|---|---|
| Must file raffle registration form with Secretary of State.                             | No   | Yes   | An organization may conduct both exempt and nonexempt raffles if it registers with the Secretary of State.  |
| Must file annual raffle financial report with Secretary of State.                       | No   | Yes   | If an organization conducts both exempt and nonexempt raffles, only nonexempt raffles must be included in the annual raffle financial report.   |
| Restrictions on prize offerings   | The prizes must be donated, noncash prize(s) valued at \$500.00 or less for the raffle event;<br>-or-<br>The raffle must be a fifty-fifty raffle in which the total proceeds do not exceed \$950.00. | Each individual prize must be valued at \$40,000.00 or less.<br><br>The total value of all prizes offered at a raffle event cannot exceed \$250,000.00. |   |
| Restrictions on number of raffles held  | No more than one raffle every seven days.  | Only four raffles per year.   |   |
| Must meet all of the statutory requirements for conducting raffles under §33-57-120(A). | Yes  | Yes   | These statutory requirements include: <ul style="list-style-type: none"> <li>• The nonprofit organization must be either a tax-exempt organization or a class, department or organization of an educational institution.</li> <li>• The nonprofit organization must be operated for one or more of the following purposes: religious; charitable; scientific; literary; educational; amateur sports (but not providing facilities or equipment); and prevention of cruelty to children or animals.</li> <li>• The nonprofit organization must be in compliance with the registration provisions of the Solicitation of Charitable Funds Act.</li> </ul> |

State of South Carolina Office of the Secretary of State

The Honorable Mark Hammond

1205 Pendleton Street, Suite 525, Columbia SC 29201 • Division of Public Charities  
Telephone (803) 734-1790 • Fax (803) 734-1604 • [www.sos.sc.gov](http://www.sos.sc.gov) • [charities@sos.sc.gov](mailto:charities@sos.sc.gov)

The 990:

Your School's  
equivalent of  
a "Tax  
Return" for  
the IRS and  
stakeholders

- The IRS form for 501c3s
- Typically done at the same time as your audit.
- Searchable Public Record with all board member names on it **forever.**
- All 990s are stored at [Guidestar.org](https://www.guidestar.org)

*Your Role on  
the board -  
Building  
Capacity of  
your Charter  
School while  
avoiding  
possible  
closure.*

- Be excellent stewards of public funds.
- Allocate resources responsibly and aligned with the mission of the school.
- Understand your budget – have a balanced budget
- Maintain adequate cash flow
- Demonstrate compliance with state/ federal laws regarding funding
- Create clear systems of checks and balances.
- Maintain auditable financial records
- Financial Viability is a MUST!



# Accountability – Student Achievement

Student achievement data should be driving decision making from the classroom to the boardroom.

# Annual Reporting Requirements

*Boards should use this report as well.*

## Section 59-40-140

(H) A charter school shall report to its sponsor and the Department of Education any change to information provided under its application. In addition, a charter school shall report at least annually to its sponsor and the sponsor shall compile those reports into a single document which must be submitted to the department. The Department of Education shall develop a template to be used by charter schools for this annual report. The report shall provide all information required by the sponsor or the department and shall include, at a minimum,

(1) the number of students enrolled in the charter school from year to year;

(2) the success of students in achieving the specific educational goals for which the charter school was established;

(3) an analysis of achievement gaps among major groupings of students in both proficiency and growth;

(4) the identity and certification status of the teaching staff;

(5) the financial performance and sustainability of the sponsor's charter schools; and

(6) board performance and stewardship including compliance with applicable laws.

<https://ed.sc.gov/districts-schools/school-choice-innovation/charter-schools-program/>

## Performance Management

Know what your school is being held accountable for in:

- The charter
- The contract
- The performance framework
- State and federal requirements

***What information do you want reported at your board meetings or in your board packets?***

***"The act of defining what is worth measuring comes down to defining mission."***

*The Strategic Management of Charter Schools: Frameworks and Tools for Educational Entrepreneurs, 2011.*

## Is the school fulfilling its mission?

- Does the board have the information, data, and skills to determine if the school is fulfilling its original mission and vision?
- Is the school meeting the goals and objectives in the charter, contract, and performance framework (hopefully those align)?
- What achievement gaps exist at the school? And what is being done to close them?
- How is the leader communicating this information with the board at meetings or in the board packets?
- How is academic achievement information being shared with the public?

# Compliance with Educational Programs

- From the moment a charter school application is approved, its leaders enter into a pact, providing accountability for high student achievement in exchange for autonomy.
- Be proactive about amending your charter if needed.
- Have clear accountability on how Special Education services are being provided at your school. The districts can provide services, funding or a combination of both. Ensure your school leader is properly staffing or contracting to meet the needs of the IEPs.



# Alignment with State Standards

- New Standards – How will they be adopted. Is money budgeted?
- What is the annual process to align with any changes?
- Is it a text book adoption year? Are we using state adopted text books and/or purchasing other curriculum related resources?
- Link to SC **Academic Standards and Practices:**  
<https://ed.sc.gov/agency/se/Instructional-Practices-and-Evaluations/>

## State Testing Programs

### State Assessments...still changing

#### Third through Eighth Grade

- SC READY English Language Arts and math
- SC PASS in Social Studies and Science.

#### High School

- All 11<sup>th</sup> Graders will take WorkKeys and ACT
- EOC – End of Course Exams.

## State Testing and the Board

- A summary of State Testing should be given in report form to the Board **as data becomes available.**
- SC received a waiver from the US Department of Education 3 years ago. This moved schools from AYP (adequate yearly progress) to the letter grading system.
- A review of The State of South Carolina Annual School Report Card should be done when issued. Available here: <http://ed.sc.gov/data/report-cards/>

## How is the board using data?

- What could your budget workshop look like if you had access to data that helped you prioritize where you need to allocate resources?
- How have you proactively shift gears mid-year to better address needs?
- What data do you need as a board?

# Community Relations: How is academic achievement information being shared with the public?

- Are you telling your story?
  
- If you aren't, who is?
  - Great Schools - <http://www.greatschools.org>
  - State Report Cards - <http://ed.sc.gov/data/report-cards/>
  - Disgruntled parents on Facebook
  
- Your school needs to have a community relations plan and someone specifically tasked with communications – engaging internal stakeholders and external stakeholders.

## State Testing and Public Relations

### Public Relations:

- Positive Data - Articulate to the public how well the school is doing based on testing results and school report card. Use these as your marketing tools.
- Data with room for Improvement – Be able to explain the solutions you are bringing to the table to improve student achievement. Be able to document growth with your benchmark data.

# Wrap up



# Amending Your Charter

- The charter is meant to be a fluid document that needs to be amended from time to time to stay current.
- Any amendments need to be approved by the charter board and the sponsor board.
- All amendments must be submitted to the SCDE.



# Charter Renewal

- Charter contracts are for 10 years in South Carolina
- A time to reflect on successes and challenges
- Redraft or update your charter and contract.
- Submit any changes to your charter document to SCDE.

# Revocation

(C) A charter must be revoked or not renewed by the sponsor if it determines that the charter school:

(1) committed a material violation of the conditions, standards, performance expectations, or procedures provided for in the charter application or charter school contract, or both;

(2) failed to meet the academic performance standards and expectations as defined in the charter application or charter school contract, or both

(3) failed to maintain its books and records according to generally accepted accounting principles or failed to create an appropriate system of internal control, or both or

(4) violated any provision of law from which the charter school was not specifically exempted.

# Revocation

(D) A sponsor summarily may revoke any charter school that is determined by the sponsor to pose an imminent threat of harm to the health or safety of students, or both, based on documented and clear and convincing data.

(E) Any charter school shall automatically and permanently close at the conclusion of the school year in which the school first becomes subject to automatic closure for receiving the lowest performance level rating as defined by the federal accountability system for three consecutive years beginning with student achievement data from the 2013-2014 school year. The determination of closure is considered final. Automatic closure shall not apply to any charter school serving fifty percent or more students with disabilities or any charter school designated as an Alternative Education Campus (AEC) by its sponsor as outlined in Section 59-40-111.

## Final Reason for Revocation: Operating in a racially discriminatory manner

### SECTION 59-40-70.

(D) In the event that the racial composition of an applicant's or charter school's enrollment differs from the enrollment of the local school district in which the charter school is to be located or the targeted student population of the local school district by more than twenty percent, despite its best efforts, the board of trustees or area commission from which the applicant is seeking sponsorship shall consider the applicant's or the charter school's recruitment efforts and racial composition of the applicant pool in determining whether the applicant or charter school is operating in a nondiscriminatory manner. **A finding by the board of trustees or area commission that the applicant or charter school is operating in a racially discriminatory manner justifies the denial of a charter school application or the revocation of a charter** as provided in this section or in Section 59-40-110, as may be applicable. A finding by the board of trustees or area commission that the applicant is not operating in a racially discriminatory manner justifies approval of the charter without regard to the racial percentage requirement if the application is acceptable in all other aspects.

# Alphabet Soup

## *The Acronyms of Education*

- FAPE – Free and Appropriate Public Education
- FERPA – Federal Educational Rights and Privacy Act
- FMLA – Family and Medical Leave Act
- FOIA – Freedom of Information Act
- FTE – Full Time Equivalent
- FBA – Functional Behavioral Assessment
- IDEA – Individuals with Disabilities Education Act
- IEP – Individualized Education Plan
- OCR – Office of Civil Rights
- OCTP – Office of Career and Technical Preparation
- OSF - Office of School Facilities
- PCSASC – Public Charter School Alliance of South Carolina
- SCDE – South Carolina Department of Education
- SCPCSD – South Carolina Public Charter School District

# One more A + Advocacy

The most important advocacy  
you can do:

Develop a highly effective  
public charter school that is  
fulfilling the mission and closing  
achievement gaps.

Without that we can not have  
conversations about equitable  
funding or facilities.



## Are You:

- Being excellent stewards of public funds? Are you using resources wisely?
- Advancing the mission of your school? Creating a culture that will sustain and advance the mission of your school for years to come?
- Staying compliant with all federal, state, non-profit and charter laws?
- Balancing governance v. management with school leadership?

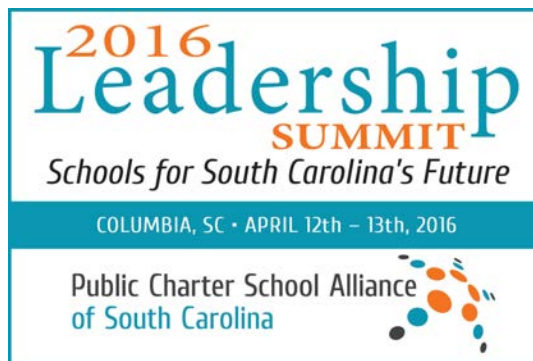


# Events and Training:

CELEBRATING



OF CHARTERING SCHOOLS  
IN SOUTH CAROLINA



## Leadership Summit

April 12-13

Columbia, SC

## 16<sup>th</sup> Annual Charter Conference

Nov 16-17

Columbia, SC

## Advanced Board Training Opportunities:

Fundraising

Policy Development

Leader Evaluation

Strategic Planning

Self-Evaluation Tools

School Leader Evaluation Support

Charter Renewal

For registration information visit  
[www.SCCharterSchools.org](http://www.SCCharterSchools.org)



# Questions?



- Please complete the evaluation form that is emailed to you or you download online on the board webpage.
  - Find the slides and form here:  
<http://www.sccharterschools.org/board-training-and-elections>
  - Contact information
    - Mary.Carmichael@sccharterschools.org
    - Carol.Aust@sccharterschools.org
- 800-691-7133



# *Thank you for your service!*

Great charter boards make great schools possible for students.

Please Complete the Evaluation Form for Your Records:  
[https://scde.formstack.com/forms/form\\_1\\_form\\_12](https://scde.formstack.com/forms/form_1_form_12)

Public Charter School Alliance  
of South Carolina  
Schools for South Carolina's Future

