

ARTICLE IV – BOARD OF DIRECTORS, CHARTER GOVERNING BOARD

Section 4.1. Management. The Charter Governing Board means the governing body of the Charter School and also shall be the Board of Directors of the Corporation. The business and affairs of the Corporation shall be managed by the Board of Directors (hereinafter sometimes referred to as the “Board”). The members shall act only through the duly constituted Board.

Section 4.2. Responsibilities. The Board’s responsibilities include, but are not limited to, the following:

- a) sign the Charter School Contract;
- b) ensure compliance with all of the requirements for a charter school as provided by the SCCS Act;
- c) make every effort to maintain a positive working relationship with the Sponsoring School District;
- d) comply with all Federal and South Carolina laws;
- e) develop strategic plans for the School;
- f) adopt and approve the annual budget of the School;
- g) assist in fund raising activities for the School;
- h) validate all major contracts with the School by giving and recording formal approval;
- i) employ and contract with teachers, administrators, and non-teaching employees;
- j) evaluate the Principal/Director of the school at least annually;
- k) ensure that all personnel undergo background checks and fingerprinting prior to hiring;
- l) contract for all other services for the School;
- m) develop pay scales, performance criteria; and discharge policies for the Charter School employees;
- n) approve operating procedures for the School;
- o) ensure that the curriculum fulfills the mission statement of the School;
- p) hear appeals for teacher dismissals and student expulsions;
- q) build and maintain a parent, educator, and community partnership;
- r) ensure that the School will adhere to the same health, safety, civil rights, and disability rights as required by the Sponsoring School District;
- s) develop and adopt policies and procedures of the school;
- t) oversee and assure the financial health of the School; and
- u) perform any and all necessary legal acts to effectuate the purpose of the Corporation.

The faculty of the School, under the direction of the Director/Lead Teacher and Lead Teacher, shall be responsible for the development of the School’s curriculum and teaching methods, consistent with the mission of the School.

Section 4.3. Composition and Election. The School will recruit as Members of the Board those persons who qualify under the SCCS Act and demonstrate commitment to the School’s mission. The Board shall consist of at least (8) Members of the Board. The Members of the

Board shall be elected annually by the parents or guardians of students enrolled in the School and the employees of the School pursuant to the SCCS Act. Parents or guardians of a student shall have one vote for each student enrolled in the charter school; parents and guardians within each family will determine who will cast that vote. Each employee is given one vote. Members of the Board shall be elected by a plurality of the votes cast. Eligible voters will vote on the entire Board. The Board will be elected at large.

The one year term for each member shall begin at the Annual Meeting and expire at the Annual Meeting of the following year. Elections shall be held and results posted by October 15th for the current school year.

Section 4.4. Annual and Regular Meetings. The Annual Meeting of the Board shall be held on the second Tuesday in November of each year. The Board shall also meet regularly with a quorum present at least eleven (11) times each year. An annual schedule of regular meetings shall be adopted, published, and posted at the school office and provided to local media in August of each year. Meetings of the Board shall be general meetings and open for the transaction of any business within the powers of the Board without special notice of such business except in any case where special notice is required by law or by the Bylaws. All meetings are open to the public.

Section 4.5. Special and Emergency Meetings. Special meetings of the Board shall be called at any time by the Secretary upon the written request delivered to the Secretary by electronic mail (e-mail) of either the Chairperson or three (3) Members of the Board upon twenty-four (24) hours notice posted and delivered to all members and local news media. Meetings shall be held at the place stated in the notice and shall be open to the public. Emergency meetings may be called at the discretion of the Chairperson. An emergency meeting may be held without notice, so long as there is a quorum.

Section 4.6. Place and Time of Meetings. All meetings of the Board shall be held at such place or places within the State of South Carolina and at such times as shall be specified in the specific notices of such meetings.

Section 4.7. Notice of Meetings. Notices of meetings of the Board, along with an agenda, shall be posted in the School and provided to the public in accordance with the requirements of the Freedom of Information Act.

Section 4.8. Open Meetings and Administrative Records. All official actions and all deliberations undertaken by a quorum of the Board shall take place at a meeting open to the public, as provided in the Freedom of Information Act, except in cases where executive sessions are authorized pursuant to the Freedom of Information Act.

Section 4.9. Quorum and Voting. In all meetings of the Board, the presence of a majority of the Members of the Board shall be necessary and sufficient to constitute a quorum. Unless

otherwise provided by law or by the Bylaws, the act of a majority of the Members of the Board present shall be the act of the Board. In the absence of a quorum, no business shall be transacted except to take measures to obtain a quorum, fix a time to adjourn, or to take a recess.

Meetings of the Board may be conducted informally, but all decisions of the Board will be taken by vote. At the request of any member, any meeting or action within a meeting will be conducted in accordance with the procedures outlined in the then current edition of Robert's Rules of Order except when they conflict with these Bylaws.

Section 4.10. Resignation and Removal of Members of the Board. Any Member of the Board may resign at any time during the elected year of service. Any Member of the Board may be removed at any time with cause at any meeting of the Board by a vote of the Board of Directors called for that purpose. Cause will be considered failure to organize or neglect of duty according to the SCCS Act. Members of the Board shall be expected to attend at least seventy-five percent (75%) of all Board meetings and seventy-five percent (75%) of meetings of the committee or committees on which he or she has agreed to serve. Failure to attend meetings as outlined herein may be cause for removal of a Member of the Board. A Member of the Board shall be removed for conviction of a felony crime or a crime of moral turpitude.

Section 4.11. Vacancies. In the event any vacancy occurs on the Board, the Chair shall call an election for a new Member of the Board to be held within fifteen (15) days. The election shall be held pursuant to the SCCS Act, and as provided for in these Bylaws. The replacement Member of the Board shall serve for the remainder of the unexpired term of the Member of the Board whose departure created the vacancy. In the event that there can be no quorum due to vacancies on the Board, the Chairperson may appoint temporary Members of the Board who will serve until such time that an election can be held.

Section 4.12. Compensation and Expenses. Members of the Board shall serve without compensation but may be reimbursed for expenses incurred when acting at the request of and on behalf of the Board.

Section 4.13. Qualifications of the Board of Directors. Members of the Board shall qualify under all requirements of the SCCS Act. A person who has been convicted of a felony must not be elected to the Board of Directors.

Section 4.14. Charter Committee. The Corporation's Charter Committee shall serve as an interim board until the first election is held at the first Annual Meeting in November 2010. The Charter Committee is 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.