

Local Board Policy #003 Functions of the Board

Legislative

The Board of Trustees shall exercise leadership through its rule-making power by adopting Board procedures and policies for the organization and operation of the SusQ-Cyber Charter School. Those procedures and policies which are not dictated by the statutes, or regulations of the State Board, or ordered by a court of competent authority may be adopted, amended or repealed at any meeting of the board, provided the proposed adoption amendment or repeal has been proposed at a previous Board meeting and has remained on the agenda of each succeeding board meeting until approved or rejected.

Changes in a proposed Board procedure or policy, except for minor editorial revisions, at the second reading shall cause that reading to constitute a first reading.

The Board may, upon a majority vote, cause to suspend at any time the operation of a Board procedure or policy, provided the suspension does not conflict with legal requirements. Such suspension shall be effective until the next meeting of the Board unless an earlier time is specified in the motion to suspend.

Board procedures and policies shall be adopted, amended or repealed by a majority vote of the Board.

The adoption, modification, repeal or suspension of a Board procedure or policy shall be recorded in the minutes of the Board meeting. All current procedures and policies shall be maintained in the Board Policy Manual and disseminated appropriately.

The Board has the authority and responsibility to act only when a quorum is present at a duly called regular or special meeting. Individual Board members exercise the authority and responsibility of the Board membership position only when the Board is in legal session. The Board will not be bound in any way by any statement or action on the part of any individual Board member, except when such statement or action is in pursuance of special instruction from the Board as a whole.

The public has the right to expect Board members to be able to discuss school matters with understanding and board members have a right to expect access to general information which makes it possible to be informed about school affairs. When Board members are seeking information about special problems, they should ask the CEO to investigate the matter. When individuals or groups confront a single Board member with a problem or complaint which should be handled by the CEO or another of the administrators, Board members should present the problem to the CEO and expect a reply on what actions were taken. Individual Board members should only promise the individual or group that their problem will be investigated and they will be informed of what decision is made pertaining to the problem. The CEO shall be the point of contact between the charter school employees and the Board.

Executive

The Board shall exercise its executive power by the appointment of a Chief Executive Officer, who shall enforce the statutes of the Commonwealth, the regulations of the State Board of Education, the policies of the Board, and all other applicable laws and regulations.

The CEO shall be responsible for implementing Board policies and establishment of administrative regulations for the operation of the charter school that are not inconsistent with state and federal statutes or regulations; are dictated by the policies of this Board; are binding on charter school employees and students when issued; and shall be submitted to the Board for review. The Board reserves the right to alter or rescind any such administrative regulation.

The Board reserves the right to review and to direct revisions of administrative regulations when it considers the regulations to be inconsistent with Board policy or charter school practices. However, the Board shall not adopt administrative regulations unless required by law or requested by the CEO. Such adoption and/or amendment of administrative regulations shall adhere to the policy for adoption and amendment of Board procedures and policies.

The Board delegates authority to the CEO to take necessary action in circumstances not provided for in Board policy. The CEO shall promptly inform the Board of such action. The CEO's decision may be subject to review by the Board.

The CEO shall implement a procedure to inform Board members and designated employees of their responsibility under the Ethics Law.

Whenever responsibility is delegated to the CEO or other administrator, it is understood that such individual may designate a representative to act on his/her behalf.

The role of the Board, as with any legislative body, is to act collectively, not individually. Individual members have no status as, and should not attempt to act, as administrators of the charter school. Rather, through the CEO all administrators as well as other personnel of the charter school are responsible to the Board as an entity. Board members, however, as with all legislators, are entitled to all information and all data necessary to their judgment to the proper casting of their votes on any matter, which can come before the Board for action. Administrative duties will be delegated to the CEO and his/her staff. Governing will be rigorously retained for action by the Board itself. The Board member's right to full information extends to the duty to listen to complaints that citizens bring him/her, but not to solicit such complaints. This right and duty to listen does not convey any right or duty to make any comment whatsoever in response to such complaints, except to require a reduction of same to writing and/or to indicate that it will be conveyed to the CEO, as s/he, not the Board member, has the authority to act.

Review

The Board may assume jurisdiction over controversies or disputes arising within this charter school concerning any matter over which the Board has authority granted by statute or where the Board has retained jurisdiction in contract or policies.

In furtherance of its adjudicatory function, the Board may hold hearings in accordance with law which shall offer the parties to a dispute, on notice duly given, a fair and impartial forum for the resolution of the matter.

Beyond the basic requirements of due process, a hearing may vary in form and content in line with the severity of the consequences that may flow from it, the difficulty of establishing findings of fact from conflicting evidence, and the impact of the Board's decision on the charter school.

Staff Communication with Board

The CEO shall be responsible for official business between the charter school employees and the Board.

Each employee in the charter school, except the Treasurer, auditor and solicitor, shall be responsible to the Board through the CEO.

All personnel shall refer matters requiring administrative action to their immediate Supervisor when a problem arises. Those responsible for supervising the personnel shall refer such matters to the CEO when necessary.

Guidelines:

The primary function of the Board is to meet monthly.

Their duties are:

- adopt a yearly budget
- approve expenditures
- hire a CEO and staff
- evaluate CEO
- adopt policy
- confirm contracts and leases
- approve a school calendar
- adopt a curriculum
- approve textbooks
- approve graduation
- designate depositories for school funds
- set salaries
- provide facilities to house the cyber charter school
- appoint a solicitor

Delegation of Responsibility:

The CEO has the responsibility to ensure the Charter School Board conforms to these functions.

TO THE EXTENT THAT ANYTHING IN THIS POLICY COULD BE CONSTRUED TO CONFLICT WITH APPLICABLE STATE AND/OR FEDERAL LAWS, THE APPLICABLE STATE AND/OR FEDERAL LAWS CONTROL. THIS POLICY IS NOT INTENDED TO CONFLICT WITH CHARTER REQUIREMENT.