



TMSA BOARD POLICY MANUAL

POLICY GROUP 1 – GOVERNANCE

Board Approved: _____

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PG-1.101 SCHOOL FOUNDATIONS

Sec. 1. School Name and Organizational Identification

The official name of the Charter Holder for the public charter schools is Triad Math and Science Academy Company. The Charter Holder operates under the following registered doing-business-as (DBA) names:

- The Math & Science Academy of Apex
- Triad Math and Science Academy
- Triangle Math & Science Academy
- The Math and Science Academy of Charlotte
- TMSA Public Charter Schools

Throughout this Policy Manual, the Charter Holder may be referred to as "TMSA" or "TMSA Schools." The official names of the Charter Schools operated by TMSA are set forth in the list above, which may also be collectively referred to as "TMSA Schools" or "the School(s)."

When used in this Policy Manual, the term **"TMSA Schools"** refers to the organization acting through its Superintendent, school administration, or designee in an operational or administrative capacity. The term **"Board"** or **"TMSA Board"** refers to the Triad Math and Science Academy Company Board of Directors acting in its official governance capacity. Where a policy provision assigns a responsibility or authority to "TMSA Schools," that responsibility is

understood to rest with the Superintendent or designee unless the context clearly requires Board action. Where a provision assigns responsibility or authority to "the Board," that action requires formal Board deliberation and decision in accordance with applicable law and these policies.

Sec. 2. TMSA Schools Boundaries

In accordance with its charter agreement with the North Carolina State Board of Education, TMSA Schools is authorized to serve students who reside within the State of North Carolina. Admission shall comply with N.C.G.S. § 115C-218.45 and applicable State Board of Education policies, including lottery procedures when applications exceed available enrollment capacity.

PG-1.102 BOARD AUTHORITY, ROLES, AND RESPONSIBILITIES

Sec. 1. Charter School Authority

TMSA Schools operates under the governing authority established by the organization's charter agreements with the North Carolina State Board of Education, as authorized by North Carolina General Statutes Chapter 115C, Article 14A.

Sec. 2. Responsibility for Charter School Operations

a) Primary Responsibilities

The Board of Directors of TMSA Schools (the "Board") holds primary responsibility for implementing the educational program authorized by the charter agreements and ensuring student achievement and organizational performance meet standards established by North Carolina law and the charter agreements, in accordance with N.C.G.S. § 115C-218.15.

b) Protection of Charter Authority

TMSA Schools derives its operational authority from the charter agreements with the North Carolina State Board of Education.

1. The Board shall govern all TMSA Schools as a body corporate, conducting business in meetings that comply with North Carolina Open Meetings Law (N.C.G.S. Chapter 143, Article 33C).
2. The Board's authority to operate charter schools shall not be delegated, transferred, assigned, or otherwise altered except as permitted by law and the charter agreements.

These provisions align with N.C.G.S. § 115C-218.15 and State Board of Education Policy CHTR-006.

c) Delegation of Authority

Any delegation of Board authority to officers, employees, contractors, or management organizations must comply with the organization's charter agreements, North Carolina General Statutes Chapter 115C, Article 14A, and other applicable laws.

d) Board Accountability

The Board retains ultimate accountability for all TMSA Schools' operations, regardless of any lawful delegation of authority. This accountability extends to academic performance, financial management, and legal compliance as prescribed by law.

e) Non-Delegable Board Duties

The Board may not delegate the following responsibilities:

1. Final authority to resolve grievances,
2. Final authority to adopt or amend the organization's budget or authorize expenditure of public funds;
3. Final authority over custody and management of public records, though routine records management may be assigned to staff;
4. Final authority to establish policies governing school operations;
5. Final authority to accept annual financial audits as required by N.C.G.S. § 115C-218.105 and N.C.G.S. §115C-218.30; and
6. Authority to select, employ, evaluate, or terminate the superintendent.

Sec. 3. Board Member Residency

A majority of all Board members and all officers of the Board shall reside within the State of North Carolina, consistent with applicable North Carolina law and the organization's charter agreements.

PG-1.103 BOARD POLICY AND ADMINISTRATIVE PROCEDURES

Sec. 1. Management by Board of Directors

The Board of Directors of TMSA Schools shall govern the organization's affairs in accordance with North Carolina law, the charter agreements, and adopted governance policies.

Sec. 2. Management Through Board Policy and Delegation

The Board governs TMSA Schools through strategic policy adoption and appropriate delegation of operational responsibilities to qualified administrators, ensuring alignment with North Carolina charter school law and educational best practices.

Sec. 3. Oversight of Daily Operations

The Board exercises operational oversight through the Superintendent, who serves as the Board's chief executive and implements Board-adopted policies, strategic plans, budgets, and directives in daily school operations.

Sec. 4. Board Policy to Supplement Law and Rules

Board policies complement and operationalize requirements established by federal and North Carolina law. When any Board policy conflicts with federal or state law, the applicable legal requirement prevails.

Sec. 5. Policy Development and Adoption

The Superintendent may develop and recommend policies for Board consideration. Policies become effective upon approval by the Board.

Sec. 6. Non-Substantive Edits to Policies

The Superintendent may make technical, non-substantive corrections to adopted policies, including updating legal citations and position titles, to maintain consistency with current law and organizational structure. All such changes shall be reported to the Board.

Sec. 7. Implementation of Board Policy Through Administrative Procedures

The Superintendent or designee shall develop administrative procedures to implement Board policies. Administrative procedures are subordinate to Board policy and shall be maintained in accordance with applicable law.

Sec. 8. Official Board Policies

The Superintendent shall maintain official Board policies and ensure their integrity and accuracy.

Sec. 9. Accessibility of Policies

Board policies shall be publicly accessible through the organization's website and available for review at the central administrative office.

PG-1.104 ORIENTATION AND TRAINING

Sec. 1. Board Member Orientation and Training

New Board members shall participate in comprehensive orientation covering TMSA Schools' mission, charter agreements, Articles of Incorporation, Bylaws, Board policies, and relevant provisions of North Carolina law governing charter school operations.

a) Initial Training Requirements

New Board members must complete training that addresses governance responsibilities for North Carolina charter schools in accordance with applicable State Board of Education requirements.

b) Required Training Content

Board member training shall address:

1. North Carolina education law applicable to charter schools;
2. Charter school finance and budget management;
3. Student health and safety requirements;
4. Fiscal accountability and proper use of public funds;
5. Public accountability and transparency requirements;
6. North Carolina Open Meetings Law requirements (N.C.G.S. Chapter 143, Article 33C);
7. North Carolina Public Records Law requirements (N.C.G.S. Chapter 132; and
8. Additional governance topics as determined by the Board or required by the State Board of Education.

c) Continuing Education

Board members shall participate in ongoing professional development to maintain current knowledge of charter school law, governance best practices, and educational trends.

d) Alternative Training Options

The Board may approve alternative methods for fulfilling training requirements, provided such alternatives address all required competencies and comply with any State Board of Education mandates.

Sec. 2. Training for Charter School Administrators

TMSA Schools' executive leadership, including the superintendent, campus administrators, and business officials, shall complete professional development appropriate to their roles and any training required by North Carolina law or State Board of Education policy.

Sec. 3. Record of Compliance

TMSA Schools shall maintain records of Board member and administrator training completion and shall disclose compliance status as required by law or State Board of Education policy.

Sec. 4. Continued Service

Continued Board service may be contingent upon satisfactory completion of required training, as established in the organization's Bylaws and governance policies.

PG-1.105 BOARD RELATIONSHIPS WITH ORGANIZATIONS FORMED FOR THE SCHOOL

Sec. 1. Purpose and Recognition

TMSA Schools recognizes that organizations formed to support the school may strengthen academic programs, student support, school culture, and family engagement. The Board maintains responsibility to govern the school and ensure that school-affiliated activity remains consistent with the mission, values, and legal obligations of TMSA Schools.

Sec. 2. Governance Authority and Oversight

The Board holds ultimate responsibility for governance of TMSA Schools, including strategic direction, financial stewardship, compliance responsibilities, and accountability. Supporting organizations may provide recommendations, support, or resources but shall not make commitments on behalf of the school, direct school staff, or attempt to influence school decisions in ways that conflict with Board policies or the Superintendent's operational authority.

Sec. 3. Superintendent as Primary Communication and Coordination Channel

School-support organizations shall coordinate activities through the Superintendent or through school administration as delegated. Board member participation in activities of school-support organizations does not confer authority to approve, direct, or manage school operations.

Sec. 4. Organizational Independence and Limitations

Organizations formed for the school remain separate entities unless legally structured as part of TMSA Schools. Such organizations may not:

1. Sign contracts on behalf of TMSA Schools;
2. Commit school resources, staff time, or funding;
3. Represent school decisions as "Board-approved" unless an official Board action has occurred; or
4. Direct school personnel or student programming without administrative approval.

Sec. 5. Use of TMSA Schools Name, Branding, and Representation

Organizations supporting TMSA Schools shall use the school name, campus names, logos, and other identifiers responsibly. Any use of TMSA Schools branding, communications channels, or school resources shall comply with Board policy.

Sec. 6. Fundraising, Donations, and Financial Accountability

Fundraising connected to the school shall be conducted with transparency and accountability. Any organization raising funds for the benefit of TMSA Schools shall maintain clear financial records documenting how funds are collected and used. When donations are intended for school use, the organization shall coordinate with the Superintendent or designee to confirm alignment with school needs, safety expectations, practical implementation requirements, and any applicable legal requirements.

Sec. 7. Support for School Programs and Student Activities

School-support organizations conducting activities on school property shall comply with Board policies governing campus operations, student safety, and privacy. Activities shall not interfere with instructional time, required school operations, or compliance responsibilities.

Sec. 8. Partnerships and External Relationships

Significant partnerships involving formal agreements, ongoing commitments, financial obligations, or risk shall be reviewed through the appropriate administrative process and brought to the Board when necessary.

Sec. 9. Conflict of Interest and Ethical Expectations

Relationships with organizations formed for the school shall be managed ethically and transparently, consistent with Board ethics and conflict-of-interest policies.

Sec. 10. Transparency, Records, and Accountability

TMSA Schools expects relationships with supporting organizations to remain transparent, well-documented, and accountable.

Sec. 11. Response When Issues Arise

If a supporting organization acts in a manner that creates concern, the Superintendent or designee may review the relationship and determine appropriate next steps, including requesting corrective action, limiting school access, restricting use of school branding, or bringing the matter forward for Board review.

PG-1.106 ETHICS, CONFLICTS OF INTEREST, AND NEPOTISM

PART I: PREAMBLE

The Board of Directors of TMSA Schools maintains the highest standards of ethical conduct and integrity in governance and operations. This policy establishes standards for identifying and addressing conflicts of interest, ensuring ethical decision-making, and maintaining public trust.

PART II: ETHICAL PRINCIPLES

Sec. 1. Personal and Professional Integrity

Board members and officers shall demonstrate ethical behavior in all aspects of their service, including proper management of actual or potential conflicts of interest.

Sec. 2. Financial Stewardship

As a tax-exempt public charity, TMSA Schools shall utilize public funds and resources exclusively to advance its educational mission, never for the private benefit of Board members or officers.

Sec. 3. Public Accountability

TMSA Schools shall maintain transparency through timely disclosure of information as required by North Carolina law, including IRS Form 990, audited financial statements, and other public documents.

Sec. 4. Accuracy and Retention of Records

TMSA Schools shall maintain accurate records in compliance with federal and North Carolina law, including the North Carolina Public Records Act and applicable records retention schedules.

Sec. 5. Political Activities

As a 501(c)(3) organization, TMSA Schools shall not engage in prohibited political activities. Board members and officers shall not use their positions to promote political candidates or create the appearance of organizational political endorsement.

Sec. 6. Use of Organizational Name and Resources

The TMSA Schools name, logo, and intellectual property shall not be used for personal benefit or to endorse external causes without written authorization from the Board. This requirement applies to Board members, officers, employees, and any external or school-support organization.

Sec. 7. Reporting Concerns

Board members and officers who become aware of potential ethical violations shall report concerns to the Board President or Superintendent as appropriate.

PART III: CONFLICTS OF INTEREST

Sec.1 Policy Framework

Sec. 1.1. Policy Statement This Policy shall be adopted in accordance with the provisions of NCGS115C-218.15 and Chapter 55A of the NCGS related to conflicts of interest. Triad Math and Science Academy Company (herein referred to as “TMSA” ,”TMSA Schools” or the “Corporation”) shall be accountable to the State Board for ensuring compliance with applicable laws and the provisions of the Charters. This Policy is intended to help ensure that when actual, perceived, or potential conflicts of interest arise, to include establishing parameters around anti-nepotism, that the organization has a process in place under which the interested person will advise the Board about all the relevant facts concerning the situation. It is also intended to establish procedures under which individuals who have a conflict of interest will be excused from voting on such matters.

Sec. 1.2 Purpose and Scope

The purpose of the conflicts of interest (COI) and Anti-Nepotism policy is to protect TMSA interests when it is contemplating entering into a transaction or arrangement where a competing interest may exist i.e., where it might benefit the private interest of an officer or director of the Corporation or might result in a possible excess benefit transaction. It extends to the employment of persons related to those individuals having supervisory authority within TMSA . This policy is intended to supplement but not replace any applicable state and federal laws governing conflicts of interest applicable to nonprofit and charitable organizations.

Sec. 1.3 Definitions

Sec.1.3.1 Conflicts of Interest. A conflict of interest occurs when an individual has competing interests or loyalties because of their duties to more than one person or organization. A transactional conflict of interest results when a transaction between the corporation and another entity in which an officer or director has a direct or indirect financial or fiduciary interest takes place. Real, perceived, or potential conflicts of interest shall be disclosed in accordance with this Policy prior to any transaction or arrangement that might benefit the private interest of an officer or director of the Corporation.

Sec. 1.3.2 Immediate Family Member. The term "immediate family member" means a spouse, parent, child, brother, sister, grandparent, or grandchild. The term includes step, half, and in-law relationships.

Sec. 1.3.3 Interested Person. Any director, principal officer, or member of a committee with governing board delegated powers, who has a direct or indirect financial interest, as defined below, is an interested person.

Sec. 1.3.4 Financial Interest. A person has a financial interest if the person has, directly or indirectly, through business, investment, or family:

- a. An ownership or investment interest in any entity with which the Corporation has a transaction or arrangement.
- b. A compensation arrangement with the Corporation or with any entity or individual with which the Corporation has a transaction or arrangement.
- c. A potential ownership or investment interest in, or compensation arrangement with, any entity or individual with which the Corporation is negotiating a transaction or arrangement. Compensation includes direct and indirect remuneration as well as gifts or favors that aren't insubstantial.

Sec. 1.3.5 Nepotism. Nepotism is a type of workplace favoritism shown toward family members. Nepotism can involve any relative including those related by marriage. Nepotism takes place when someone with power ignores more qualified candidates to hire or advance a family member. Nepotism also occurs when employers treat the related employee better than other workers.

Sec. 1.3.6 Supervisory Authority. Supervisory authority is the power or control that one individual has over another in the workplace. This authority typically includes the ability to make decisions affecting the terms and conditions of employment of the subordinate. This can include responsibilities like hiring, firing, promotions, salary decisions, and performance evaluations.

Sec. 1.4 A financial interest isn't necessarily a conflict of interest. Under section 2.4, a person who has a financial interest may have a conflict of interest only if the Board or committee decides that a conflict of interest exists.

Sec. 2: Disclosure and Review Procedures

Sec. 2.1 Federal Contracts/Awards

No employee, officer, or agent of the Corporation may participate in the selection, award, or administration of a contract supported by a Federal award if he or she has a real or apparent conflict of interest.

Sec. 2.2 Comprehensive Management Services

The Corporation shall not enter into or terminate an agreement for comprehensive management services without the prior, explicit approval of the Charter Schools Review Board ("CSRB") or SBE.

Sec. 2.3 Annual Statements

Each director, principal officer, and member of a committee with governing board delegated powers shall annually sign a statement which affirms such person:

- a. Has received a copy of the conflicts of interest policy,
- b. Has read and understands the policy,
- c. Has agreed to comply with the policy, and

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d. Understands the Organization is charitable and to maintain its federal tax exemption it must engage primarily in activities which accomplish one or more of its tax-exempt purposes.

Sec. 2.4 Duty to Disclose

Sec 2.4.1 Board Member Initial and Annual Conflicts of Interest Disclosures.

Every newly appointed TMSA Board member is required to complete and submit an initial COI disclosure and subsequent annual COI disclosures throughout their tenure as a Board member.

Sec. 2.4.2 Supervisory Personnel.

All central office and school-based personnel having supervisory authority shall complete an annual conflict of interest disclosure. Newly joined personnel shall complete a disclosure within 30 days of beginning employment.

Sec. 2.5 Compensation

a. A voting member of the governing board who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

b. A voting member of any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation for services is precluded from voting on matters pertaining to that member's compensation.

c. No voting member of the governing board or any committee whose jurisdiction includes compensation matters and who receives compensation, directly or indirectly, from the Corporation, either individually or collectively, is prohibited from providing information to any committee regarding compensation.

Sec. 2.6 Officer/Director Conflicts of Interest

a. No voting member of the governing board shall be an employee of a for-profit company that provides substantial services to the charter school for a fee.

b. A person shall not be disqualified from serving as a member of the TMSA Board of Directors because of the existence of a conflict of interest, so long as the person's actions comply with this Policy and applicable law.

Sec. 2.6.1 Transactional COI Disclosures. In connection with any actual or possible conflict of interest, members of the Board, decision-making and supervisory employees, and agents of the nonprofit must disclose to the Board any direct or indirect conflicts of interest in proposed transactions with the Board. A Board member with a conflict of interest must recuse himself or herself from considering or voting on a matter in which he or she has a conflict of interest. The remaining Board members may approve a conflict of interest transaction provided that the transaction is fair to the corporation.

Sec. 2.6.1.1 A conflict of interest transaction is not voidable by the Corporation solely because of the director's interest in the transaction if any one of the following is true:

a. The material facts of the transaction and the director's interest were disclosed or known to the Board, or a committee of the board and the Board or committee authorized, approved, or ratified the transaction.

b. The transaction was fair to the Corporation.

Sec. 2.6.2 Indirect Interest: A director of the Corporation has an indirect interest in a transaction if:

a. Another entity in which the director has a material financial interest or in which the individual is a general partner is a party to the transaction; or

b. Another entity of which the individual is a director, officer, or trustee is a party to the transaction and the transaction is or should be considered by the Board.

Sec. 2.7 Determining Whether a Conflict of Interest Exists

After disclosure of the financial interest and all material facts, and after any discussion with the interested person, the interested person shall leave the Board or committee meeting while the determination of a conflict of interest is discussed and voted upon. The remaining Board or committee members shall decide if a conflict of interest exists.

Sec. 2.8 Procedures for Addressing the Conflict of Interest

a. An interested person may make a presentation at the Board or committee meeting, but after the presentation, the interested person shall leave the meeting during the discussion of, and vote on, the transaction or arrangement involving the possible conflict of interest.

b. The Board President or committee chair shall, if appropriate, appoint a disinterested person or committee to investigate alternatives to the proposed transaction or arrangement.

c. After exercising due diligence, the Board or committee shall determine whether the Corporation can obtain with reasonable efforts a more advantageous transaction or arrangement from a person or entity that would not give rise to a conflict of interest.

d. If a more advantageous transaction or arrangement isn't reasonably possible under circumstances not producing a conflict of interest, the Board or committee shall determine by a majority vote of the disinterested directors whether the transaction or arrangement is in the Corporation's best interest, for its own benefit, and whether it is fair and reasonable. In conformity with the determination, it shall make its decision as to whether to enter into the transaction or arrangement.

Sec. 2.9 Authorization, Approval or Ratification of a Director Conflict of Interest

A conflicts of interest transaction is authorized, approved, or ratified if it receives the affirmative vote of a majority of the directors on the Board (or on the committee) who have no direct or indirect interest in the transaction, but a transaction shall not be authorized, approved, or ratified by a single director. The transaction shall receive a majority of the votes entitled to be counted in accordance with the Bylaws. The presence of, or a vote cast by, a director with a direct or indirect interest in the transaction does not affect the validity of any action taken if the transaction is otherwise authorized, approved, or ratified.

Sec. 2.10 Violations of the Conflicts of Interest Policy

a. If the Board or committee has reasonable cause to believe a member has failed to disclose actual or possible conflicts of interest, it shall inform the member of the basis for such belief and afford the member an opportunity to explain the alleged failure to disclose.

b. If, after hearing the member's response and after making further investigation as warranted by the circumstances, the Board or committee determines the member has failed to disclose an actual or possible conflict of interest, it shall take appropriate disciplinary and corrective action.

Sec 3: Record of Proceedings

Sec. 3.1 Meeting Minutes Recording Conflicts of Interest Decisions

The minutes of the Board and all committees with board delegated powers shall contain:

a. The names of the persons who disclosed or otherwise were found to have a financial interest in connection with an actual or possible conflict of interest, the nature of the financial interest, any action taken to determine whether a conflict of interest was present, and the Board's or committee's decision as to whether a conflict of interest in fact existed.

b. The names of the persons who were present for discussions and votes relating to the transaction or arrangement, the content of the discussion, including any alternatives to the proposed transaction or arrangement, and a record of any votes taken in connection with the proceedings.

PART IV: NEPOTISM

Sec.4 Anti-Nepotism Policy

Sec. 4.1 Employment Practices

Consistent with the principle that school employees and prospective employees shall be hired, evaluated, and advanced on the basis of individual merit, without reference to considerations of race, sex, religion, sexual orientation, or national origin, or any other factors not involving professional qualifications and performance, the following restrictions shall be observed with respect to personnel employment matters to avoid the possibility of favoritism based on family or personal relationship. The Nonprofit shall have ultimate responsibility for employment, management, dismissal, and discipline of its employees.

a. In the context of this Policy, "related person" has the same meaning as "immediate family member" in Section 1.3.2. No one with supervisory authority shall hire, recommend for hire, or supervise any related employee.

b. Related persons currently employed by the school shall immediately disclose all family and personal relationships with other School employees. All persons wishing to be considered for employment with the school shall disclose family and personal relationships with then-current school employees.

c. No Board member, member of the school administration or faculty member shall engage in recommendations, discussions, or otherwise participate in any final decision or recommendation relating to the appointment, promotion, retention, or other condition of employment of a related person.

d. In the event of a lack of candidates, a need for specialized skills, or other unique circumstances as determined on a case-by-case basis, the restriction against hiring related persons may be waived in the best interest of the school upon recommendation of a review

committee comprised of the non-related administrator(s), and upon the approval of the Board.

Sec. 4.2 Disclosure of Relationships to the Board

Before any immediate family of any member of the Board or a charter school employee with supervisory authority shall be employed or engaged as an employee, independent contractor, or otherwise by the Board in any capacity, such proposed employment or engagement shall be disclosed to the Board of Directors and approved by the Board in a duly called open-session meeting.

a. The burden of disclosure of such a conflict of interest shall be on the applicable Board member or employee with supervisory authority. If the requirements of this Section are complied with, the charter school may employ an immediate family of any member of the Board or a charter school employee with supervisory authority.

b. No teacher or staff member who is the immediate family of a Board member or administrator shall be hired without the Board evaluating their credentials, establishing a structure to prevent conflicts of interest, and notifying the administrator and the Department of Public Instruction, with evidence, that this process has occurred.

Sec. 5: Periodic Reviews

Sec 5.1 Periodic Review of Policy

To ensure the Company operates in a manner consistent with charitable purposes and doesn't engage in activities that could jeopardize its tax-exempt status, periodic reviews shall be conducted. The periodic reviews shall, at a minimum, include the following subjects:

a. Whether compensation arrangements and benefits are reasonable, based on competent survey information, and the result of arm's length bargaining.

b. Whether partnerships, joint ventures, and arrangements with management organizations conform to the Corporation's written policies, are properly recorded, reflect reasonable investment or payments for goods and services, further charitable purposes, and don't result in inurement, impermissible private benefit, or in an excess benefit transaction.

Sec. 5.2 Use of Outside Experts

When conducting the periodic reviews as provided for in Section 5.1, the Corporation may, but need not, use outside advisors. If outside experts are used, their use shall not relieve the Board of its responsibility for ensuring periodic reviews are conducted.

Sec. 6: Records Retention

Sec. 6.1 Conflicts of interest disclosures and documentation related to conflicts of interest shall be retained in accordance with the North Carolina Department of Natural and Cultural Resource Records Retention and Disposition Schedule.

PART V: RELATED PARTY TRANSACTIONS

Sec. 1. Disclosure of Related Party Transactions

TMSA Schools shall disclose all related party transactions in its annual audit and IRS Form 990 as required by federal and state law.

Sec. 2. Approval Requirements

Related party transactions require full disclosure to the Board, a determination that terms are fair and reasonable, approval by disinterested Board members, and documentation demonstrating benefit to the organization.

PART VI: CONFIDENTIALITY

Board members and officers shall maintain confidentiality of sensitive organizational information, including personnel matters, student records protected by FERPA, and other information designated as confidential by law.

PART VII: ENFORCEMENT AND ANNUAL REVIEW

Sec. 1. Periodic Reviews

To ensure TMSA Schools operates in a manner consistent with its charitable purposes and does not engage in activities that could jeopardize its tax-exempt status, the Board shall conduct periodic reviews that include, at a minimum:

1. Whether compensation arrangements and benefits are reasonable and the result of arm's-length bargaining; and
2. Whether partnerships, joint ventures, and arrangements with management organizations conform to written policies, are properly recorded, reflect reasonable payments for goods and services, and further charitable purposes without resulting in inurement or impermissible private benefit.

Sec. 2. Records Retention and Documentation

Conflict of interest disclosures, acknowledgments, and documentation related to the review and approval of conflicts or nepotism matters shall be maintained in accordance with applicable North Carolina records retention and disposition schedules.

Sec. 3. Consequences of Violations

Violations of this policy may result in corrective action as determined by the Board, including potential removal from office in accordance with the organization's Bylaws and applicable law.

PG-1.107 DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Sec. 1. Scope of Policy

This policy applies to members of the TMSA Schools Board of Directors and employees involved in procurement or contracting decisions.

Sec. 2. Prohibited Political Expenditures

TMSA Schools, as a tax-exempt organization and recipient of public funds, shall not make expenditures for political advertising or campaign contributions, including direct campaign contributions, purchase of political advertising, use of organizational resources for political campaigns, or any activity that could jeopardize tax-exempt status under IRC Section 501(c)(3).

Sec. 3. Individual Political Activities

Board members and employees maintain rights to individual political participation but shall clearly separate personal political activities from organizational roles, not use TMSA Schools resources for political purposes, and not create an appearance of organizational political endorsement.

Sec. 4. Disclosure Requirements

Board members and key employees involved in contracting decisions shall disclose any campaign contributions or political activities that could create actual or perceived conflicts of interest in organizational decision-making.

Sec. 5. Compliance with Election Laws

TMSA Schools shall comply with all applicable federal and North Carolina election laws, including restrictions on political activities by tax-exempt organizations and public charter schools.

PG-1.108 GIFT ACCEPTANCE

Sec. 1. Purpose

TMSA Schools encourages charitable support that advances its educational mission. This policy governs the acceptance of gifts to ensure proper stewardship, legal compliance, and alignment with organizational values.

Sec. 2. Gift Acceptance Authority

Gifts and donations to TMSA Schools shall be accepted in accordance with this policy. When gifts or donations are solicited, collected, or delivered through a parent organization, booster

club, education foundation, or other school-support entity, such activity shall also comply with Board policy PG-1.105.

Sec. 3. Gift Restrictions

TMSA Schools shall not accept gifts that violate its tax-exempt purpose, create unlawful discrimination, require illegal activity, generate unacceptable liability, impose unreasonable restrictions, or provide inappropriate benefit to donors.

Sec. 4. Types of Acceptable Gifts

Generally acceptable gifts include cash and cash equivalents, publicly traded securities, real property (subject to environmental review), tangible personal property for educational use, and planned gifts and bequests.

Sec. 5. Gift Review Process

Gifts requiring special review include real property, closely held securities, gifts with unusual restrictions, property requiring ongoing maintenance, and gifts potentially creating conflicts of interest.

Sec. 6. Donor Recognition and Stewardship

TMSA Schools shall provide appropriate acknowledgment for tax purposes, recognize donors consistent with gift levels, maintain donor confidentiality when requested, and ensure proper use of restricted funds.

Sec. 7. Compliance Requirements

Gift acceptance and acknowledgment shall comply with IRS charitable contribution regulations, North Carolina charitable solicitation laws, financial accounting standards, and donor restrictions and agreements.

Sec. 8. Ethical Considerations

Board members and staff shall not personally benefit from gifts to the organization. Any potential conflicts of interest must be disclosed and managed in accordance with PG-1.106.

Sec. 9. Policy Review

The Board shall periodically review this policy to ensure continued effectiveness and legal compliance.

PG-1.109 BOARD COMMITTEES

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Sec. 1. Authority to Establish Committees

The Board may establish one or more committees to consider, investigate, and deliberate on issues as directed by the Board President or the full Board. Committees may be established as provided in the organization's Bylaws. The purpose of any committee is to conduct thorough deliberations on identified issues and report findings and recommendations to the full Board for action.

Sec. 2. Committee Membership

The Board President shall be an ex-officio member of all committees. Where appropriate, members of administration, staff, or parents may be designated as ex-officio members of any committee. The Board President shall name the chair of each committee. The committee chair shall preside at committee meetings and shall be responsible for reporting to the full Board on committee activities and recommendations.

Sec. 3. Limitations on Committee Authority

Committees may deliberate, investigate, and make recommendations but may not take final action on behalf of the Board unless expressly authorized by the Board and permitted by the organization's Bylaws and applicable law. All final decisions remain with the full Board.

Sec. 4. Open Meetings Requirements

Committees exercising Board-delegated authority shall conduct their meetings in accordance with the North Carolina Open Meetings Law, N.C.G.S. Chapter 143, Article 33C, as applicable.

Sec. 5. Records

Committees shall maintain minutes of their meetings, which shall be reported to and retained by the full Board.

PG-1.110 EMPLOYEE AGREEMENTS

Sec. 1. At-Will Employment

Unless specifically approved by the Board, all employees of TMSA Schools shall be employed at will, consistent with applicable North Carolina law.

Sec. 2. Board Approval of Teachers and Instructional Staff

The Superintendent or designee shall have authority to hire teachers and employees responsible for classroom instruction, in accordance with N.C.G.S. § 115C-218.90 and the

organization's charter agreements. Teachers and employees responsible for classroom instruction may be hired on a conditional or provisional basis. The Board retains final authority over all employment decisions.

Sec. 3. Employment Contracts

Any employment agreement that departs from at-will status or that creates obligations extending beyond a single school year shall require express Board approval. The Board retains authority over the terms and conditions of employment for the Superintendent as established in the Bylaws and applicable law.

Sec. 4. Compliance with Charter and State Requirements

All employment practices shall comply with the organization's charter agreements, applicable provisions of North Carolina law governing charter school personnel, and relevant state and federal employment law.

PG-1.201 BOARD MEETINGS

PART I: BOARD MEETINGS IN GENERAL

Sec. 1. Definitions

All terms used in this policy shall have the meanings ascribed to them under the NC Open Meetings Law, N.C. Gen. Stat. § 143-318.10, et seq., as amended.

Sec. 2. Superintendent Participation

The Superintendent shall attend all Board meetings unless excused by the Board President. The Superintendent may participate in discussions but shall not vote. When the Board conducts a closed session pursuant to N.C.G.S. § 143-318.11, the Superintendent may be excluded if the subject matter directly involves their employment, performance, or compensation.

Sec. 3. Meetings Open to the Public

a) Public Access Required

All official meetings of the Board shall be open to the public as required by N.C.G.S. § 143-318.10, except those portions conducted in closed session as authorized by N.C.G.S. § 143-318.11.

b) Closed Sessions

The Board may hold closed sessions only for the purposes specifically authorized under N.C.G.S. § 143-318.11.

c) Procedure for Closed Session

Before entering closed session, the Board shall adopt a motion in open session that identifies the general purpose of the closed session and cites one or more permissible purposes under N.C.G.S. § 143-318.11.

d) Minutes of Closed Session

The Board shall keep minutes of closed sessions. These minutes may be withheld from public inspection so long as public inspection would frustrate the purpose of the closed session.

Sec. 4. Prohibited Communications Between Board Members

Board members shall not engage in any series of communications, whether written, oral, or electronic, to discuss public business among a quorum of members outside of a properly called meeting, including email chains, sequential polling, use of intermediaries, or social media exchanges that constitute deliberation.

Sec. 5. Recording Open Meetings

Any person attending an open meeting may record the proceedings using audio or video equipment, provided such recording does not disrupt the meeting. The written minutes approved by the Board shall constitute the official record of Board actions.

Sec. 6. Meeting Minutes

a) Minutes Required

The Board shall keep full and accurate minutes of all official meetings, including closed sessions, as required by N.C.G.S. § 143-318.10(e). The minutes shall include the date, time, and place of the meeting; members present and absent; all motions, proposals, resolutions; and results of all votes, including the vote of each member if not unanimous.

b) Approval Process

Draft minutes shall be prepared within a reasonable time after each meeting and submitted to the Board for approval in the normal course of business. The Board may approve minutes at any regular or special meeting. Once approved, minutes of open sessions become public records.

Sec. 8. Quorum

A majority of the Board membership, excluding vacant seats, shall constitute a quorum for the transaction of business. The Board may not take official action without a quorum present.

Sec. 9. Secret Ballot

No Board member shall vote by secret ballot. All votes shall be by voice vote, show of hands, roll call, or electronic voting system that records how each member voted. This requirement applies to all meetings, including closed sessions.

Sec. 10. Internet Broadcast

If TMSA is not subject to Sec. 12, the Board may broadcast open meetings over the Internet and shall provide meeting notices consistent with North Carolina Open Meetings Law requirements.

Sec. 11. Board Meeting Calendar Policy

The Board shall annually adopt a meeting calendar stating the dates, times, and locations of all regular Board meetings. The calendar shall be posted publicly in accordance with North Carolina Open Meetings Law. Any meeting may be canceled, postponed, adjourned, or rescheduled with proper notice as required by law.

PART II: CLOSED MEETINGS

Sec. 1. Authorization to Convene in Closed Session

The Board may conduct a closed session only when required to permit the Board to act in the public interest, as permitted by N.C.G.S. § 143-318.11, including:

1. To prevent disclosure of privileged or confidential information under state or federal law;
2. To prevent premature disclosure of an honorary degree, scholarship, prize, or similar award;
3. To consult with an attorney to preserve the attorney-client privilege;
4. To discuss matters relating to the location or expansion of industries or other businesses;
5. To establish or instruct staff concerning negotiating positions on real property acquisition or employment contracts;
6. To consider the qualifications, competence, performance, character, or fitness of an individual employee or to hear or investigate a complaint, charge, or grievance;
7. To plan, conduct, or hear reports concerning investigations of alleged criminal misconduct;
8. To formulate plans relating to emergency responses to school violence or school safety components of improvement plans;

9. To discuss and take action regarding plans to protect public safety relating to existing or potential terrorist activity; and
10. To view law enforcement agency recordings made pursuant to N.C.G.S. § 132-1.4A.

PART III: BOARD MEETINGS OPEN TO THE PUBLIC

Sec. 1. Open Meetings

TMSA recognizes that hearings, deliberations, and actions of public bodies should be conducted openly. Accordingly, TMSA board meetings are open and members of the public are invited to attend.

Sec. 2. Public Comment

The Board shall provide at least one period for public comment per month at a regular meeting and may adopt reasonable rules governing the conduct of the public comment period.

Sec. 3. Disruption

A person who willfully interrupts or disturbs an official meeting and who, upon direction to leave by the presiding officer, willfully refuses to leave is guilty of a Class 2 misdemeanor under N.C. Gen. Stat. § 143-318.17.

PG-1.202 INFORMATION REQUESTS

Sec. 1. General Provisions

a) Public Records Defined

"Public records" means all documents, papers, letters, maps, books, photographs, films, sound recordings, electronic data, and other documentary material, regardless of physical form, made or received in the transaction of public business by the Board or its officers, employees, or agents in an official capacity. The definition includes electronic communications made or received in connection with official business. N.C. Gen. Stat. § 132-1.

b) Business Day Defined

"Business day" means a day on which TMSA Schools' administrative offices are open, excluding weekends and State-recognized holidays.

Sec. 2. Preservation of Information

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The Board shall preserve all public records in accordance with applicable North Carolina law and approved records retention schedules. Public records may not be destroyed, altered, or disposed of except as permitted by law. These requirements apply to all records, including records held by temporary custodians acting on behalf of TMSA Schools.

Sec. 3. Online Message Board

Communications posted or received through online platforms used to conduct official Board business constitute public records and shall be retained in accordance with applicable North Carolina records retention schedules.

Sec. 4. Responding to Records Requests

The Superintendent or designee shall be responsible for making public records available for inspection and copying as required by law and for protecting public records from loss, alteration, or unlawful removal. TMSA Schools shall provide reasonable notice of the public's right to inspect and obtain copies of public records. N.C. Gen. Stat. §§ 132-1, 132-6, 132-7.

Sec. 5. Access to Public Records

TMSA Schools shall provide access to public records promptly upon request in accordance with North Carolina law. Staff shall not inquire into the purpose for which records will be used and shall treat all requestors uniformly. TMSA Schools shall maintain administrative procedures governing the processing, response timelines, and cost structure for public records requests in accordance with N.C. Gen. Stat. §§ 132-1 through 132-7.

Sec. 6. Legal Review and Judicial Determination of Disclosure

If TMSA Schools receives a request for information it reasonably believes is confidential, exempt, or otherwise protected from disclosure, TMSA Schools may withhold the information pending legal review and shall notify the requestor in writing of the basis for withholding. Either party may seek judicial review as provided by law. TMSA Schools may withhold personally identifiable, non-directory information in education records in accordance with FERPA. N.C. Gen. Stat. §§ 132-1, 132-6, 132-7; 42 U.S.C. § 1232g.

Sec. 7. Charges for Public Records Requests

TMSA Schools may charge fees that reasonably reflect the actual cost of reproducing public records, consistent with North Carolina law. No fee shall be charged solely for inspection of records that do not require redaction.

Sec. 8. Emergency or Office Closure

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TMSA Schools' public records obligations remain in effect during emergencies and office closures. Unavoidable delays due to emergency conditions shall be limited to the duration of those conditions, and TMSA Schools shall notify requestors of any delay and provide an estimated response timeframe. N.C. Gen. Stat. §§ 132-1, 132-6, 132-7.

PG-1.203 RECORDS MANAGEMENT

Sec. 1. Definitions

A. *Custodian*: The appointed or designated School official responsible for the custody, care, and control of records created or received by an office or department.

B. *Essential Record*: Any record necessary for the resumption of School operations in an emergency, reconstruction of legal and financial status, or protection of obligations to the public.

C. *Local Government Record or Record*: Any document, paper, letter, book, map, photograph, sound or video recording, electronic record, or other information-recording media, regardless of form, created or received by the School in the transaction of public business.

D. *Permanent Record*: Any record designated as permanent on a records retention and disposition schedule approved by the North Carolina Department of Natural and Cultural Resources (DNCR).

E. *Records Management Officer*: The person designated under this policy who is responsible for administering the School's records management program.

F. *Records Retention Schedule*: A records retention and disposition schedule approved or issued by the DNCR establishing mandatory retention periods and disposition requirements.

N.C. Gen. Stat. §§ 121-5, 132-1.

Sec. 2. Duties of TMSA Schools

TMSA Schools shall:

1. Establish and maintain a records management program in accordance with North Carolina law and DNCR guidance;

2. Designate a Records Management Officer and notify DNCR of the designation and any subsequent changes;
3. Adopt and maintain records retention and disposition schedules consistent with DNCR-approved schedules; and
4. Ensure that School records are retained, preserved, or destroyed only in accordance with approved retention schedules and applicable law.

N.C. Gen. Stat. § 121-5.

Sec. 3. Duties of the Board of Directors

The Board shall:

1. Establish, promote, and support an active and continuing program for the efficient management of School records;
2. Ensure the creation and maintenance of records that adequately document the organization's functions, policies, decisions, and essential transactions;
3. Facilitate identification and preservation of records of permanent value and essential records; and
4. Support cooperation with DNCR in records management oversight.

N.C. Gen. Stat. § 121-5.

Sec. 4. Records Management Officer

The Superintendent or designee shall serve as the Records Management Officer unless otherwise designated by the Board. The Records Management Officer shall develop and administer the School's records management program, maintain records retention schedules, identify and protect permanent and essential records, and ensure lawful preservation and destruction of records. N.C. Gen. Stat. § 121-5.

Sec. 5. Records Management Program

The Board shall establish a records management program administered by the Records Management Officer covering the creation, maintenance, storage, electronic records, retention, and destruction of records. The Superintendent or designee, as Records Management Officer, shall ensure appropriate custodians are designated to implement the program. N.C. Gen. Stat. § 121-5.

Sec. 6. Destruction of Records

Records may be destroyed only if authorized by an approved retention schedule and the retention period has expired. Records subject to litigation, audit, or public records requests shall not be destroyed until the matter is resolved. FERPA-protected records shall not be destroyed while access is pending. N.C. Gen. Stat. §§ 121-5; 132-6; 34 C.F.R. Part 99.

Sec. 7. Records Offenses

Intentional or knowing destruction, alteration, concealment, or unlawful disposition of School records may result in disciplinary action and other penalties as provided by law. N.C. Gen. Stat. §§ 121-5; 132-1.

Sec. 8. Preservation of Records

Permanent records shall be stored under conditions that ensure their long-term preservation in compliance with DNCR standards. N.C. Gen. Stat. § 121-5.

PG-1.204 RECORD RETENTION SCHEDULE

The Board and TMSA Schools shall adhere to the most current records retention and disposition schedule provided by the North Carolina Department of Natural and Cultural Resources (DNCR). The Board may issue a legal hold suspending destruction of records due to pending, threatened, or reasonably foreseeable litigation, audits, government investigations, or similar proceedings. No records subject to a legal hold may be destroyed until the hold is withdrawn in writing by the Board.

The Board adopts by reference the TMSA Schools Records Retention Schedule, as amended from time to time in accordance with DNCR-approved schedules. The current schedule is maintained by the Records Management Officer and is available at TMSA Schools' administrative offices and on the Board's website.

In all transactions except micro-purchases, contractors shall retain all invoices, records, and other documents relative to the contract for a period of three (3) years after final payment plus the current year. TMSA Schools, its authorized agents, and USDA auditors shall have full access to and the right to examine such materials during this period.

TMSA Schools shall retain all books, journals, records, and other documents relative to contract awards for three (3) years after final payment, including: written rationale for the procurement method; a copy of the original solicitation; selection of contract type; bidding and negotiation history; basis for contractor selection and/or rejection; approval for sole-source procurement when applicable; basis for award where cost is not the primary factor; contract terms and conditions; amendments or modifications; billing and payment records; and any history of contractor claims or breaches.

PG-1.205 PUBLIC COMPLAINTS – FAMILIES AND STUDENTS

SECTION 1: POLICY FRAMEWORK

1.1 Policy Statement

NC Charter Schools are governed by a combination of North Carolina statute, State Board of Education policy, and the Charter Agreement. State law provides that the Triad Math and Science Academy (TMSA) Company Board (“the Board”), with the advice of the Superintendent, determines the educational and operational policies of TMSA. The Charter Schools Review Board functions as the authorizer for high quality charter schools in North Carolina. Charter school authorizers are responsible for making sure that each charter school executes and performs within the guidelines, standards, and goals set forth in its Charter Agreement. The TMSA Board will only review grievances pertaining to TMSA which constitute violations of state and federal laws, breaches of the School Charter Agreement and/or non-compliance with DPI, SBE, or TMSA policies. Complaints shall be handled by applicable school administration in accordance with the procedures outlined in section 3.1.1.

1.2 Purpose and Scope

Most concerns and differences are best addressed through open and honest communication conducted in an informal, respectful, and civil manner and that effective resolution is dependent upon direct, prompt, and constructive dialogue. The purpose of this Policy is to outline both informal and formal steps, as appropriate, to secure at the lowest possible level, equitable solutions to issues that may arise from time to time that affect TMSA students. This Policy is the complaint and grievance process that shall be followed for all TMSA Schools and applies to all TMSA stakeholders. In fairness to all parties involved, complaints and grievances will be treated confidentially to the maximum extent possible.

This Policy does not address employee employment grievances which are handled through a different process, nor does it address parent concerns that fall under the Parents Bill of Rights Policy. Grievances related to allegations of Title IX sexual harassment or violations of laws related to FERPA, HIPAA, children with disabilities, and other federally regulated areas are handled according to the statutes governing those concerns.

SECTION 2: DEFINITIONS AND SOURCES OF AUTHORITY

2.1 Definitions and Sources of Authority

2.1.1 Complaint. An informal allegation about the dissatisfaction of a TMSA parent, guardian, or student with some situation(s) or event(s).

2.1.2 Grievance. A grievance is a formal and written allegation by a TMSA student, parent or guardian related to a final administrative decision that violates federal or state law, regulations, SBE policies, or the Charter Agreement regarding the operation of TMSA Schools where a student or parent has been adversely affected by the final administrative decision. The term “grievance” does not include any matter for which the method of review is prescribed by law, for which there is a more specific Board policy providing a process for addressing the issue, or

upon which the Board is without authority to act. Recommended decisions are not grievable. Other matters that are not appropriate for grievances under this policy include:

- a. Claims of discrimination, harassment or bullying, including discrimination on the basis of disability, which must be processed under the policy on discrimination, harassment and bullying;
- b. Issues related to the identification, evaluation or educational placement of a child with a disability or other decisions of an IEP or Section 504 team.
- c. Final decisions made by the Board.

SECTION 3: INFORMAL COMPLAINT PROCEDURES

3.1 Informal Complaint Procedures

TMSA recognizes the value of providing the opportunity for parents and/or students to raise concerns while we work to ensure that our decisions and actions serve the best interests of the children and young people in our care.

3.1.1 All complaints should first be addressed directly and informally with the persons involved. Informal complaints are always initiated by the complaining party and shall be directed to the person whose action is believed to have given rise to the complaint issue. All complaints will be treated as constructive suggestions and will be used as an opportunity to improve processes when appropriate.

3.1.2 Persons must seek informal, timely resolution of an issue using the complaint process outlined herein unless formal grievance procedures are legally required as defined in section 2.1.2. If not resolved at the school level, the complainant may then submit the complaint to the Superintendent within ten (10) school days after the last informal attempt at resolution.

3.1.2.1 All complaints need to be addressed at the lowest level possible, beginning with a classroom teacher if applicable. If the complaint is not resolved at that level, then it may be elevated to an appropriate assistant principal. If the assistant principal is unable to resolve the issue, then the complaint may be elevated to the principal.

3.1.3 If the complaint involves the school Principal, the report shall be made to the Superintendent's Office, who will promptly investigate.

3.1.4 The Superintendent or designee shall reasonably investigate and consider the matter then issue a decision within ten (10) school days from the date the complaint is submitted. Additional time for the Superintendent's decision shall be allowed when reasonably required by circumstances.

SECTION 4: FORMAL GRIEVANCE PROCEDURES AND REVIEW

4.1 Formal Grievance Procedures

4.2 A formal written grievance is always initiated by the aggrieved party (the grievant) and is first directed to the Superintendent for investigation and resolution. On occasion, the Superintendent and the individual who is the subject of the grievance may be one and the same person. In such instances, the grievance is to be directed to the TMSA Board.

4.2.1 The Superintendent shall reasonably investigate and consider the matter by meeting with the parties either virtually or in person, then issue a decision within thirty calendar days from the date the grievance is submitted; additional time for the Superintendent's decision shall be allowed when reasonably required by circumstances.

4.2.2 The formal grievance must be as specific as possible using the TMSA Grievance Form and providing the date, time, and place of the action which precipitated the grievance - stating who was involved in the action; stating what efforts were made to resolve the matter informally; giving the results of these efforts; and stating the redress sought. If the grievance is because of the actions of someone other than the Superintendent, the person who is the subject of the grievance shall receive a copy of the grievance and shall be asked to respond in writing before the Superintendent acts on the grievance.

4.2.3 The Superintendent shall consider and answer the formal grievance within thirty (30) school days. Copies of the answer to the charge will be sent to the person(s) whose actions have caused the grievance to be filed.

4.2.4 The burden of complying with the time limitation for filing a grievance shall be on the grievant. The timelines specified in these grievance procedures (except for the initial submission of a grievance) may be extended when mutually agreeable to both parties or when necessitated by scheduling difficulties.

4.3 Grievance Review

If the Superintendent fails to issue a decision within thirty (30) school days or the decision does not provide a resolution acceptable to the grievant, the grievant may appeal the decision within fifteen (15) school days to the Board. The appeal must include providing to the Board with the initial grievance and the Superintendent's decision.

4.3.1 Right to Appeal to the Board

Any grievant seeking to appeal to the Board, shall submit a written request for the appeal to the Board President by email at tmsaboard@tmsapcs.org. The grievant shall also promptly email or deliver a copy of the appeal request to the Superintendent. An ad hoc Grievance Committee will meet to consider the appeal, in accordance with the Board's Bylaws and the North Carolina Open Meetings Law.

4.3.2 Board Review Procedures

In all appeals to the Board, the Board shall provide adequate notice of appeal procedures to all concerned parties and keep a record of any proceedings conducted. The ad hoc Grievance Committee may request that further investigation be conducted or that additional information be

gathered regarding the grievance. The student, parent, and/or guardian may attend the Grievance Committee's meeting upon invitation. The Grievance Committee will review the written documentation including the decision of the Superintendent and render a decision within fifteen (15) school days of receiving the appeal, unless circumstances reasonably require additional time. The final decision shall be delivered in writing to grievant and the Superintendent within five (5) school days of the Grievance Committee decision. The Grievance Committee's decision concerning the grievance is final.

4.4 Record Keeping Requirements and Retaliation Prohibition

4.4.1 TMSA shall retain all records of grievances filed by parents, guardians, and/or students in accordance with the DNR Records Retention and Disposition schedule.

4.4.2 Neither the complainant/grievant nor the person(s) who is the subject of the complaint/grievance shall in any way harass, intimidate, or otherwise take reprisals against any person participating in this process.

PG-1.206 EMPLOYEE AND STAFF GRIEVANCES

Sec. 1. Purpose and Scope

The purpose of this policy is to provide an effective and fair process for employees to address concerns about workplace conditions and treatment. TMSA Schools encourages employees to seek cooperative and collaborative resolutions through direct communication whenever possible. This policy provides a formal alternative when informal resolution is not achieved.

Sec. 2. Informal Resolution

Employees are encouraged to discuss workplace concerns with their immediate supervisor and seek resolution through informal, direct communication. Where a meeting with the immediate supervisor is not appropriate given the nature of the issue, the employee may proceed directly to the formal grievance process.

Sec. 3. Formal Grievance Process

a) Step 1 – Administrative Review

If informal resolution is unsuccessful, the employee may submit a formal, written grievance to the Head of Human Resources, Superintendent, or designee as appropriate. A grievance should be submitted no later than thirty (30) days following the event in question. The Superintendent or designee shall investigate the matter and issue a written response within thirty (30) days of receipt.

b) Step 2 – Board Appeal

If the employee is not satisfied with the outcome at Step 1, the employee may appeal to the Board within ten (10) business days of receiving the decision, by submitting a written appeal to the Board President, with a copy to the Superintendent. The Board President may designate one or more Board members to investigate and recommend a decision, or may refer the matter to a committee. The Board or assigned committee shall issue a decision within thirty (30) days of receipt.

Sec. 4. Freedom from Retaliation

No Board member or TMSA Schools employee shall retaliate against any employee for bringing a workplace concern or grievance in good faith.

PG-1.301 SCHOOL PROPERTY

Sec. 1. TMSA Schools Property Generally

The Board of TMSA Schools serves as the final authority for all decisions regarding the use and management of organizational property. TMSA Schools shall not authorize any use of property inconsistent with this policy, applicable law, or the organization's charters.

Sec. 2. Public Property Defined

An interest in real or personal property acquired, improved, or maintained using public funds received by TMSA Schools constitutes public property under North Carolina law. To the extent property is acquired using federal funds, applicable federal law shall govern.

Sec. 3. Fiduciary Responsibilities

Public property is held by TMSA Schools in trust for the benefit of its enrolled students. Board members, officers, and administrators act as fiduciaries and owe duties of care, loyalty, and prudent stewardship. Public property may be used only for educational and operational purposes authorized by North Carolina law and consistent with TMSA Schools' approved charters.

Sec. 4. Personal Use of Public Property

Employees of TMSA Schools shall use public property solely for authorized educational and operational purposes. Employees may make limited incidental personal use of TMSA Schools property provided such use does not interfere with school operations. If incidental personal use results in a direct cost to TMSA Schools, the employee shall reimburse TMSA Schools for that

cost. Incidental personal use is a privilege and may be restricted or revoked by the administration at any time.

Sec. 5. Use of Real Property for Charter and Non-Charter Activities

Joint use of TMSA Schools' public real property for charter and non-charter activities shall require separate Board approval by recorded vote, reflected in meeting minutes, and shall specify the methodology for allocating shared costs.

Sec. 6. Contract for Use of Public Property

TMSA Schools may contract for the use of its property when such use is expressly authorized by the contract, reflected in the contract's pricing, and approved by the Board.

Sec. 7. Accounting for Public Property

The annual financial audit of TMSA Schools shall separately disclose the cost basis and accumulated depreciation of public property and any privately held property used or maintained by TMSA Schools, or shall include a statement affirming that all property constitutes public property.

Sec. 8. Return of Charter School Property

Upon separation from employment or cessation of service with TMSA Schools, or upon request, an individual shall return all property, materials, records, and information belonging to TMSA Schools. Property shall be returned promptly upon separation or request. Recovery of costs for damaged, lost, or unreturned property shall be handled in accordance with applicable law. All materials created by employees within the scope of employment, during work time, or using TMSA Schools resources constitute works made for hire, with intellectual property rights vested exclusively in TMSA Schools.

PG-1.302 BOARD MEMBERS TECHNOLOGY RESOURCES AND ELECTRONIC COMMUNICATIONS

"Technology resources" encompasses all electronic communication systems, computing devices, network infrastructure, and digital tools provided by TMSA Schools.

Sec. 1. Availability of Access

TMSA Schools shall provide Board members with appropriate access to organizational technology resources for official duties and governance responsibilities, subject to security protocols.

Sec. 2. Limited Personal Use

Board members may engage in limited personal use of TMSA Schools technology resources provided such use imposes no tangible cost on the organization and does not burden system capacity or performance.

Sec. 3. Acceptable Use

Board members must acknowledge receipt and understanding of TMSA Schools' technology acceptable use agreement and consent in writing to monitoring provisions. Violations may result in access suspension or termination.

Sec. 4. Monitored Use

Electronic communications and technology resource usage by Board members are not private. The Superintendent or designee maintains authority to monitor technology resources to ensure appropriate use, security compliance, and legal adherence.

Sec. 5. Disclaimer of Liability

TMSA Schools is not liable for a Board member's inappropriate use of technology resources, violations of law, or costs incurred through such use, and does not guarantee the availability or accuracy of information accessed through external sources.

Sec. 6. Records Retention

Board members must retain electronic records created or maintained using either TMSA Schools or personal technology resources in accordance with applicable records management requirements and public records law.

PG-1.303 ACCESSIBILITY – TECHNOLOGY RESOURCES

Sec. 1. School Website

TMSA Schools maintains a comprehensive website to communicate with students, families, employees, and community members regarding programs, policies, and activities. Publication requests must be directed to the designated website administrator or designee.

Sec. 2. Website Accessibility

TMSA Schools commits to full compliance with Title II of the Americans with Disabilities Act and Section 504 of the Rehabilitation Act of 1973. Individuals with disabilities shall have equal opportunity to independently access information and services within the same timeframe as those without disabilities.

Sec. 3. Plan for Online Content

All TMSA Schools staff authorized to post online content must ensure materials meet World Wide Web Consortium (W3C) Web Content Accessibility Guidelines (WCAG) 2.0 Level AA standards and WAI-ARIA 1.0 requirements. When content cannot be made accessible without undue burden or fundamental program alteration, TMSA Schools shall provide alternative format access to the maximum extent possible.

Sec. 4. Monitoring

The Accessibility Coordinator or designee shall conduct annual accessibility audits measuring all web content against WCAG 2.0 Level AA standards. Content owners have 30 days to remediate identified issues or remove non-compliant elements. TMSA Schools may engage external auditors for independent assessments.

Sec. 5. Training

Annual training on website accessibility shall be provided to staff responsible for creating, editing, or distributing content through TMSA Schools websites, addressing staff roles and responsibilities for ensuring accessible web design, documents, and multimedia content.

Sec. 6. Website Assistance

An individual experiencing difficulty accessing information on a TMSA Schools website may contact the IT Director or designee to report accessibility concerns. Any individual may also file a written complaint through the process set forth in Board Policy PG-1.205. If content is not readily available in an accessible format, TMSA Schools shall, within a reasonable period, remediate the issue, remove non-compliant content, or provide the information in an alternative accessible format.

PG-1.401 SCHOOL VISITORS

Sec. 1. Procedures for School Visitors

Notices shall be posted at each TMSA Schools campus requiring all visitors to report to the campus administrative office upon arrival. Classroom visits during instructional time require prior approval from both the campus Principal and the affected teacher or staff member. TMSA Schools or the campus Principal may require government-issued photo identification, maintain visitor records for security purposes, and verify whether a visitor is identified as a registered sex offender. TMSA Schools may direct a person to leave school property when the person refuses to provide requested identification or when it reasonably appears the person has no legitimate purpose for being on school property.

The Superintendent or designee shall develop and implement procedures governing access by individuals identified as registered sex offenders, addressing parental visitation rights, escort requirements, and volunteer eligibility, consistent with applicable law.

Sec. 2. Notice of Entry by Registered Sex Offenders

A registered sex offender who enters TMSA Schools premises during normal operating hours shall immediately notify the campus administrative office of the individual's presence and registration status. These requirements do not apply to a student currently enrolled at TMSA Schools, a student from another school participating in a school-sponsored activity, or an individual who has entered into a written agreement with TMSA Schools expressly exempting the individual from these requirements.

Sec. 3. Visitor Conduct

TMSA Schools welcomes parents and community members to its campuses and is committed to treating visitors with respect. TMSA Schools expects visitors to conduct themselves in a respectful and orderly manner and to cooperate with school personnel to maintain a safe and productive educational environment. An individual engaging in disruptive behavior may be directed to leave TMSA Schools property. In appropriate circumstances, administrators may issue a criminal trespass notice or contact law enforcement.

Sec. 4. Access to Students by Military Recruiters

To the extent TMSA Schools receives assistance under the Elementary and Secondary Education Act, TMSA Schools shall provide military recruiters the same access to secondary students as is generally provided to institutions of higher education or prospective employers, in accordance with applicable federal law. Participation by students in any military-related program shall be voluntary and subject to applicable parental rights and opt-out provisions.

PG-1.402 POSSESSION AND USE OF WEAPONS

Sec. 1. Scope of Policy

This policy establishes the circumstances under which firearms or weapons may be possessed or used on TMSA Schools premises.

Sec. 2. Definitions

1. *Firearm*: Any weapon that will, is designed to, or may readily be converted to expel a projectile by the action of an explosive, including the frame or receiver of such a weapon and any firearm muffler or suppressor. The term does not include antique firearms as defined by applicable federal law.
2. *Handgun*: Any firearm designed, made, or adapted to be fired with one hand.

3. *Knife*: Any instrument designed to cut, stab, or inflict bodily injury by means of a blade, excluding tools designed for instructional, culinary, or maintenance purposes when used with School authorization.
4. *Club*: An instrument specially designed, made, or adapted for the purpose of inflicting serious bodily injury or death by striking a person, including blackjacks, nightsticks, mace, and batons.
5. *Prohibited Weapon*: Includes explosive weapons, machine guns, or short-barreled rifles or shotguns (unless lawfully possessed under federal law); armor-piercing ammunition; chemical dispensing devices intended to cause harm; zip guns; tire deflation devices; and improvised explosive devices.
6. *School Premises*: A building or portion of a building owned, leased, or controlled by TMSA Schools and used for instructional or administrative purposes, including school grounds during school hours and school-sponsored activities.

Sec. 3. Prohibition of Firearms and Weapons

TMSA Schools prohibits the use, display, or possession of firearms, handguns, location-restricted knives, clubs, and prohibited weapons on school premises unless explicitly permitted by this policy or applicable law. This applies to all individuals including Board members, employees, students, parents, vendors, contractors, and visitors. Firearms are also prohibited in rooms where the TMSA Schools Board conducts properly noticed public meetings.

Sec. 4. Prohibition of Firearms in a School Zone Under Federal Law

Under the federal Gun-Free School Zones Act, individuals may not knowingly possess firearms on school grounds or within 1,000 feet. Exceptions exist for individuals licensed to carry under state law, unloaded firearms secured in locked vehicles, school-approved programs, written contracts with TMSA Schools, and law enforcement officers acting within the scope of official duties.

Sec. 5. Prohibition Under State Law

Exhibiting or threatening firearm use on school property to cause alarm, injury, or property damage constitutes a criminal offense. Possessing firearms, location-restricted knives, clubs, or prohibited weapons on school premises without written authorization constitutes a criminal offense.

Sec. 6. Exceptions to Prohibition

Consistent with applicable federal and North Carolina law, authorized law enforcement officers, members of the armed forces, and other governmental officials expressly authorized by law to carry firearms while performing official duties are not subject to the prohibitions in this policy. No violation of this policy occurs when a firearm is lawfully stored in a locked vehicle on school premises; when possession or display occurs as part of a school-approved instructional program, ceremonial activity, or athletic competition; when possessed by a duly authorized

school security officer or individual expressly authorized by the Board; or when possessed pursuant to written Board authorization permitted by law.

Sec. 7. Resources on Safe Firearm Storage

TMSA Schools shall distribute safe firearm storage information to all student families.

Sec. 8. Signs Providing Notice of Prohibited Firearms

The Superintendent or designee shall post required notices at entrances stating firearms prohibitions in accordance with applicable law.

PG-1.403 EMERGENCY PLANS

Sec. 1. Emergency Operations Plan

a) General Plan Requirements

TMSA Schools shall adopt and implement a comprehensive Emergency Operations Plan (EOP) for use at all school facilities. The EOP shall address prevention, mitigation, preparedness, response, and recovery consistent with applicable federal and North Carolina law, state emergency management guidance, and best practices for school safety.

The EOP shall provide for training of employees on emergency response; communication access for staff to contact emergency services; coordination with local emergency management, law enforcement, health, and fire agencies; required emergency drills and exercises; periodic safety and security assessments; and a clearly defined chain of command for emergency decision-making. The EOP shall address student and staff safety in portable structures, accessibility for students and personnel with disabilities, timely notification to parents when significant threats exist, and psychological safety during response and recovery phases consistent with evidence-based trauma-informed practices. The EOP shall include a policy for responding to an active assailant or similar violent emergency.

b) EOP Review

The EOP shall be reviewed at least annually and updated as necessary. Identified deficiencies shall be corrected in a timely manner. The Board may hold a public hearing regarding any period of noncompliance as required by law.

c) Disclosure of EOP Documents

EOP documents shall be disclosed only to the extent permitted by law. Operational details that could compromise school safety shall remain confidential.

d) Superintendent or Designee Duties

The Superintendent or designee shall ensure the EOP is maintained, updated as necessary, and that ongoing staff training related to emergency preparedness is provided.

Sec. 2. Safety and Security Audit

At least once every three years, TMSA Schools shall conduct a safety and security audit of its facilities, conducted by TMSA Schools personnel or a qualified third party, in accordance with applicable federal and North Carolina law and recognized best practices. Audit results shall be reported to the Board. Documents and information related to safety and security audits shall be maintained as confidential to the extent permitted by law.

Sec. 3. Safety and Security Committee

TMSA Schools shall establish a School Safety and Security Committee to support emergency planning, campus safety, and coordination with local emergency response partners. The Committee shall include, to the greatest extent practicable, representatives from county or municipal emergency management, local law enforcement, school-based security personnel, staff members and parents. The Committee shall participate in developing and reviewing emergency plans, provide recommendations to the Board, assist in safety assessments, and consult with law enforcement regarding campus safety. The Committee shall meet at least once during each academic semester and once during the summer, in compliance with North Carolina Open Meetings Law.

Sec. 4. Emergency Response Map and Walk-Through

TMSA Schools shall provide to the North Carolina Department of Public Safety and appropriate local law enforcement and emergency first responders an accurate and current map of each campus and building and an opportunity to conduct a walk-through of each campus.

Sec. 5. Notice of Active Threat Exercise

Before conducting an active threat exercise, TMSA Schools shall provide advance notice to participating students, their parents or guardians, and involved staff, including the date, content, form, and tone of the exercise and whether it will include a live simulation. Local law enforcement shall be notified in advance. All exercises shall be age-appropriate, developed with input from administrators, educators, mental health professionals, and law enforcement, and designed to support the physical and psychological well-being of students.

Sec. 6. Notification Regarding Bomb Threat or Terroristic Threat

Upon receiving bomb or terroristic threats at facilities where students are present, TMSA Schools shall promptly notify parents and guardians of affected students.

Sec. 7. Notification Regarding Violent Activity

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TMSA Schools shall adopt policies for notifying families about violent activities occurring or under investigation at campuses or school events.

Sec. 8. Traumatic Injury Response Protocol

TMSA Schools shall develop and annually make available a traumatic injury response protocol for employees and volunteers. Each campus shall maintain bleeding control stations in readily accessible locations stocked in accordance with guidance from nationally recognized medical or emergency response organizations. The Superintendent or designee shall ensure training on bleeding control equipment is provided to appropriate personnel and offered annually to students in grade seven or higher.

Sec. 9. Automated External Defibrillators

Each TMSA Schools campus shall maintain at least one AED, readily available during athletic events and positioned considering primary activity locations. Trained personnel shall be present whenever AEDs are required with substantial student presence. AEDs shall be maintained according to manufacturer specifications and applicable standards.

Sec. 10. Response to Cardiac Arrest

The Superintendent or designee shall develop procedures for cardiac emergency response including CPR administration, AED use, and emergency services activation.

PG-1.404 CRISIS AND TRAUMA RESPONSE

Sec. 1. Threat Assessments

a) Definitions

"Harmful, threatening, or violent behavior" includes verbal threats, threats of self-harm, bullying or cyberbullying, fighting, weapon possession or use, sexual misconduct or harassment, dating violence, stalking, or assault.

"Team" means a Threat Assessment and Safe and Supportive School Team established by the Board.

b) Threat Assessment and Safe and Supportive School Team

The Superintendent or designee shall establish a Threat Assessment and Safe and Supportive School Team for each campus or group of campuses and shall adopt procedures governing Team operations. Policies and procedures governing the Team shall be consistent with evidence-based threat assessment models, require appropriate Team member training,

establish internal reporting and documentation procedures, provide a method for students to report concerning behavior, and permit reporting employees to request confidentiality to the extent permitted by law.

c) Team Membership

The Superintendent or designee shall ensure that Team membership collectively includes individuals with expertise in counseling, behavior management, mental health, substance use, classroom instruction, special education, school administration, school safety and security, emergency management, and law enforcement coordination.

d) Team Responsibilities

Each Team shall conduct threat assessments by identifying and evaluating students who exhibit harmful or threatening behavior, gathering and analyzing relevant information to determine the level of risk and appropriate interventions, providing guidance to students and employees on recognizing concerning behaviors, and supporting implementation of the School's EOP and related safety initiatives.

e) Parent or Guardian Notification

Before conducting a threat assessment of a student, the Team shall notify the student's parent or guardian and provide an opportunity to participate. Following completion of a threat assessment, the Team shall communicate its findings to the parent or guardian consistent with student privacy laws.

f) Provision of Mental Health Services

The Team shall not provide mental health services to a student under eighteen years of age without prior written consent from the parent or guardian, except as otherwise permitted by law.

g) Determination of Risk

If the Team determines that a student or other individual poses a risk of serious harm to self or others, the Team shall immediately notify the Superintendent or designee and, if a student is involved, make reasonable efforts to notify the parent or guardian. The Team shall act in accordance with applicable School policies addressing the specific identified risk.

h) Oversight and Reporting

The Superintendent or designee may assign oversight of Team operations to an existing or separate committee with appropriate expertise. TMSA Schools shall maintain internal records of Team activities for oversight, evaluation, and continuous improvement, consistent with applicable law and student privacy protections.

i) Record Maintenance

Records generated through a threat assessment shall be maintained in accordance with FERPA and related privacy laws for the period required by law or Board policy.

Sec. 2. Resources on Safe Firearm Storage

TMSA Schools shall distribute safe firearm storage resources to all enrolled student families.

Sec. 3. Trauma-Informed Care Plan

TMSA Schools shall implement trauma-informed practices to support student and staff well-being. The Superintendent or designee shall develop and implement a Trauma-Informed Care Plan addressing staff and parent education, counseling options for affected students, and evidence-based training programs. Training shall be provided during new employee orientation and shall address the impacts of grief and trauma on student learning. When resources are limited, TMSA Schools may partner with community mental health organizations for training delivery.

PG-1.405 FACILITIES SAFETY

Sec. 1. Access Control Audits

The Superintendent or designee shall conduct regular inspections during school hours of all exterior doors of instructional facilities to ensure that doors are maintained in a closed, latched, and locked condition and cannot be opened from the exterior without authorized access. Results of access control inspections shall be reported to appropriate school leadership and the School Safety and Security Committee and shall be used to address identified deficiencies. Records of inspections shall be maintained and made available for periodic safety and security audits. Nothing in TMSA Schools' access control requirements shall discourage parents or guardians, once properly verified as authorized visitors, from accessing campuses they are authorized to visit.

Sec. 2. Facilities Standards Compliance

TMSA Schools shall ensure that each school facility complies with applicable safety and security standards established by law, regulation, or recognized best practices.

a) Good Cause Exception

If TMSA Schools is unable to bring a facility into full compliance, TMSA Schools may document a good cause exception based on the age, design, or location of the facility; its anticipated remaining useful life; availability of funding; or supply chain limitations. When a good cause exception is claimed, TMSA Schools shall develop and implement an alternative performance standard or mitigation measure that reasonably addresses the underlying safety concern.

b) Documentation

TMSA Schools shall maintain documentation demonstrating implementation of and compliance with applicable facilities safety and security standards for each facility, including documentation of any good cause exception. Such documentation shall be retained in accordance with Board policy and applicable law.

c) Confidentiality

Documents and information related to facilities safety and security, including access control measures and vulnerability information, shall be treated as confidential to the extent permitted by law.