



A Charter School Providing Seamless Education  
To Support and Enhance Floyd County's Workforce

A Charter Petition  
approved by the  
Floyd County Board of Education

Revised December 2007

# Start-Up Charter Petition Cover Pages

*This form is for use by private individuals, private organizations, or state or local public entities. Applicants must attach these petition cover pages (pages 5 to 16 of the application) to the front of the petition.*

## PART I. CHARTER INFORMATION

**Check one:**            ☒ New Petition                      ☐ Renewal Petition

This Charter petition is being submitted by a (check one):

☐ Private Individual(s)

☐ Private Organization

\_\_\_\_\_  
Name of Organization

☐ State Public Entity

\_\_\_\_\_  
Name of Entity

☒ Local Public Entity

Floyd County Board of Education  
Name of Entity

**Name of Proposed Charter** Floyd County Schools College and Career Academy

**Local School System in which Charter will be Located** Floyd County Schools

**School address** 100 Vocational Drive, Rome, GA 30161

<b>Contact person</b> <u>Dr. Lynn Plunkett</u>	<u>Interim Superintendent</u>
Name	Title

**Contact address** 600 Riverside Parkway, Rome, GA 30161

**Telephone number of contact** (706) 234-1031

**Fax number of contact** (706) 236-1824

**E-mail address of contact** lplunkett@floydboe.net

**Grade Levels Served** 9-12

**Ages Served** 13-20

**Proposed Opening/Renewal Date** August 2008

**Proposed Charter Term** 10 Years

*For each year of the proposed charter term, please indicate in the table below the number of pupils the Charter School plans to serve.*

	K	1	2	3	4	5	6	7	8	9	10	11	12	Total
Yr 1										35	140	210	315	700
Yr 2										38	152	229	343	762
Yr 3										40	162	243	364	809
Yr 4										44	174	261	392	871
Yr 5										47	187	280	420	934
Yr 6										50	199	299	448	996
Yr 7										53	210	315	472	1050
Yr 8										56	224	336	504	1120
Yr 9										59	236	355	532	1182
Yr 10										62	250	374	562	1248

## PART II. ASSURANCES AND SIGNATURES

1. This charter petition was approved by the Floyd County  
Board of Education on December 19, 2007  
Date

\_\_\_\_\_  
Superintendent

December 19, 2007  
Date

\_\_\_\_\_  
Chair, Local Board of Education

December 19, 2007  
Date

2. Petitioner(s) assure(s) that the proposed charter school programs, services, and activities will operate in accordance with the terms of the Charter and all applicable federal, state, and local laws, rules, and regulations.

\_\_\_\_\_  
Charter Petitioner

December 19, 2007  
Date

### PART III. EXECUTIVE SUMMARY

#### Basic Information

School Name: Floyd County Schools College and Career Academy

Type: LEA Start Up

Originally approved by the Floyd County Board of Education on July 16, 2007. Revised and approved by the Floyd County Board of Education on December 19, 2007.

#### Mission

To ensure a viable 21<sup>st</sup> century workforce for Floyd County.

#### Academic Program

Floyd County Schools College and Career Academy will be a replication of Georgia's nationally-recognized model school for workforce development - Central Educational Center in Newnan, Georgia. As such, FCSCCA will be an extension of the programs of the four high schools in Floyd County and will also be an off-campus center of Coosa Valley Technical College. The charter will have a focus toward integrating academics and advanced career/technical education programs. Instructional methods shall have a bias toward "project-based" instruction and will benefit from the alignment and seamless blending of academic courses with career, technical and agricultural education courses, the blending of high school with the rigor and expectations of college coursework, and the relevance resulting from the blending of public education with the priorities and expectations of business and industry.

#### Organization

FCSCCA represents a cooperative partnership among local business and industry and public education, as represented by the Greater Rome Chamber of Commerce, the Floyd County School System, and Coosa Valley Technical College.

As evidence of public interest, since early 2004, Floyd County Schools and its partners have been studying Central Educational Center and its replications. Since November 2006, business leaders, educators and community volunteers in Floyd County have cooperated to develop a charter technical school for our community and possibly for our region. This school will build on the already successful programs offered by Floyd County Technical High School and Coosa Valley Technical College, which are directly across the street from each other. The school system applied for and received a charter planning grant, and in December 2006, the stakeholders formally organized as a Steering Committee and brought on a consultant who was a past CEO of Central Educational Center. That consultant (Russ Moore) helped us create a non-profit corporation, plan a community needs assessment and write the attached charter for the local and state Boards of Education to approve.

By June, the stakeholders recommended a charter school agreement to the Floyd County Board of Education, which approved it unanimously on July 16, 2007. Further, the Steering Committee and consultant helped Coosa Valley Technical College and the school district complete the DTAE grant application for matching facility funds and operational funds. Our partnership was honored to receive the full grant award of \$3.2 million, one of only four career academy

partnerships in the state to qualify at this level from among 19 applicants. In December 2007, at the request of the Georgia Department of Education, the Floyd County Board of Education revised and approved this charter petition to comply with the State Board of Education's newly adopted Charter School Rule.

On April 4, 2007, our Steering Committee approved and our Superintendent sent a letter of intent to the State Board of Education via the Charter Program Manager and copied our Board of Education. Further, members of the Board of Education not only approved our charter petition, many of them have been involved formally in our planning effort since it was envisioned in 2004 and on our Steering Committee since it was formally established in December 2006. Our planners have adopted the philosophy, "We will put the FACT back in SatisFACTion," which is a service mark of our consultant's firm (Seamless Education Associates, Inc.). We have committed to determine our own satisfaction by the ability of our partnership to achieve our charter-mandated performance objectives, among other measures our CEO and governing Board of Directors will adopt and track.

Floyd County Schools College and Career Academy will not be operated by an Education Management Organization. Instead, it will be governed by the Board of Directors of FCSCCA, under the control and management of the Floyd County Board of Education. The Directors will be comprised of four parents, two business representatives, four education representatives, and one representative at-large.

## PART IV. START-UP CHARTER SCHOOL CHECKLIST

### **Requirements for a Charter School Petition Submitted by a Private Individual, Private Organization, or State or Local Public Entity O.C.G.A. § 20-2-2063 and State Board Rule 160-4-9-.04 CHARTER SCHOOLS**

*Start-up charter petitions must address each of the following requirements. Applicants should fill in the page number(s) at which the charter petition addresses each requirement.*

#### CHARTER SCHOOL/PETITIONER INFORMATION

1. Page 15 Provide the name under which the Charter School will operate.
2. Page 15 Provide the name of the primary contact for the petitioner.
3. Page 15 Provide the name of the school representative authorized to execute the charter contract.
4. Page 15 List the proposed grade levels and ages of students to be served by the Charter School.
5. Page 15 State the proposed duration of the school's charter.

#### STATEMENT OF MISSION

6. Page 16 Describe the Charter School's mission.
7. Page 16 Describe how the Charter School's mission supports the legislative intent to "increase student achievement through academic and organizational innovation."

#### DESCRIPTION OF THE EDUCATIONAL PROGRAM

8. Page 18 Describe the focus of the curriculum.
9. Page 18 Describe the instructional methods to be used in the Charter School, including any distinctive or unique instructional techniques or educational programs.
10. Page 18 Describe the anticipated teacher-to-student ratio and the rationale for maintaining this ratio.
11. Page 18 Describe the students the Charter School will serve, including students with special needs and disabilities.
12. Page 18 Describe how the Charter School will meet the needs of students identified as gifted and talented.
13. Page 19 Describe any extracurricular or other auxiliary educational activities the Charter School may offer.
14. Page 19 Describe any partnerships between the Charter School and the local school system or other community agency(ies) regarding the Charter School students utilizing extracurricular activities at the local school that the student would otherwise attend, or at any other community location.

15. Page 19 If this is a charter high school, describe how the charter high school will determine that a student has satisfied the requirements for high school graduation, including the credits or units to be earned and the completion credentials to be awarded.

#### STATE AND FEDERALLY MANDATED SERVICES

16. Page 21 For students with disabilities, describe how the Charter School will provide state- and federally mandated services.
17. Page 21 For English Language Learners (ESOL), describe how the Charter School will provide state- and federally mandated services.
18. Page 21 State that the Charter School shall comply with all federal special education laws and regulations, including Section 504 of the Rehabilitation Act of 1973, Title II of the Americans With Disabilities Act, and the Individuals with Disabilities Education Act.
19. Page 22 Describe how the Charter School will provide supplemental educational services in required cases pursuant to SBOE Rule 160-4-5-.03 and NCLB.
20. Page 22 Describe how the Charter School will provide remediation in required cases pursuant to SBOE Rule 160-4-5-.01 and NCLB.

#### GOALS AND OBJECTIVES

21. Page 23 List the Charter School's performance-based goals and measurable objectives and describe how these goals and objectives are in the public interest and shall result in improvement of student achievement.

#### WAIVERS

22. Page 25 State whether the Charter School will utilize the broad flexibility from law, rule, and regulation permitted by O.C.G.A. § 20-2-2065(a).
23. Page 25 If the school *will* utilize this flexibility, state that the Charter School will comply with all the requirements of the Single Statewide Accountability System and will meet or exceed the performance-based goals included in the charter.
24. Page NA If the school *will NOT* utilize this flexibility, list the specific waivers requested and the rationale for each. Describe further how each waiver will help the school meet or exceed the performance-based goals included in its charter.

#### DESCRIPTION OF ASSESSMENT METHODS

25. Page 26 Describe the Charter School's assessment plan to obtain student performance data for each student.
26. Page 27 Explain how the Charter School will work with the local school system to participate in all state-mandated assessments.



27. Page 27 Describe how the Charter School's assessment plan will measure student improvement and over what period of time.
28. Page 27 Describe how the Charter School will use this assessment data to monitor and improve achievement for students.
29. Page 28 State that the Charter School will not waive the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41 and federal accountability requirements.

## DESCRIPTION OF SCHOOL OPERATIONS

30. Page 30 Describe the attendance zone for the Charter School.
31. Page 30 Describe the rules and procedures that will govern the admission of students to the Charter School.
32. Page NA Describe or attach a copy of any admissions application the Charter School proposes to use.
33. Page 30 Describe whether the Charter School will use any enrollment priorities pursuant to O.C.G.A. § 20-2-2066(a)(1).
34. Page 30 Describe the steps that will be taken to reach students representative of the racial and socioeconomic diversity in the community.
35. Page 30 Describe the Charter School's plan for recruiting students and for maintaining/increasing enrollment.
36. Page 31 Describe the rules and procedures concerning student discipline and student dismissal (including code of conduct and student due process procedures).
37. Page 31 Describe the rules and procedures concerning how the school will address grievances and complaints from students, parents, and teachers.
38. Page 32 Generally describe the Charter School's employment procedures and policies.
39. Page 32 Specifically, state whether certification by the Georgia Professional Standards Commission (GAPSC) will be required.
40. Page 32 If certification by the GAPSC is *not* required, describe the training and experience that will be required.
41. Page 32 If certification by the GAPSC is *not* required, describe the Charter School's procedure for determining whether a teacher has demonstrated competency in the subject area(s) in which he/she will teach as required by NCLB.
42. Page 33 Describe whether the Charter School will use the state salary schedule, and if another schedule will be used, provide that schedule.
43. Page 33 Describe the Charter School's procedures to ensure that staff members are subject to fingerprinting and background checks.
44. Page 33 Describe the Charter School's insurance coverage, including the terms and conditions and coverage amounts thereof.
45. Page 34 Describe whether transportation services will be provided and, if so, provide a brief description of the transportation program for the school.
46. Page 34 If transportation services *are* provided, state that the transportation program will comply with applicable law.
47. Page NA If transportation services *are not* provided, describe how this will not be a barrier to eligible students to attend school.

- 48. Page 34 Describe whether the Charter School will provide food services (including participation in federal school meals programs).
- 49. Page 34 If food services *will* be provided, briefly describe the proposed program.

## FACILITIES

- 50. Page 35 Describe the school facility that the Charter School will use and its location. State whether the school facility is new or existing.
- 51. Page 35 Describe any modifications necessary for utilizing the space for educational purposes.
- 52. Page Exhibit I Provide documentation of ownership or a copy of the lease of the facility. If ownership documentation or a lease is unavailable, provide a timeline for obtaining such facilities or providing such documentation.
- 53. Page Exhibit I Provide a Certificate of Occupancy, or a timeline for obtaining a Certificate of Occupancy, prior to students occupying the proposed facility.
- 54. Page 35 Provide the school's emergency safety plan, or in the alternative an assurance that the Charter School will prepare a safety plan in accordance with O.C.G.A. § 20-2-1185 and will submit and obtain approval of that plan from the Georgia Emergency Management Agency by a specified date.

## PARENT AND COMMUNITY INVOLVEMENT

- 55. Page 37 Describe how parents, community members, and other interested parties were involved in developing the petition.
- 56. Page 37 Describe how parents, community members, and other interested parties will be involved in the school.

## DEMONSTRATION OF FISCAL FEASIBILITY AND CONTROLS

- 57. Page 39 Describe the level of autonomy the Charter School will have over budgets and expenditures.
- 58. Page 41 Describe the plans for ensuring that the Charter School will be subject to an annual financial audit by an independent Georgia-licensed certified public accountant.
- 59. Page 41 Identify the school's chief financial officer and describe how that person's credentials comply with the Guidance for Georgia State Board of Education Rule 160-4-9-.04.
- 60. Page 41 Describe how the school's enrollment count will be determined for purposes of calculating the Charter School funding pursuant to O.C.G.A. § 20-2-2068.1(c).
- 61. Page 41 Provide a proposed timeline as to when the Charter School will begin to receive state and local funding from the local board in order to begin operations.
- 62. Page 42 State that the Charter School will comply with the federal monitoring requirements for schools receiving federal funds.

63. Page 42 Describe the Charter School's plans, if any, for securing other sources of funding, including funding from corporations, individuals, foundations, philanthropic groups, or any other source.

#### DESCRIPTION OF GOVERNANCE STRUCTURE

64. Page 43 If the Charter School is an LEA start-up, state whether the school will utilize a governing board, or a local school council as provided for in O.C.G.A. § 20-2-85.
65. Page 43 If the Charter School is an LEA start-up and it will use a board other than a local school council, state that it will be subject to the provisions of O.C.G.A. § 50-14-1 *et seq.* (Open and Public Meetings) and O.C.G.A. § 50-18-70 *et seq.* (Inspection of Public Records).
66. Page 43 State that the governing board shall be subject to the control and management of the local board and subject to the provisions of O.C.G.A. §§ 50-14-1 *et seq.* and 50-18-70 *et seq.*
67. Page 44 Describe the governing board's function, duties, and composition.
68. Page 45 Describe how and when governing board members will be selected, how long each governing board member will serve, and how governing board members may be removed from office.
69. Page 46 Describe how the governing board will ensure that current and future board members avoid conflicts of interest.
70. Page 46 Disclose any potential conflicts of interest of the founding governing board members.
71. Page 47 Describe the governing board's role in upholding the school's mission and vision.
72. Page 47 Describe how the governing board will appraise the principal's performance.
73. Page 47 Describe how the governing board will ensure effective organizational planning and financial stability.
74. Page 47 Describe the governing board's role in resolving teacher, parent, and student grievances and other conflicts.
75. Page 48 Describe how parents, community members, or other interested parties will be involved in the Charter School's governing board.
76. Page 48 List any proposed business arrangements or partnerships with existing schools, educational programs, businesses, or nonprofit organizations and disclose any potential conflicts of interest.
77. Page 48 Describe of the method that the local board and the Charter School plan to utilize for resolving conflicts.
78. Page 48 State if the Charter School intends to contract, or has contracted for, the services of a for-profit entity or any other educational management agency.

## STATEMENT ON ANNUAL REPORT

79. Page 49 State that the Charter School shall, by October 1, submit an annual report that includes all State-mandated assessment and accountability scores and complies with all requirements set out in O.C.G.A. § 20-2-2067.1(c)(1)-(6).

## REQUIRED ATTACHMENTS/APPENDICES

80. Page 50ff Attach an official copy of the certificate of incorporation for the required Georgia nonprofit corporation from the Georgia Secretary of State (note: LEA start-ups and state and local public entities are not subject to this requirement pursuant to O.C.G.A. § 20-2-2065(b)(4)).
81. Page 50ff Attach a copy of the by-laws for the nonprofit corporation (note: LEA start-ups and state and local public entities are not subject to this requirement pursuant to O.C.G.A. § 20-2-2065(b)(4)).
82. Page 50ff Attach the Charter School's proposed annual calendar and a draft of the Charter School's daily school schedule.
83. Page 50ff Attach a monthly cash flow projection detailing revenues and expenditures for the Charter School's first year of operation.
84. Page 50ff Attach spreadsheets projecting cash flow, revenue estimates, budgets, and expenditures on an annual basis for the first five (5) years of the charter term.
85. Page NA Attach a copy of any intended contracts for the provision of educational management services or the provision of supplemental educational services and remediation.
86. Page NA Attach a copy of any agreements with other local schools for the Charter School students' participation in extracurricular activities such as interscholastic sports and clubs.

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## CHARTER SCHOOL/PETITIONER INFORMATION

On July 16, 2007, the Floyd County Board of Education approved a charter petition to create and operate Floyd County Schools College and Career Academy as an LEA Start Up Charter Career Academy. This petition was revised and approved by the Floyd County Board of Education on December 19, 2007. The following is the primary contact for the petitioner authorized by the Board of Education to execute the charter contract:

Mr. Frank Pinson, CEO

Floyd County Schools College and Career Academy

100 Vocational Drive

Rome, Georgia 30161

(706) 236-1860

### ***Ages and Grades Served***

FCSCCA may provide instruction to pupils in grades 9 through 12. The range in ages of students of FCSCCA may be 13 through 20. Students served may include students from other local school systems upon agreement between the Local Board and Boards of Education from other local systems.

### ***Charter Term***

The charter term will be for ten (10) years, commencing on July 1, 2008 and expiring at midnight, June 30, 2018.

## STATEMENT OF MISSION

Floyd County Schools College and Career Academy's mission is taken from research done in the local community and commissioned by the Floyd County School District and Coosa Valley Technical College. That mission is "to ensure a viable 21<sup>st</sup> century workforce for Floyd County."

### ***Supporting Legislative Intent***

Floyd County Schools College and Career Academy (FCSCCA) will be a direct replication of Georgia's nationally-recognized model school for workforce development – Central Educational Center (CEC) in Newnan, Georgia. As such, FCSCCA represents a cooperative effort among local businesses and industries and secondary and post-secondary education institutions, represented by the Greater Rome Chamber of Commerce, the Floyd County School District, and Coosa Valley Technical College. Other partners may be added, during the term of this Agreement, upon approval by the Floyd County Schools College and Career Academy Board of Directors.

FCSCCA's planners have incorporated as Floyd County Schools College And Career Academy, Inc, a Georgia nonprofit corporation (see Articles of Incorporation and By-Laws in Exhibit II), and since 2006, a public-private Steering Committee has been using CEC's ADDIE process (Analyze, Design, Develop, Implement, and Evaluate) outlined in Central Educational Center's Dissemination Manual. That manual was prepared and published using federal and state charter dissemination grant funds, following State Board policies based on state law drafted and amended by the Georgia legislature, and supported by two Georgia governors.



To support the legislative intent to “increase student achievement through academic and organizational innovation,” Floyd County Schools College and Career Academy will follow the same process used to create and refine CEC. Floyd County Schools College and Career Academy will be organized as an extension of the programs of the then-existing high schools in Floyd County, and as an off-campus center of Coosa Valley Technical College (a participating partner under agreement with the Local Board), with a focus toward integrating academics and advanced career/technical education programs.

## EDUCATIONAL PROGRAM

### ***Focus of Curriculum***

The focus of the curriculum shall be the integration of academics and advanced career/technical education. Students shall be advised toward a “major,” and secondary and postsecondary programs shall be seamlessly linked.

### ***Instructional Methods***

Instructional methods shall have a bias toward “project-based” instruction and will benefit from the alignment and seamless blending of academic courses with career, technical and agricultural education courses, the blending of high school with the rigor and expectations of college coursework, and the relevance resulting from the blending of public education with the priorities and expectations of business and industry. The secondary curriculum shall lead to both post-secondary curriculum choices and to work-based learning opportunities.

### ***Student-Teacher Ratio***

The teacher-to-student ratio shall not exceed the allowable standards required in Floyd County High Schools.

### ***Students Served (Including Special Needs, Disabled, Gifted/Talented)***

Students in grades 9-12 (ages 13-20) are the students who may be served with an emphasis on students in grades 10-12. In meeting the district’s requirement of providing “free and appropriate public education,” FCSCCA shall enroll any student (including students with disabilities and ESOL students) who resides in the designated attendance zone and who submits a timely application, unless the number of applications exceeds the capacity of a program, class,

grade level or building. In such case, all such applicants shall have an equal chance of being admitted through a random selection process unless otherwise prohibited by law; provided, however, that FCSCCA shall give enrollment preference to students who reside in the attendance zone and to those who are already enrolled at the school. FCSCCA will not have a gifted/talented program, though students identified as gifted and talented will have the same chance of enrollment as other students.

### ***Extracurricular Activities***

FCSCCA will not offer extracurricular activities related to athletics or the arts, as such are already provided by the base high schools and outside the mission of FCSCCA. FCSCCA will house such Career and Technical Student Organizations (CTSOs) as deemed necessary and expedient by the Local Board and the Directors, considering the focus of the instructional program of FCSCCA.

### ***Credits and Graduation (Completion)***

FCSCCA will not grant units or completion credentials. Those credits will be awarded as Carnegie Units and as High School Diplomas by the Floyd County High Schools in which each student is enrolled; i.e., courses taken at FCSCCA will result in Carnegie Units being awarded to the student by a Floyd County High School. In addition, students shall be awarded technical certificates of credit, diplomas and/or associate degrees based on standards established by the Technical College System of Georgia and Coosa Valley Technical College. Students will be encouraged to take High School and post-secondary dual-enrollment courses based on a “major” and career counseling provided by Floyd County High Schools, FCSCCA and post-secondary staff. Such counseling will be biased towards on-time completion of High School and the

receipt, at a minimum, of a High School Diploma by each student. FCSCCA students will meet the same graduation requirements set by the Floyd County Board of Education as any other Floyd County High School student. FCSCCA will not use its waiver to ease graduation requirements and will comply with the statewide graduation rule.

## STATE AND FEDERALLY MANDATED SERVICES

### ***Students with Disabilities***

Students with special needs and disabilities will be served by the Floyd County School System, as directed by the Local Board, with appropriate services provided at FCSCCA by district staff in keeping with FCSCCA's mission and the resources provided by the Local Board. Special education staff at FCSCCA will collaborate with Special Education staff at the High Schools to meet individual student needs.

For students with disabilities, FCSCCA will provide state and federally mandated services as follows: Related Vocational Instruction services shall be provided to assist students with Individualized Educational Programs (IEP), upon review by a committee including credentialed professionals from Floyd County Schools and representatives from FCSCCA, to excel in FCSCCA. The provision of these services will follow, at a minimum, district policies using district procedures.

### ***English Language Learners***

For English Language Learners (ESOL), FCSCCA will provide state and federally mandated services by extending programs already offered at the base high schools in Floyd County, under the supervision of the Local Board.

### ***Compliance with Laws and Regulations***

FCSCCA shall comply with all federal, state and local rules, regulations, court orders, and statutes relating to funding; civil rights; insurance; the protection of the physical health and safety of school students, employees, and visitors; conflicting interest transactions; and the

prevention of unlawful conduct. Furthermore, FCSCCA shall be subject to all laws relating to unlawful conduct in or near a public school; the provisions of Part 3 of Article 2 of Charter 14 of this title; and all reporting requirement of O.C.G.A. § 20-2-320.

### ***Supplemental Educational Services and Remediation***

FCSCCA will offer such supplemental educational services and remediation in required cases pursuant to SBOE Rule 160-4-5-.03 and 160-4-5-.01 as deemed necessary and expedient by the Local Board and the Directors, considering the focus of the instructional program of FCSCCA.

## GOALS AND OBJECTIVES

FCSCCA's performance-based goals will be the following:

1. As a result of the educational opportunities offered at FCSCCA, Floyd County Schools will exceed on a majority of the USDE benchmarks in Perkins' accountability measures annually during the term of this Agreement.
2. As a result of the educational opportunities offered at FCSCCA, Floyd County Schools will produce graduates whose high school diplomas meet the requirements of a Career Readiness Certificate endorsed by related industries. The number of students earning a Career Readiness Certificate will increase by 2% per year over the term of this agreement.
3. As a result of the educational opportunities offered at FCSCCA, the average percentage of Floyd County students dual-enrolled in technical college programs will increase 2.5% per year over the term of this agreement.
4. As a result of the educational opportunities offered at FCSCCA, Floyd County schools will increase the average number of students in work-based learning programs by 2.5% per year over the term of this agreement.
5. As a result of the educational opportunities offered at FCSCCA, Floyd County High Schools will increase the number of students graduating annually who meet the requirements of the new State Graduation Rule. This improvement will be calculated by comparing the graduation rates of students who attend FCSCCA against the average graduation rate of all Floyd County High School students who do not attend FCSCCA. Since all students attending the FCSCCA are receiving diplomas from Floyd County High Schools, if FCSCCA's graduation rate exceeds the average of all High School

students not attending FCSCCA, and if the FCSCCA graduation rate increases annually, FCSCCA will be assumed to be helping increase Floyd County's High School graduation rate.

6. As a result of the educational opportunities offered at FCSCCA, 90% of the students who attend FCSCCA and receive at least one technical certificate will be employed in a job directly related to that certificate or enrolled in post secondary education within 90 days of graduation from high school, every year.

### ***Public Interest and Improvement***

The above goals were considered and approved by a large number of community planners, as well as by the Local Board. Approval by these stakeholders indicates certainty on the part of the local planners and authorizers that the achievement of these goals is in the public interest.

Further, the planners and authorizers believe and hope that the achievement of these goals will help the community achieve other measures of individual, community and economic success.



## WAIVERS

Except for The Charter School Act of 1998 and O.C.G.A. 20-2-211(e) (fingerprinting and criminal background check), FCSCCA shall be exempt from all Local Board of Education and State Board of Education Policies, Regulations, and Procedures and from provisions of Title 20 of the Official Code of Georgia Annotated that are in conflict with the provisions of this agreement, thus utilizing the broad flexibility from law, rule and regulation listed in O.C.G.A. § 20-2-2065(a). FCSCCA will comply with all the requirements of the Single Statewide Accountability System.

### ***Accountability Compliance***

FCSCCA shall comply with all federal, state and local rules, regulations, court orders, and statutes relating to funding; civil rights; insurance; the protection of the physical health and safety of school students, employees, and visitors; conflicting interest transactions; and the prevention of unlawful conduct. Furthermore, FCSCCA shall be subject to all laws relating to unlawful conduct in or near a public school; the provisions of Part 3 of Article 2 of Charter 14 of this title; and all reporting requirements of O.C.G.A. § 20-2-320.

### ***Exceeding Expectations***

FCSCCA's Directors expect that FCSCCA will exceed expectations, in part because of the flexibility granted by Georgia's Charter School Law and the above waiver. When considering approval of the annual report, the Directors will specifically ask the CEO to state whether or not the school has exceeded expectations, and if so, to what degree it has done so.

## ASSESSMENT METHODS

### *Student Performance Data Assessment Plan*

FCSCCA will assess individual and aggregate student performance each semester using an accountability system approved by the Directors. This system will involve the creation of a database unique to FCSCCA to track traditional student achievement measures (enrollment, grades, demographics, etc.) as well as measures of achievement not traditionally associated with academic success that are relevant to FCSCCA's mission (standardized test scores, placement in work-based learning and college programs, etc.). The data will be available to administrators, counselors and teachers as they collaborate to enhance each student's success, and the data will be available to students and parents upon request as permitted by state law. The data will also be included in the report to be prepared and submitted to the State Board annually by October 1. This report will comply with all requirements set out in O.C.G.A. § 20-2-2067.1(c)(1)-(6), including all State-mandated assessment and accountability scores.

Since most students will attend FCSCCA on a part-time basis and their base high school the remainder of the time, it is not possible to have a separate school code assigned by the state Department of Education. Students will be counted in the AYP report of their base schools; however, the CEO will report to the Directors FCSCCA's impact on the district and its High Schools meeting AYP.

### ***Cooperation on State-Mandated Assessments***

The Directors will consider this data annually as they assess the challenges and successes of the school, consider opportunities for continuous improvement of FCSCCA, and prepare the state-mandated annual report.

The collection of student performance data will complement data collection methods and procedures used by Floyd County High Schools.

### ***Measuring Student Improvement and Achievement***

Assigning course credit, determining whether or not students meet graduation requirements, and granting of diplomas and technical certificates of credit will be the responsibility of Floyd County Schools and Coosa Valley Technical College. Student test scores will be tracked to determine if they meet or exceed the system average as a whole and in each subgroup on both the End of Course and Georgia High School Graduation Tests. The impact of the educational program of this Charter School will not just affect the data of the Charter School, but is expected to impact the performance of the entire school system.

Students who fail the EOCT or portions of the GHSGT will be provided additional help both at the Charter School and at their base high school to improve their skills through tutoring both during the school day and extended time. Supplemental services, if required, will be offered through the base high schools.

### ***Federal and State Accountability***

FCSCCA will not waive the accountability provisions of O.C.G.A. § 20-14-30 through § 20-14-41 and federal accountability requirements.

For accountability purposes, FCSCCA will generate a separate report using the same test data and subgroups as the No Child Left Behind Accountability report for those students who attend FCSCCA each year. The impact of the educational program of this FCSCCA will not just affect the data of FCSCCA but is expected to impact the performance of the entire school system.

## SCHOOL OPERATIONS

### *Management*

The CEO is directly accountable to the Directors for the performance of FCSCCA. The CEO's primary role shall be the continuous improvement of the partnership that creates FCSCCA and of the programs included as a part of FCSCCA.

The CEO shall have the assistance of, as direct reports, the following positions:

A Director of High School Programs for the Charter School who shall be directly responsible for secondary personnel, scheduling of classes, and such other duties as may from time to time be assigned by the CEO in consultation with the Local Board.

A Business-Community Coordinator/Director who shall be directly responsible for describing the Charter School to the business community, gathering the support of the business community, and such other duties as may from time to time be assigned by the CEO in consultation with the Local Board.

A Director of College Operations, who reports directly to Coosa Valley Technical College, shall also support the CEO.

An Administrative Assistant, whose job description and work schedule will be determined by the CEO.

### ***Attendance Zone***

The attendance zone for FCSCCA shall be the Floyd County School System. As well, if the Local Board reaches agreements with other local boards, representing local school systems, the attendance zone may be expanded to accommodate such agreements. Tuition and/or fees may apply to students attending through agreements with other local boards.

### ***Admissions Rules and Procedures and Enrollment Priorities***

FCSCCA shall follow the admission policies of the Floyd County School System. Students shall enroll in FCSCCA by enrolling in a Floyd County school. Selection will be based on providing preference to those previously enrolled. FCSCCA shall not have its own separate enrollment.

### ***Racial And Socioeconomic Diversity***

FCSCCA shall not discriminate against students on the basis of disability, race, creed, color, gender, national origin, religion, ancestry, marital status or for special educational services. Furthermore, FCSCCA shall not discriminate on any basis that would be illegal if used by a school system. FCSCCA's recruitment plan (see below) will require the CEO to track and report to the Directors FCSCCA's enrollment percentages by demographic groups and subgroups. The CEO and Directors will consider this information and, if the racial and socioeconomic diversity of the district is not substantially similar to the diversity of FCSCCA's enrollment, will revise the recruitment plan to improve any and all necessary percentages.

### ***Recruiting Students And For Maintaining/Increasing Enrollment***

The CEO and Directors will cooperate with the authorizing districts and College to develop a recruitment plan that involves administrators, counselors, teachers, parents, business partners, alumni and students. The CEO will state current enrollment and enrollment trends in the annual

report, as well as in interim reports at every meeting of the Directors. The Directors will hold the CEO accountable for enrollment levels. The CEO will establish and report to the Directors on recruitment priorities, including but not limited to students whose graduation is jeopardized because their high school programs of study will be incomplete without being admitted to attendance.

### ***Student Discipline And Student Dismissal***

FCSCCA's rules and procedures concerning student discipline will be modeled after those created by Central Educational Center, as recommended by the Directors and approved by the Local Board. These rules and procedures will be established in light of the needs assessment and its focus on "Work Ethic." The community has asked FCSCCA to make work ethic a primary focus, alongside curriculum, and FCSCCA will respond. Since FCSCCA is an extension of Floyd County High Schools, as previously described, there is no "dismissal" but merely a prohibition against enjoying the use of FCSCCA. In addition to following the student discipline rules and procedures of FCSCCA, students will also be responsible for adhering to the discipline rules and procedures of their base High Schools. Administrators from FCSCCA and the High Schools will communicate and collaborate on student discipline issues regularly and as needed.

### ***Grievances And Complaints***

The CEO will also be responsible for resolving grievances and conflicts. In the event that the CEO must recuse himself or herself from the process, the Directors may consider and resolve such grievances or conflicts.

### ***Employment Procedures And Policies***

The Local Board shall be responsible for the annual evaluation and re-employment of the CEO upon the recommendation of the Directors and the Superintendent. The Floyd County School System will assist the CEO in the recruitment of secondary staff. The CEO shall be responsible for recommending to the Local Board personnel decisions as related to school system employees and shall report such decisions to the Directors and the Superintendent. Hiring, compensation, evaluation, and termination of system employees are functions of the Local Board as recommended by the CEO and the Superintendent. The CEO shall be advised of personnel decisions made by Coosa Valley Technical College and shall have discussions with the College about such decisions as practical.

Secondary teachers shall be employed on the payroll of the Floyd County School System with such salaries and benefits as may be provided to any comparable School System teachers. The Floyd County School System will assist in the recruitment, hiring, compensation, evaluation and termination of such teachers. The Floyd County School System may not place or remove teachers or staff at FCSCCA without providing notification and explanation to the CEO, which shall be written notice and explanation if requested by the CEO.

### ***Certification***

Certification may not be a requirement for career technical teaching positions as long as appropriate work experience shall be substituted. Where appropriate work experience is substituted, and consistent with the Charter School Act, the Floyd County School System shall report each teacher to the State as if the teacher had at least a Bachelor Degree (if less than a Bachelor Degree is held by the teacher) plus appropriate years of work experience (up to the



maximum years of experience upon which the State typically reimburses the Floyd County School System for teachers). Where an advanced degree is held by the non-certificated teacher, and consistent with Charter School Act, the Floyd County School System shall report each teacher to the State as having such a degree plus appropriate years of work experience. The State shall reimburse the Floyd County School System for the administrative position known as Director of High School Programs as being the High School Principal of FCSCCA.

Personnel employed by Coosa Valley Technical College, and working at the Charter School, shall meet the requirements of the Coosa Valley Technical College for employment. Coosa Valley Technical College shall be responsible for recruitment, hiring, compensation, evaluation and termination of such teachers.

### ***Salary Schedule***

Secondary teachers employed at FCSCCA will be compensated with such salaries and benefits as may be provided to any comparable School System teachers through the district's salary schedule.

### ***Fingerprinting And Background Checks***

All personnel employed at FCSCCA shall be fingerprinted and have a criminal record check prior to employment.

### ***Insurance***

Without waiving any protections afforded public school employees under the doctrine of sovereign immunity or as otherwise provided by law, FCSCCA shall be insured as follows: The Floyd County School System shall provide all such insurance provided for any school in the

Floyd County School System. In addition, Directors of FCSCCA shall be made a part of liability insurance provided to members of the Local Board.

### ***Transportation Services***

The Floyd County School System shall provide bus service between the high schools in Floyd County and FCSCCA. FCSCCA students shall have access to this service, which will comply with applicable law. Students will also be allowed to drive to the center.

### ***Food Services***

The Floyd County School System shall provide food service at FCSCCA and at all high schools in Floyd County. FCSCCA students shall have access to such food service either at the high schools, at FCSCCA, or at their choice of either location.

## FACILITIES

### ***Location***

The main facilities for FCSCCA shall be located in that facility known as Floyd County Schools College and Career Academy, located at 100 Vocational Drive, Rome, Georgia, and at such other satellite locations as shall be approved by the Directors and the Local Board. This facility will meet standards of the Local Board's facilities department and may be altered or expanded by FCSCCA. Such alteration or expansion shall be in compliance with then existing occupancy rules and codes. Upon approval by the Directors and the Local Board, satellite facilities may be utilized for the operation of FCSCCA when such facilities are in compliance with then existing occupancy rules and codes.

### ***Ownership***

This facility is owned by the Floyd County School System (Exhibit I). For purposes of obtaining grant funding from the Technical College System of Georgia, the property may be leased to Coosa Valley Technical College. If such a lease is executed, documentation of the lease will be provided to the state.

### ***Certificate of Occupancy***

A certificate of occupancy is included in Exhibit I.

### ***Emergency Safety Plan***

The CEO shall prepare and the Directors shall evaluate and recommend to the Local Board a safety plan for FCSCCA in accordance with O.C.G.A. § 20-2-1185 before the school opens in

August 2008. The plan will also be approved prior to this deadline by the Georgia Emergency Management Agency.

## PARENT AND COMMUNITY INVOLVEMENT

### ***Developing Petition***

During 2006 and 2007, parents, members of the community and other interested parties were directly and substantially involved in developing this original petition. A needs assessment survey was administered to gauge the community's desire for the inclusion of particular programs in the Charter School curriculum. Results will be used to determine what career technical education programs to include. A community-based group, the "Steering Committee" was formed and applied the results of the survey, labor department data, Chamber of Commerce data and other information to develop the original organization and design of the Charter School. This committee met regularly to plan the mission, vision and curriculum for the school and to secure funding for the facility. The committee members toured the Central Educational Model in Newnan, Georgia, and other replications of that model, collected data from the community regarding programming, and generally worked to inform the community of the concept. Eventually, that Steering Committee will be succeeded by the Charter School's Board of Directors (the "Directors"), which will be the governing body of the Charter School.

### ***Ongoing Involvement***

Parents, members of the community and other interested parties will be involved in the school through changes and additions to Floyd County Schools College and Career Academy Board of Directors and by gathering data from the community, parents, students and faculty. In addition, Floyd County Schools College and Career Academy will market its programs directly to parents, students and business partners. Resulting enrollment figures of Floyd County Schools College and Career Academy will be compared against school system demographics for racial and

socioeconomic subgroups to ensure that enrollment percentages substantially mirror school system enrollment demographics.

Additional data will be gathered through regular updates of the needs assessment, parent surveys, and student surveys – using protocols developed by CEC as a guide and authorized by the Directors.

## FISCAL FEASIBILITY AND CONTROLS

### *Autonomy*

FCSCCA shall be an extension of the then-existing high school programs in Floyd County (for the purpose of gaining full FTE funding) and so, while a start-up, under the law as it currently exists, FCSCCA planners have incorporated as Floyd County School College and Career Academy, Inc., a Georgia nonprofit corporation (see Articles of Incorporation and By-Laws in Exhibit II).

The financial policies, procedures and controls for public education funds spent by or on behalf of FCSCCA shall be provided by the Floyd County School System and by Coosa Valley Technical College. FCSCCA shall be operated, within such financial policies, procedures and controls as a satellite location for the School System and for the College. Funds shall be distributed to FCSCCA on a pro-rata basis based on the share of time a student attends FCSCCA during the School day.

FCSCCA has only been assigned such public education assets as are needed to operate according to its current Charter Agreement. Such assets are owned by the Floyd County School System or by Coosa Valley Technical College for the specific benefit of FCSCCA.

Exhibit IV provides for the budget for the full term of this Agreement, including: a monthly cash flow projection detailing revenues and expenditures for the first year of operation; spreadsheets projecting cash flow statements, revenue estimates, budgets and expenditures on an annual basis for the five (5) years of the charter term; an estimate of all public and private dollars available

per student; and an itemized list of working capital and assets, including cash, bonds and real estate.

The Local Board and FCSCCA may enter into a purchase agreement or agreements providing for the purchase by FCSCCA from the Local Board of certain goods, services and materials in connection with the operation of FCSCCA.

FCSCCA shall not charge tuition or fees to any student except as may be authorized for local boards by O.C.G.A. § 20-2-133. Tuition and/or fees may be charged for after-school programs or students attending through agreements with other local boards.

In the event FCSCCA ceases operation for any reason, FCSCCA and its policymaking body will be responsible for winding up the business and affairs of FCSCCA and will cooperate with the Local Board and State Board to the extent necessary to provide an orderly return of the students to the their local school. Any public surplus remaining at the time FCSCCA ceases operation shall be remitted to the Local Board, the College, and/or State Board, whichever is appropriate, within 30 days of the day students no longer attend FCSCCA. Any furniture and equipment purchased with public funds shall be delivered to the Local Board, College, and/or State Board, whichever is appropriate, within 30 days of the day students no longer attend FCSCCA.

Neither the Local Board, College nor State Board shall be responsible for FCSCCA's unpaid debts in the event FCSCCA does not have sufficient funds to pay all of its debts at the time it ceases operation.



### ***Audit***

Financial audits will be conducted annually by the Floyd County School System following procedures established by the Local Board and under the supervision of the Chief Financial Officer of Floyd County Schools.

### ***Chief Financial Officer***

No school in the Floyd County School System has a separate Chief Financial Officer; instead, all schools are served by the system's CFO, who is a CPA. In the same manner, the school system CFO will serve as the default CFO for FCSCCA's K-12 revenue and expenses.

### ***Enrollment Count***

The Annual Funding Amount and Per-Pupil Allocation: The State Board will allow FCSCCA to report its FTE as an extension of high schools in Floyd County for the purpose of gaining full FTE funding. Funding amounts and per-pupil allocations shall be the same as those provided to all Floyd County high school students and shall be allocated to FCSCCA based on the pro-rata share of the school day the student attends FCSCCA.

### ***Funding Timeline***

FCSCCA shall operate according to the budget attached hereto as Exhibit IV and as such budget may from time to time be revised by the Local Board. Such budget includes secondary program dollars provided by the Floyd County School System. The Floyd County School System will handle all payroll for secondary employees and so FCSCCA, will, of necessity, be funded from both State and Local Boards as is any other Floyd County school.

### ***Federal Funds Monitoring***

FCSCCA will be accountable for the spending of federal funds through the Floyd County School System.

### ***Other Funding Sources***

The Directors may apply for IRS 501(c)(3) status in order to accept charitable contributions from private individuals, foundations, and other organizations. The CEO and Directors may use these assets to create and manage an endowment to support FCSCCA's operations and its pursuit of continuous improvement of FCSCCA's programs and partnership.

## GOVERNANCE STRUCTURE

### ***Governing Board***

FCSCCA shall utilize a policymaking board – specifically the nonprofit Board of Directors.

### ***Open and Public Meetings and Public Records***

The Directors shall be subject to the provisions of O.C.G.A. § 50-14-1 et seq. (Open and Public Meetings) and O.C.G.A. § 50-18-70 et seq. (Inspection of Public Records).

### ***Control and Management***

The Directors will be the governing body of FCSCCA, subject to the control and management of the Local Board, and subject to the spirit of the partnership among Coosa Valley Technical College; and among local business and industry as represented by the Greater Rome Chamber of Commerce. The spirit of the partnership is partially defined as being such that no partner(s) mentioned above may interfere with the legal right or obligation of the Directors to execute duties required or permitted by O.C.G.A. § 14-3-101 et seq. (Georgia Nonprofit Corporation Code).

The FCSCCA Board of Directors will operate as a subordinate body of the Floyd County School Board. As such it will adopt the Liability and Bonding procedures in place for the School Board. Insurance policies will be extended to provide for like coverage. The Floyd County School System will extend liability coverage to school system employees as it does for all other schools within its system. FCSCCA acknowledges that it is without authority to, and will not, extend the faith and credit of the Local Board or State Board to any third party except as properly authorized to do so.

### ***Board Functions, Duties, Composition***

The composition of the board shall be as follows:

- 1) Four parents (one parent from each of the existing high schools in Floyd County, and who are not employees of Floyd County Schools or Coosa Valley Technical College)
- 2) Two business representatives recommended by the Greater Rome Chamber of Commerce
- 3) Two secondary education representatives (one representing the Floyd County School System and one representing the secondary faculty of the Charter School)
- 4) Two post-secondary education representatives (one representing Coosa Valley Technical College and one representing the post-secondary faculty of the Charter School)
- 5) One representative at-large

Unless removed as provided herein, those persons in Classification (1) shall serve an initial term of one (1) year. Those persons in Classifications (2) and (3) shall serve an initial term of two (2) years, and those persons in Classifications (4) and (5) shall serve an initial term of three (3) years.

Thereafter, all Directors shall serve three (3) year terms unless removed as provided herein.

There shall be no less than eleven (11) nor more than twenty-two members on the Board of Directors as determined by the Board, except that any increase in the number of persons appointed to the Board in one Classification shall automatically trigger a proportionate increase in the number of persons appointed to serve in all other Classifications.

The Directors shall meet at least six times annually in regularly scheduled session. The Directors shall, at such meetings, and in such other sessions as may be called from time to time, focus on the achievement of the measurements indicated in this Agreement. As well, the Directors shall focus on the establishment and enforcement of FCSCCA policies and the development and achievement of strategic objectives.

### ***Board Selection, Service, Removal***

Manner of Election of Directors. Except as provided in By-Laws Section 3.2, all Directors shall be elected at the annual meeting of the Board of Directors by majority vote of the Board of Directors; provided that any replacement Director must fall within the same Classification as the Director being replaced, and all appointments of the Board of Directors for replacement Directors must be approved by the Local Board of Education prior to such person taking office.

Chairman. The Board of Directors by majority vote shall annually elect its Chairman, who shall preside at all meetings of the Board and perform such other functions as the Board may determine consistent with the Bylaws.

Removal. Any Director may be removed either with or without cause at any regular, special or annual meeting of the Board of Directors, by the affirmative vote of a majority of all the Directors then in office if notice of intention to act upon such matter shall have been given in the notice calling such meeting. Any Director may also be removed with or without cause by majority vote of the members of the Local Board at any regular or called meeting of the Local Board.

Vacancies: Any vacancy in the Board of Directors arising at any time and from any cause, including, without limitation, the authorization of an increase in the number of Directors, may be filled for the unexpired term of an existing Director, or for a designated term for an additional Director, at any meeting of the Board of Directors by a vote of a majority of the Directors then in office; provided, that if the appointment is to fill a vacancy of an existing Director, the replacement Director must fall within the same Classification as the Director being replaced. If the appointment is to increase the size of the Board of Directors, the number of persons appointed and the classifications of persons appointed must comply with the requirements set forth in Section 3.2 of the Bylaws. In both events, such appointments must be approved by the Local Board prior to the newly appointed Directors taking office.

Compensation. No Director of the Corporation shall receive, directly or indirectly, any salary, compensation or emolument therefrom as such Director or in any other capacity. However, nothing contained herein shall be construed to prevent any Director from serving the Corporation in any other capacity and receiving reasonable compensation for services rendered in furtherance of the purposes and functions of the Corporation.

### ***Conflicts of Interest***

As an extension of the existing high school program in Floyd County, FCSCCA will be considered in partnership with all schools under the control and management of the Local Board, especially of middle schools and high schools. FCSCCA will also be considered in partnership with all the organizations listed in the first paragraph of this agreement, and of every business or industry associated with said organizations. As the mission of the school is “to ensure a viable

21<sup>st</sup> century workforce” for these partners and for the community, every entity considered a partner will be expected and encouraged to participate in programs and policy-making that impact that mission, and no partner will be considered under a conflict of interest so long as the benefits provided by any program or policy of FCSCCA benefit multiple partners and help achieve the above mission.

### ***Upholding Mission and Vision***

The Directors will focus on the achievement of the measurements indicated in this Agreement.

### ***Performance Appraisal***

The Directors shall be responsible for the selection of the CEO, in consultation with the Superintendent and Local Board. The Directors shall also consult with the Local Board and Superintendent for the annual evaluation of the CEO.

### ***Effective Organizational Planning And Financial Stability***

The Directors shall focus on the establishment and enforcement of FCSCCA policies and the development and achievement of strategic objectives.

### ***Grievance and Conflict Resolution***

The CEO will be responsible for resolving grievances and conflicts. In the event that the CEO must recuse himself or herself from the process, the Directors may consider and resolve such grievances or conflicts.

### ***Stakeholder Involvement***

The Directors will represent FCSCCA's stakeholders, and those stakeholders may petition to address the Directors during any Board meeting, following the adopted procedures of the Directors.

### ***Business Arrangements***

As a non-profit Board, the Directors will be able to make any legal and/or contractual arrangements as are made by a typical non-profit business.

### ***Conflict Resolution With Local Board***

In the event that a grievance or conflict involves the Local Board, the parties will pursue a resolution that considers that the Local Board retains control and management over the Directors and FCSCCA; however, the Local Board will also consider the spirit of the partnership.

### ***Education Management Agency Contract***

FCSCCA will not contract with for-profit educational management agencies to manage all or part of the operations of FCSCCA. The Directors may enter into agreements with the partners listed in the first paragraph of this agreement to assist with the funding and maintenance of FCSCCA's facilities and operations.



## ANNUAL REPORT

FCSCCA shall, by October 1, submit an annual report that includes all State-mandated assessment and accountability scores and complies with all requirements set out in O.C.G.A. § 20-2-2067.1(c)(1)-(6). The report will also be made available to the community and all stakeholders.

## ATTACHMENTS/APPENDICES

***Exhibit I - Ownership Documents***

***Exhibit II - Articles of Incorporation and By-Laws***

***Exhibit III - Annual Calendar and Daily Schedule***

***Exhibit IV – Budget Documents (Year One Monthly Cash Flow and Five Year Budget Projections)***



*Rome/Floyd County*  
*Office of Building Inspection*  
*Certificate of Occupancy*

For premises located at: 100 Vocational Drive  
Permit Number:  
Property Owner: Vocational High School  
Owners Address: same

The premises noted herein has been inspected by duly authorized personnel of Rome/Floyd County and found to be in compliance with the codes and ordinances governing the construction of buildings, land use and building use in Rome/Floyd County and is hereby approved for the occupancy listed.

Code Edition: 2000

Type of occupancy : Educational

Type of Construction: II

Special Conditions:

*James Martin*  
Building Inspector

Date: July 31, 2006



STATE OF GEORGIA, County of FLOYDTHIS INDENTURE, Made this 2 day of January in the  
Year of Our Lord One Thousand Nine Hundred and Seventy betweenCLARA M. GILFILLAN (formerly CLARA M. ANGLE)of the State of Georgia and County of Floyd of the first part, andFLOYD COUNTY BOARD OF EDUCATIONof the State of Georgia and County of Floyd of the second part.

WITNESSETH: That the said part y of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS and other valuable consideration in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said part y of the second part, its heirs and assigns, all that tract or parcel of land lying on the west side of the Old Lindale Road (formerly known as Cedar Street), being a portion of The Rome Land Company's addition to East Rome, dated 1887, lying in Land Lot 324 of the 23rd District and 3rd Section of Floyd County, Georgia, being more particularly described as starting at an iron pin on the westerly right-of-way line of Old Lindale Road, which iron pin is 195 feet, southerly of the southwesterly corner of the intersection of said Old Lindale Road and Evergreen Street; running thence south 00 degrees 42 minutes west and along the westerly right-of-way line of Old Lindale Road 555.4 feet to an iron pin which marks the northeasterly corner of the Barry Wright property; thence north 73 degrees 57 minutes west and along the northerly side of the said Barry Wright property 1,377.9 feet to an iron pin; thence north 22 degrees 35 minutes east and along the easterly side of the Railroad right-of-way 642.1 feet to a concrete monument; thence south 88 degrees 39 minutes east, 695.7 feet to a concrete monument on the westerly right-of-way line of Farley Street; thence south 01 degrees 04 minutes west 392.8 feet to an iron pipe; thence south 88 degrees 39 minutes east 396.4 feet to the point of beginning. Said tract of land contains 18.4 acres and is as shown on the plat prepared by Williams, Sweitzer and Barnum, Inc., and dated June 2, 1969, and recorded in Plat Book 9, page 98 in the Office of the Clerk of Superior Court of Floyd County, Georgia.

Grantor herein specifically reserves into herself, a life estate in and to that portion of the above described property delineated and marked in red on the above described plat and which is designated on said plat as "Lifetime Estate Reserved For Mrs. Clara M. Gilfillan".

## STATE OF GEORGIA, FLOYD COUNTY

I HEREBY CERTIFY THIS INSTRUMENT WAS FILED FOR RECORD IN THE CLERK'S OFFICE SUPERIOR COURT, SAID COUNTY ON THE 2nd DAY OF January, 19 70 2:25 P.M. AND RECORDED IN BOOK NO. 482 OF PAGE 115 THIS 2nd DAY OF January, 19 70

Grace Beard  
DEPUTY CLERK SUPERIOR COURT, FLOYD COUNTY, GEORGIA

Floyd County, Georgia  
Real Estate Transfer Tax  
Paid \$ 120.00  
Date Jan. 2, 1969  
Opal Owens  
Dep. Clerk of Superior Court

(CONTINUED ON FOLLOWING PAGE)



# STATE OF GEORGIA

## Secretary of State

Corporations Division  
315 West Tower

#2 Martin Luther King, Jr. Dr.  
Atlanta, Georgia 30334-1530

## CERTIFICATE OF ENDMENT

I, **Karen C Handel**, the Secretary of State and the Corporations Commissioner of the State of Georgia, hereby certify under the seal of my office that

**FLOYD COUNTY SCHOOLS COLLEGE AND  
CAREER ACADEMY, INC.**  
a Domestic Non-Profit Corporation

has filed articles/certificate of amendment in the Office of the Secretary of State on **07/26/2007** and has paid the required fees as provided by Title 14 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said articles/certificate of amendment.

WITNESS my hand and official seal in the City of Atlanta and  
the State of Georgia on July 26, 2007



A handwritten signature in cursive script that reads 'Karen C Handel'.

Karen C Handel  
Secretary of State

**FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.**  
**ARTICLES OF AMENDMENT**

Now comes the Incorporator of **FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.**, pursuant to O.C.G.A. § 14-3-1002, and adopts amendments to the Articles of Incorporation, so that as amended, said Articles of Incorporation of **FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.** shall read as follows:

**ARTICLE ONE**

**Name** \_\_\_\_\_

The name of the corporation is:

**FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.**

**ARTICLE TWO**

**Perpetual Duration**

The corporation shall have perpetual duration.

**ARTICLE THREE**

**Nonprofit Corporation and Charitable Purposes**

The corporation shall be a nonprofit corporation under the provisions of the Georgia Nonprofit Corporation Code. It shall be organized, and at all times thereafter operated, exclusively for public charitable uses and purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code. In furtherance of such purposes, the corporation shall have full power and authority:

- (a) To operate an organization designed to provide a seamless blend of academics with career and technical education and skills to better serve the Floyd County community;
- (b) To make distributions for such purpose and for other charitable purposes;
- (c) To make distributions to organizations that qualify as exempt organizations under Section 501 (c)(3) of the Internal Revenue Code;
- (d) To receive and accept property, whether real or personal, by way of gift, bequest or devise, from any person, firm, trust or corporation, to be held, administered and disposed of in

accordance with and pursuant to the governing instruments of the corporation, as the same shall be amended from time to time; and

(e) To perform all other acts necessary or incidental to the above and to do whatever is deemed necessary, useful, advisable or conducive, directly or indirectly, as determined by the Board of Directors, to carry out any of the purposes of the corporation, as set forth in these Articles of Incorporation, including the exercise of all other power and authority enjoyed by corporations generally by virtue of the provisions of the Georgia Nonprofit Corporation Code (within and subject to the limitations of Section 501 (c)(3) of the Internal Revenue Code).

The corporation shall serve only such purposes and functions and shall engage only in such activities as are consistent with the purposes set forth in this Article Three and are entitled to charitable tax exempt status under Section 501 (c)(3) of the Internal Revenue Code.

#### **ARTICLE FOUR**

##### **Tax-Exempt Nonprofit Corporation**

The corporation shall be neither organized nor operated for pecuniary gain or profit. In this regard:

(a) No part of the net earnings of the corporation shall inure to the benefit of, or be distributable to, any director, officer, or Director of the corporation, or any other private person; but the corporation shall be authorized and empowered to pay reasonable compensation for services rendered, and to make payments and distributions in furtherance of the purposes as set forth in Article Three hereof.

(b) No substantial part of the activities of the corporation shall be the carrying on of propaganda, or otherwise attempting to influence legislation; and the corporation shall not participate in, or intervene in (including the publication or distribution of statements) any political campaign on behalf of any candidate for public office.

(c) Notwithstanding any other provisions of these Articles of Incorporation, the corporation shall not carry on any other activities not permitted to be carried on:

(i) By a corporation exempt from federal income taxation under Section 501 (c)(3) of the Internal Revenue Code; or

(ii) By a corporation, contributions to which are deductible for federal income tax purposes under Section 170 (c)(2) of the Internal Revenue Code.

It is intended that the corporation shall have, and continue to have, the status of an organization which is exempt from federal income taxation under Section 501 (c)(3) of the Internal Revenue Code. An terms and provisions of these Articles of Incorporation and the Bylaws of the corporation, and all authority and operations of the corporation, shall be construed, applied and carried out in accordance with such intent.

## **ARTICLE FIVE**

### **Board of Directors**

The initial Board of Directors shall be comprised of the five current members of the Floyd County Board of Education. At the organizational meeting of the initial Board of Directors of the Corporation, the initial Board shall adopt the By-Laws of the Corporation, and elect the members of the initial regular Board of Directors in accordance with the Corporation's By-Laws. Thereafter, all Directors shall be appointed to the Board of Directors by majority vote of the Board of Directors pursuant to the Corporation's By-Laws.

The Board of Directors shall have general charge of the affairs and any property and assets of the Corporation. It shall be the duty of the Directors to carry out the purposes and functions of the Corporation consistent with the status of the Corporation as a nonprofit corporation which is exempt from federal income taxation under Section 501 (c) of the Internal Revenue Code.

## **ARTICLE SIX**

### **Members**

The Board of Directors of the corporation shall have the power to admit members to the corporation in such manner, subject to such qualifications, and upon such terms and conditions and with such rights and privileges as may be provided from time to time in the Bylaws of the corporation and as are not inconsistent with any provision of these Articles of Incorporation. Members may be divided into one or more classes.



## **ARTICLE SEVEN**

### **Dissolution of Corporation**

Upon dissolution of the corporation, the Board of Directors shall, after paying or making provision for payment of all of the liabilities of the corporation, dispose of <sup>all</sup> of the assets of the corporation by distributing those assets exclusively for the purposes of the corporation in such manner, or to such organization or organizations organized and operated exclusively for public charitable uses and purposes as shall at the time qualify as exempt from taxation under section 501 (c)(3) of the Internal Revenue Code, as the Board of Directors shall determine. Any such assets not so disposed of shall be disposed of by a court of competent jurisdiction for the county in which the principal office of the corporation is then located, exclusively for such purposes or to such organization or organizations as said court shall determine, which are organized and operated exclusively for such purposes.

## **ARTICLE EIGHT**

### **Registered Office and Registered Agent**

The initial registered office of the corporation shall be at Floyd County Schools, 600 Riverside Parkway, Rome, Georgia 30161. The initial registered agent of the corporation at such address shall be Kelly C. Henson.

## **ARTICLE NINE**

### **Principal Office**

The mailing address of the initial ~~principal office of~~ the corporation is 600 Riverside Parkway, Rome, Georgia 30161.

## **ARTICLE TEN**

### **Definitions**

(a) For purposes of these Articles of Incorporation, "charitable purposes" include charitable, religious, educational, literary, or scientific purposes within the meaning of Section 501 (c) (3) of the Internal Revenue Code, contributions for which are deductible under Section 170 (c)(2) of the Internal Revenue Code. All references in these Articles of Incorporation to sections of the Internal Revenue Code shall be considered references to the Internal Revenue Code of 1986, as from time to time amended, and to the corresponding provisions of any

applicable future United States Internal Revenue Law, and to all regulations issued under such sections and provisions.

(b) For purposes of these Articles of Incorporation, the term "Director" or "Directors" or "Board of Directors" shall be equivalent to the corresponding term "director" or "directors" or "Board of Directors," as provided in the Georgia Nonprofit Corporation Code.

#### **ARTICLE ELEVEN**

##### **Incorporator**

The name and address of the Incorporator are as follows:

C. King Askew  
Brinson, Askew, Berry, Seigler,  
Richardson & Davis, LLP  
P. O. Box 5007  
Rome, Georgia 30162-5007

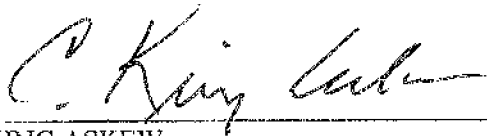
#### **ARTICLE TWELVE**

##### **Amendments**

Except as otherwise provided herein, and as otherwise provided in the Corporation's By-Laws, these Articles of Incorporation may be amended at any time and from time to time by the affirmative vote of a majority of all of the Directors then in office.

**IN WITNESS WHEREOF**, the Incorporator has executed these Articles of Incorporation, this

\_\_\_\_\_ day of July, 2007.



C. KING ASKEW  
Incorporator

Brinson, Askew, Berry, Seigler,  
Richardson & Davis, LLP P. O.  
Box 5007  
Rome, Georgia 30162-5007  
(706) 291-8853

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BRINSON ASKEW BERRY SEIGLER  
RICHARDSON & DAVIS, LLP  
PO BOX 5513  
615 WEST 1 ST ST  
Rome, GA 30162

**BYLAWS**  
**OF**  
**FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.**

**Incorporated under the laws of the State of Georgia**

**ARTICLE ONE**

**Name, Location and Offices**

**1.1    Name.** The name of this corporation shall be “**FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.. (“Corporation”)**”

**1.2    Registered Office and Agent.** The Corporation shall maintain a registered office in the State of Georgia and shall have a registered agent whose address is identical with the address of such registered office, in accordance with the requirements of the Georgia Nonprofit Corporation Code.

**1.3    Other Offices.** The principal office of the Corporation shall be located in Rome, Georgia. The Corporation may have other offices at such place or places, within or outside the State of Georgia, as the Board of Directors may determine from time to time or the affairs of the Corporation may require or make desirable.

**ARTICLE TWO**

**Purposes and Governing Instruments**

**2.1    Nonprofit Corporation.** The Corporation shall be organized and operated as a nonprofit corporation under the provisions of the Georgia Nonprofit Corporation Code.

**2.2    Charitable Purposes.** The Corporation is organized and operated, as set forth in the Articles of Incorporation, for purposes that are exclusively charitable within the meaning of Section 501(c)(3) of the Internal Revenue Code. The Corporation shall have no capital stock and no shareholders, and no part of the net earnings, income or profit of the Corporation shall inure to the benefit of or be distributable to its Directors, officers, or any other private individual, except that the Corporation may pay reasonable compensation for services rendered and may make payments and distributions in furtherance of its charitable and educational purposes. In furtherance of such purposes, the Corporation shall have full power and authority:

- (a) To operate an organization designed to provide a seamless blend of academics with career and technical education and skills to better serve the Floyd County community;
- (b) To make distributions for such purpose and for other charitable purposes;
- (c) To make distributions to organizations that qualify as exempt organizations under Section 501(c)(3) of the Internal Revenue Code;
- (d) To receive and accept property, whether real or personal, by way of gift, bequest or devise, from any person, firm, trust or corporation, to be held, administered and disposed of in accordance with and pursuant to the governing instruments of the Corporation, as the same shall be amended from time to time; and
- (e) To perform all other acts necessary or incidental to the above and to do whatever is deemed necessary, useful, advisable or conducive, directly or indirectly, as determined by the Board of Directors, to carry out any of the purposes of the Corporation, as set forth in the Articles of Incorporation and these Bylaws, including the exercise of all other power and authority enjoyed by corporations generally by virtue of the provisions of the Georgia Nonprofit Corporation Code (within and subject to the limitations of Section 501(c)(3) of the Internal Revenue Code).

**2.3 Governing Instruments.** The Corporation shall be governed by its Articles of Incorporation and its Bylaws.

### **ARTICLE THREE**

#### **Board of Directors**

##### **3.1 Authority and Responsibility of the Board of Directors.**

- (a) The governing body of the Corporation shall be the Board of Directors. The Board of Directors shall have supervision, control and direction of the management, affairs and property of the Corporation; shall determine its policies or changes therein; and shall actively prosecute its purposes and objectives and supervise the disbursement of its funds. The Board of Directors may adopt, by majority vote, such rules and regulations for the conduct of its business and the business of the Corporation as shall be deemed advisable, and may, in the execution of the powers granted, delegate certain of its authority and responsibility to an executive committee. Under no circumstances, however, shall any actions be taken which are inconsistent with the Articles of Incorporation and these

Bylaws; and the fundamental and basic purposes of the Corporation, as expressed in the Articles of Incorporation and these Bylaws, shall not be amended or changed.

- (b) The Board of Directors shall not permit any part of the net earnings or capital of the Corporation to inure to the benefit of any member, officer, Director or other private person or individual.
- (c) The Board of Directors may, from time to time, appoint, as advisors, persons whose advice, assistance and support may be deemed helpful in determining policies and formulating programs for carrying out the purposes and functions of the Corporation.
- (d) The Board of Directors is authorized to employ such person or persons, including an executive director or officer, attorneys, accountants, agents and assistants, as in its judgment are necessary or desirable for the administration and management of the Corporation, and to pay reasonable compensation for the services performed and expenses incurred by any such person or persons.

**3.2 Initial and Regular Boards of Directors.** The initial Directors of the Corporation shall be the current members of the Floyd County Board of Education, to-wit:

**David Wayne Johnson, Teresa P. Lumsden, George Bevels, Jr., Jonathan mark Hufstetler, and Joseph Bryan Shealy.**

At the organizational meeting of the initial Board of Directors, the initial Directors shall elect the initial regular Board of Directors in accordance with the requirements of these By-Laws. The initial regular Board of Directors shall be comprised of persons in the following classifications:

- 1) Four parents(one parent from each of the existing high schools in Floyd County)
- 2) Two business representatives recommended by the Greater Rome Chamber of Commerce
- 3) Two secondary education representatives(one representing the Floyd County School System and one representing the secondary faculty of the Charter School)
- 4) Two post-secondary education representatives(one representing Coosa Valley Technical School and one representing the post-secondary faculty of the Charter School)
- 5) One representative at-large

Unless removed as provided herein, those persons in Classification (1) shall serve an initial term of one(1) year. Those persons in Classifications (2) and (3) shall serve an initial term of two(2) years, and those persons in Classifications (4) and (5) shall serve an initial term of three (3) years.

Thereafter, all Directors shall serve three (3) year terms unless removed as provided herein. There shall be no less than eleven (11) nor more than twenty-two members on the Board of Directors as determined by the Board, except that any increase in the number of persons appointed to the Board in one Classification shall automatically trigger a proportionate increase in the number of persons appointed to serve in all other Classifications.

**3.3 Manner of Election of Directors.** Except as provided in Section 3.2, all Directors shall be elected at the annual meeting of the Board of Directors by majority vote of the Board of Directors; provided that any replacement Director must fall within the same Classification as the Director being replaced, and all appointments of the Board of Directors for replacement Directors must be approved by the Floyd County Board of Education prior to such person taking office.

**3.4 Chairman.** The Board of Directors by majority vote shall annually elect its Chairman, who shall preside at all meetings of the Board and perform such other functions as the Board may determine consistent with these Bylaws.

**3.5 Removal.** Any Director may be removed either with or without cause at any regular, special or annual meeting of the Board of Directors, by the affirmative vote of a majority of all the Directors then in office if notice of intention to act upon such matter shall have been given in the notice calling such meeting. Any Director may also be removed with or without cause by majority vote of the members of the Floyd County Board of Education at any regular or called meeting of the Board .

**3.6 Vacancies:** Any vacancy in the Board of Directors arising at any time and from any cause, including, without limitation, the authorization of an increase in the number of Directors, may be filled for the unexpired term of an existing Director, or for a designated term for an additional Director, at any meeting of the Board of Directors by a vote of a majority of the Directors then in office; provided, that if the appointment is to fill a vacancy of an existing Director, the replacement Director must fall within the same Classification as the Director being replaced. If the appointment is to increase the size of the Board of Directors, the number of persons appointed and the classifications of persons appointed must comply with the requirements set forth in Section 3.2 of these Bylaws. In both events, such appointments must be approved by the Floyd County Board of Education prior to the newly appointed Directors taking office.

**3.7 Compensation.** No Director of the Corporation shall receive, directly or indirectly, any salary, compensation or emolument therefrom as such Director or in any other capacity. However, nothing contained herein shall be construed to prevent any Director from serving the Corporation in any other capacity and receiving reasonable compensation for services rendered in furtherance of the purposes and functions of the Corporation.

## ARTICLE FOUR

### Meetings of Board of Directors

**4.1 Place of Meetings.** Meetings of the Board of Directors may be held at any place within or without the State of Georgia as set forth in the notice thereof or in the event of a meeting held pursuant to waiver of notice, as may be set forth in the waiver, or if no place is so specified, at the principal office of the Corporation.

**4.2 Annual Meeting; Notice.** The annual meeting of the Board of Directors shall be held at the principal office of the Corporation or at such other place as the Board of Directors shall determine on such day and at such time as the Board of Directors shall designate. Unless waived as contemplated in Section 5.2 hereof, notice of the time and place of such annual meeting shall be given by the Secretary personally, by telephone, by mail, by facsimile transmission or by telegram not less than ten (10) nor more than fifty (50) days before such meeting.

**4.3 Regular Meetings; Notice.** Regular meetings of the Board of Directors may be held from time to time between annual meetings, at such times and at such places as the Board of Directors may designate by resolution, without notice of the date, time, place or purpose of any such meeting.

**4.4 Special Meetings; Notice.** Special meetings of the Board of Directors may be called by or at the request of the President or by any two of the Directors in office at that time. Notice of the time, place and purpose of any special meeting of the Board of Directors shall be given by the Secretary personally, by telephone, by mail, by facsimile transmission or by telegram at least twenty-four (24) hours before such meeting.

**4.5 Waiver.** Attendance by a Director at a meeting shall constitute waiver of notice of such meeting, except where a Director attends a meeting for the express purpose of objecting to the transaction of business because the meeting is not lawfully called. See also Article Five ("Notice and Waiver").

**4.6 Quorum.** At meeting of the Board of Directors, a majority of Directors then in office shall be necessary to constitute a quorum for the transaction of business.

**4.7 Vote Required for Action.** Except as otherwise provided in these Bylaws or by law, the act of a majority of the Directors present at a meeting at which a quorum is present at the time shall be the act of the Board of Directors.

**4.8 Action by Directors Without a Meeting.** Any action required or permitted to be taken at a meeting of the Board of Directors may be taken without a meeting if a consent in writing, setting forth the action so taken, is signed by not less than a majority of Directors then in office. Such consent shall have the same force and effect as a majority vote at a meeting duly called. The signed consent, or a signed copy, shall be placed in the minute book.



**4.9 Telephone and Similar Meetings.** Directors may participate in and hold a meeting by means of conference telephone or similar communications equipment by means of which all persons participating in the meeting can hear each other. Participation in such a meeting shall constitute presence in person at the meeting, except where a person participates in the meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened.

**4.10 Adjournments.** A meeting of the Board of Directors, whether or not a quorum is present, may be adjourned by a majority of the Directors present to reconvene at a specific time and place. It shall not be necessary to give notice of the reconvened meeting or of the business to be transacted, other than by announcement at the meeting which was adjourned. At any such reconvened meeting at which a quorum is present, any business may be transacted which could have been transacted at the meeting which was adjourned.

**4.11 Proxies.** Except where proscribed by applicable law, a Director may vote in person or by proxy executed in writing by the Director or by his or her attorney-in-fact. A proxy shall not be valid after three (3) months from the date of its execution, unless a longer period is expressly stated therein.

## **ARTICLE FIVE**

### **Notice and Waiver**

**5.1 Procedure.** Whenever these Bylaws require notice to be given to any Director, the notice shall be given in accordance with this Section 5.1. Notice under these Bylaws shall be in writing unless oral notice is reasonable under the circumstances. Notice may be communicated in person, by telephone, telegram or facsimile transmission or by other form of wire or wireless communication; or by mail or private carrier. If these forms of personal notice are impracticable, notice may be communicated by a newspaper of general circulation in the area where published, or by radio, television or other form of public broadcast communication. Written notice, if in a comprehensible form, is effective at the earliest of the following:

- (a) When received or when delivered, properly addressed, to the addressee's last known principal place of business or residence;
- (b) Five (5) days after its deposit in the mail, as evidenced by the postmark, if mailed with first-class postage prepaid and correctly addressed; or
- (c) On the date shown on the return receipt, if sent by registered or certified mail, return receipt requested, and the receipt is signed by or on behalf of the addressee.

Oral notice is effective when communicated if communicated in a comprehensible manner. In calculating time periods for notice, when a period of time measured in days, weeks, months, years, or other measurement of time is prescribed for the exercise of any privilege or the discharge of any duty, the first day shall not be counted but the last day shall be counted.

**5.2 Waiver.** A Director may waive any notice before or after the date and time stated in the notice. Except as provided herein, the waiver must be in writing, signed by the Director entitled to the notice, and delivered to the Corporation for inclusion in the minutes or filing with the corporate records. A Director's attendance at or participation in a meeting waives any required notice to him or her of the meeting unless the Director at the beginning of the meeting (or promptly upon his or her arrival) objects to holding the meeting or transacting business at the meeting and does not thereafter vote for or assent to action taken at the meeting.

## **ARTICLE SIX**

### **Board of Advisors**

**6.1 Appointment.** The Board of Directors may appoint such persons as it reasonably deems necessary or desirable to act as the Board of Advisors of the Corporation. To the extent possible, the Board of Advisors should consist of individuals whose integrity, capability, experience, knowledge of the communities and institutions served by the Corporation and community standing will help the Board of Directors carry out its function. The number of persons appointed to constitute the Board of Advisors shall be determined in the sole discretion of the Board of Directors.

**6.2 Purpose.** It shall be the function and purpose of the Board of Advisors to advise the Board of Directors on matters relating to the business and affairs of the Corporation, and to suggest or be available for consultation with regard to projects or activities which the Corporation may undertake, consistent with its exempt purposes, in furtherance of its goals and objectives.

## **ARTICLE SEVEN**

### **Officers**

**7.1 Number and Qualifications.** The officers of the Corporation shall consist of an Executive Director, a Secretary, a Treasurer, and such other officers as the Board of Directors may designate and appoint. The Board of Directors may from time to time create and establish the duties of such other officers or assistant officers as it deems necessary for the efficient management of the Corporation, but the Corporation shall not be required to have at any time officers other than an Executive Director, a Secretary, and a Treasurer. Any two (2) or more offices may be held by the same person. The Corporation may have Co-Presidents.

**7.2 Election and Term of Office.** The officers of the Corporation shall be elected by the Board of Directors and shall serve for terms of one (1) year and until their successors have been elected and qualified, or until their earlier death, resignation, removal, retirement or disqualification. The Executive Director shall be an employee of the Corporation, shall be elected by the Board of Directors, and shall serve for such period of time as the Board of Directors shall determine.

**7.3     Other Agents.** The Board of Directors may appoint from time to time such agents as it may deem necessary or desirable, each of whom shall hold office during the pleasure of the Board, and shall have such authority and perform such duties and shall receive such reasonable compensation, if any, as the Board of Directors may from time to time determine.

**7.4     Removal.** Any officer or agent elected or appointed by the Board of Directors may be removed by the Board of Directors whenever the Board of Directors determines, in its judgment, that the best interests of the Corporation will be served thereby. However, any such removal shall be without prejudice to the contract rights, if any, of the officer or agent so removed.

**7.5     Vacancies.** A vacancy in any office arising at any time and from any cause may be filled for the unexpired term at any meeting of the Board of Directors.

**7.6     Executive Director.** The Executive Director or Chief Executive Officer shall be the principal executive officer of the Corporation and shall be responsible for the day-to-day operations of the Corporation. The Executive Director shall serve as a voting member, ex officio, of any and all committees of Directors. He or she shall be authorized to sign checks, drafts, and other orders for the payment of money, notes or other evidences of indebtedness issued in the name of the Corporation, and statements and reports required to be filed with governmental officials or agencies; and he or she shall be authorized to enter into any contract or agreement and to execute in the corporate name, along with the secretary, any instrument or other writing; and he or she shall see that all orders and resolutions of the Board of Directors are carried into effect. He or she shall have the right to supervise and direct the management and operation of the Corporation and the other officers and employees of the Corporation shall be under his or her supervision and control during such interim. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe.

**7.7     President.** The Board of Directors may create the office of President, and assign such duties to said office as the Board may determine.

**7.8     Secretary.**

- (a) The Secretary shall attend all meetings of the Board of Directors and record all votes, actions and the minutes of all proceedings in a book to be kept for that purpose and shall perform like duties for the executive and other committees when required.
- (b) The Secretary shall give, or cause to be given, notice of all meetings of the Board of Directors.
- (c) The Secretary shall keep in safe custody the seal of the Corporation and, when authorized by the Board of Directors, the Executive Director or the President, affix it to any instrument requiring it. When so affixed, it shall be attested by his or her signature or by the signature of the Treasurer or an assistant secretary.

- (d) The Secretary shall be under the supervision of the President. He or she shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the President may from time to time delegate.

**7.9 Assistant Secretaries.** The assistant secretaries in the order of their seniority, unless otherwise determined by the President or by the Board of Directors, shall, in the absence or disability of the Secretary, perform the duties and have the authority and exercise the powers of the Secretary. They shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe or as the President may from time to time delegate.

**7.10 Treasurer.**

- (a) The Treasurer shall have custody of the corporate funds and securities and shall keep full and accurate accounts of receipts and disbursements of the Corporation and shall deposit all monies and other valuables in the name and to the credit of the Corporation into depositories designated by the Board of Directors.
- (b) The Treasurer shall disburse the funds of the Corporation as ordered by the Board of Directors, and prepare financial statements each month or at such other intervals as the Board of Directors shall direct.
- (c) If required by the Board of Directors, the Treasurer shall give the Corporation a bond (in such form, in such sum and with such surety or sureties as shall be satisfactory to the Board) for the faithful performance of the duties of his or her office and for the restoration to the Corporation, in case of his or her death, resignation, retirement or removal from office of all books, papers, vouchers, money and other property of whatever kind in his or her possession or under his or her control belonging to the Corporation.
- (d) The Treasurer shall perform such other duties and have such other authority and powers as the Board of Directors may from time to time prescribe or as the President may from time to time delegate.

**7.11 Assistant Treasurers.** The assistant treasurers in the order of their seniority, unless otherwise determined by the President or by the Board of Directors, shall, in the absence or disability of the Treasurer, perform the duties and have the authority and exercise the powers of the Treasurer. They shall perform such other duties and have such other powers as the Board of Directors may from time to time prescribe or as the President may from time to time delegate.

## **ARTICLE EIGHT**

### **Committees of Directors**

- 8.1 Executive Committee.** By resolution adopted by a majority of the Directors in

office, the Board of Directors may designate from among its members an executive committee, which shall consist of three (3) or more Directors, which executive committee, to the extent provided in such resolution, shall have and exercise the authority of the Board of Directors in the management of the affairs of the Corporation; but the designation of any such executive committee and the delegation thereto of authority shall not operate to relieve the Board of Directors, or any individual Director, of any responsibility imposed upon him or her by law.

**8.2     Other Committees of Directors.** Other committees, each consisting of two (2) or more Directors, may be designated by a resolution adopted by a majority of Directors present at a meeting at which a quorum is present. Such committees shall not have or exercise the authority of the Board of Directors in the management of the Corporation. Except as otherwise provided in a resolution creating such committees, members of each such committee shall be appointed by the Chairman of the Board of Directors. Any member of any committee may be removed at any meeting by majority vote of the Board of Directors whenever in the Board's judgment the best interests of the Corporation shall be served by such removal.

**8.3     Term of Appointment.** Each member of a committee shall continue as such until the next annual meeting of the Board of Directors and until his or her successor is appointed, unless the committee shall be sooner terminated, or unless such member shall be removed from such committee, or unless such member shall cease to qualify as a member thereof.

**8.4     Chair.** One member of each committee shall be appointed chair of such committee thereof by a majority vote of the members of such committee.

**8.5     Vacancies.** Vacancies in the membership of any committee may be filled by the Chairman of the Board, subject to majority consent of the Board.

**8.6     Quorum.** Unless otherwise provided in the resolution of the Board of Directors designating a committee, a majority of the whole committee shall constitute a quorum; and the act of a majority of members present at a meeting at which a quorum is present shall be the act of the committee.

**8.7     Rules.** Each committee may adopt rules for its own government, so long as such rules are not inconsistent with these Bylaws or with rules adopted by the Board of Directors.

## **ARTICLE NINE**

### **Contracts, Checks, Deposits and Funds**

**9.1     Contracts.** The Board of Directors may authorize any officer, officers, agent or agents of the Corporation, in addition to the officers so authorized by these Bylaws, to enter into any contract or execute and deliver any instrument in the name and on behalf of the Corporation. Such authority must be in writing and may be general or confined to specific instances.

**9.2     Checks, Drafts, Notes, Etc.** In addition to and not in limitation of the provisions of Section 7.6 hereof, all checks, drafts or other orders for the payment of money or notes or other evidences of indebtedness issued in the name of the Corporation shall be signed by such officer, officers, agent or agents of the Corporation and in such other manner as may from time to time be determined by resolution of the Board of Directors. In the absence of such determination by the Board of Directors, such instruments shall be signed by the Executive Director or signed by the Treasurer or an assistant treasurer of the Corporation.

**9.3     Deposits.** All funds of the Corporation shall be deposited from time to time to the credit of the Corporation in such financial institutions as the Board of Directors may select.

**9.4     Gifts.** The Board of Directors may accept on behalf of the Corporation any contribution, gift, bequest or devise for the general purposes or for any special purpose of the Corporation.

## **ARTICLE TEN**

### **Indemnification and Insurance**

The Corporation shall indemnify any individual made a party to a proceeding because such individual is or was a director, officer, employee or agent of the Corporation against liability incurred in the proceeding, if such individual acted in a manner such individual believed in good faith to be in or not opposed to the best interests of the Corporation and, in the case of any criminal proceeding, such individual had no reasonable cause to believe such individual's conduct was unlawful, to the maximum extent permitted by, and in the manner provided, by the Georgia Nonprofit Corporation Code. This provision is intended to incorporate by reference the provisions of §14-3-850 through 14-3-858 of the Georgia Nonprofit Corporation Code.

## **ARTICLE ELEVEN**

### **Miscellaneous**

**11.1     Books and Records.** The Corporation shall keep correct and complete books and records of account and shall also keep minutes of the proceedings of its Board of Directors and committees having any of the authority of the Board of Directors.

**11.2     Corporate Seal.** The corporate seal (of which there may be one or more exemplars) shall be in such form as the Board of Directors may from time to time determine.

**11.3     Fiscal Year.** The Board of Directors is authorized to fix the fiscal year of the Corporation and to change the same from time to time as it deems appropriate.

**11.4     Internal Revenue Code.** All references in these Bylaws to sections of the Internal Revenue Code shall be considered references to the Internal Revenue Code of 1986, as

from time to time amended, to the corresponding provisions of any applicable future United States Internal Revenue Law, and to all regulations issued under such sections and provisions.

**11.5 Construction.** Whenever the context so requires, the masculine shall include the feminine and neuter, and the singular shall include the plural, and conversely. If any portion of these Bylaws shall be invalid or inoperative, then, so far as is reasonable and possible:

- (a) The remainder of these Bylaws shall be considered valid and operative; and
- (b) Effect shall be given to the intent manifested by the portion held invalid or inoperative.

**11.6 Headings.** The headings herein are for organization, convenience and clarity. In interpreting these Bylaws, they shall be subordinated in importance to the other written material.

**11.7 Relation to Articles of Incorporation.** These Bylaws are subject to, and governed by, the Articles of Incorporation.

## **ARTICLE TWELVE**

### **Amendments**

**12.1 Power to Amend Bylaws.** Except as provided in Section 12.2, the Board of Directors shall have the power to alter, amend or repeal these Bylaws or adopt new Bylaws.

**12.2 Conditions.** Action by the Board of Directors with respect to Bylaws shall be taken by the affirmative vote of a majority of all Directors then holding office, and shall not become effective until approved by majority vote of the Floyd County Board of Education.

## **ARTICLE THIRTEEN**

### **Tax-Exemption Status**

The affairs of the Corporation at all times shall be conducted in such a manner as to assure the Corporation's status as an organization qualifying for exemption from taxation pursuant to Section 501(c)(3) of the Internal Revenue Code.

## **ARTICLE FOURTEEN**

### **Adoption of Bylaws**

**FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY, INC.** was organized under the laws of the State of Georgia on \_\_\_\_\_. These Bylaws were adopted by resolution of the initial Board of Directors of the Corporation, and became effective, as of \_\_\_\_\_, 2007.

**FLOYD COUNTY SCHOOLS COLLEGE AND  
CAREER ACADEMY, INC.**

By: \_\_\_\_\_  
**Bryan Shealy, Chairman of initial  
Board of Directors**

**ATTEST:**

**INITIAL BOARD OF DIRECTORS**

\_\_\_\_\_  
**David Wayne Johnson**

\_\_\_\_\_  
**Teresa P. Lumsden**

\_\_\_\_\_  
**George Bevels, Jr.**

\_\_\_\_\_  
**Jonathan Mark Hufstetler**

\_\_\_\_\_  
**Joseph Bryan Shealy**



July 2008						
S	M	T	W	T	F	S
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

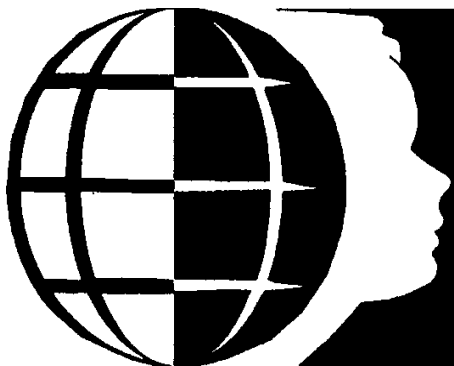
August 2008						
S	M	T	W	T	F	S
					①	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2008						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

October 2008						
S	M	T	W	T	F	S
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5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

November 2008						
S	M	T	W	T	F	S
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9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December 2008						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			



# FLOYD

## County Schools

### 2008 - 2009 School Calendar

First Day of School	Aug. 1
Labor Day	Sept. 1
Early Release	Sept. 24-26
Fall Break	Oct. 6-10
Fall Intersession	Oct. 6-8
Thanksgiving Holidays	Nov. 26-28
End First Semester	Dec. 19
Christmas Holidays	Dec. 22 - Jan 2
First Semester 92 Days	
Teacher Planning Day	Jan. 5
Classes Resume	Jan. 6
MLK Jr. Holiday	Jan. 19
Early Release	Feb. 12-13
Spring Intersession	Mar. 16-20
Spring Break	Apr. 13-17
Last Day of School	May 22
Second Semester 88 Days	

Intersession Days will be held during the Fall, Winter and Spring Breaks. Intersession dates are listed in white numbers with a black background.

- ① Intersession
- Early Release Days

Early release days will be used for parent/teacher conferences.

Floyd County Schools  
Quality Education for Quality Life  
Visit us online at [www.floydboe.net](http://www.floydboe.net)

January 2009						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

February 2009						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28

March 2009						
S	M	T	W	T	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

April 2009						
S	M	T	W	T	F	S
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	

May 2009						
S	M	T	W	T	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

June 2009						
S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

***Exhibit III - Annual Calendar and Daily Schedule***

As an extension of the existing high school programs of Floyd County Schools, the Charter School will observe the annual calendar of the Floyd County School System, with the postsecondary instructional calendar set in collaboration with representatives from Coosa Valley Technical College. The daily schedule at the Charter School will be offset from the bell schedules at the respective high schools to permit adequate time for student transportation throughout the school day. Those bell schedules will be examined and adopted by the Local Board and the Directors.

**FLOYD COUNTY BOARD OF EDUCATION  
FLOYD COUNTY SCHOOLS COLLEGE AND CAREER ACADEMY  
PROPOSED CHARTER SCHOOL BUDGET**

	<u>2008-2009</u>	<u>2009-2010</u>	<u>2010-2011</u>	<u>2011-2012</u>	<u>2012-2013</u>
<b>Local Funds</b>	<b>\$ 821,791</b>	<b>\$ 848,876</b>	<b>876,802</b>	<b>905,596</b>	<b>935,285</b>
<b>State QBE Funds</b>	<b>1,148,940</b>	<b>1,183,408 0</b>	<b>1,218,910 0</b>	<b>1,255,478 0</b>	<b>1,293,142</b>
<b>State Vocational Grants</b>	<b>147,659</b>	<b>150,612</b>	<b>153,624</b>	<b>156,697</b>	<b>159,831</b>
<b>Federal Funds</b>	<b>31,800</b>	<b>31,800</b>	<b>31,800</b>	<b>31,800</b>	<b>31,800</b>
<b>Total Revenues</b>	<b>\$ <u>2,150,190</u></b>	<b><u>2,214,696</u></b>	<b><u>2,281,137</u></b>	<b><u>2,349,571</u></b>	<b><u>2,420,058</u></b>
<b>Instruction</b>	<b>\$ 1,397,839 #</b>	<b>1,439,774 #</b>	<b>1,482,967 #</b>	<b>1,527,456 #</b>	<b>1,573,280</b>
<b>Improvement of Instructional Services</b>	<b>100,119</b>	<b>103,122</b>	<b>106,216</b>	<b>109,402</b>	<b>112,684</b>
<b>School Administration</b>	<b>457,219 #</b>	<b>470,936 #</b>	<b>485,064</b>	<b>499,616</b>	<b>514,604</b>
<b>Maintenance and Operation of Plant Services</b>	<b>103,523</b>	<b>106,629</b>	<b>109,828</b>	<b>113,122</b>	<b>116,516</b>
<b>Student Transportation</b>	<b>91,491</b>	<b>94,236</b>	<b>97,063</b>	<b>99,975</b>	<b>102,974</b>
<b>Total Expenditures</b>	<b>\$ <u>2,150,190</u></b>	<b><u>2,214,696</u></b>	<b><u>2,281,137</u></b>	<b><u>2,349,571</u></b>	<b><u>2,420,058</u></b>

**Note: State QBE Funds based on 300 Vocational FTE & 15 Spec Ed (CAT III) FTE**

**Note: Floyd County Schools College and Career Academy, Inc. has no assets.**

FISCAL YEAR 2009-2010 PARAMETERS BY MONTH													
TOTAL BUDGET	2008-2009	Jul-08	Aug-08	Sep-08	Oct-08	Nov-08	Dec-08	Jan-09	Feb-09	Mar-09	Apr-09	May-09	Jun-09

Revenues:	2022-2023	2023-24	2024-25	2025-26	2026-27	2027-28	2028-29	2029-30	2030-31	2031-32	2032-33	2033-34	2034-35
Local Funds	\$ 821,791	\$ 8,218	\$ 8,218	\$ 41,090	\$ 164,358	\$ 246,537	\$ 164,358	\$ 82,179	\$ 41,090	\$ 41,090	\$ 8,218	\$ 8,218	\$ 8,218
State QBE Funds	1,148,940	95,745	95,745	95,745	95,745	95,745	95,745	95,745	95,745	95,745	95,745	95,745	95,745
State Vocational Grants	147,659			36,915			36,915			36,915			36,915
Federal Funds	31,800			7,950			7,950			7,950			7,950
<b>Total Revenues</b>	<b>\$ 2,150,190</b>	<b>\$ 103,963</b>	<b>\$ 103,963</b>	<b>\$ 181,699</b>	<b>\$ 260,103</b>	<b>\$ 342,282</b>	<b>\$ 304,968</b>	<b>\$ 177,924</b>	<b>\$ 136,835</b>	<b>\$ 181,699</b>	<b>\$ 103,963</b>	<b>\$ 103,963</b>	<b>\$ 148,828</b>

[illegible]

April 4, 2007

Mr. Andrew W. Broy  
Director of Charter Schools  
2054 Twin Towers East  
205 Jesse Hill Jr. Drive SE  
Atlanta, Georgia 30334

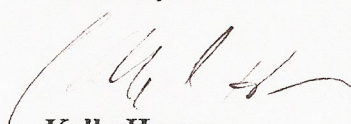
Dear Mr. Broy:

I am writing to inform you of my intent to submit a Charter School Application/Petition to the Floyd County Board of Education (FCBOE). It is submitted six months prior to the FCBOE deadline for application submission which is on or about June 5, 2007.

The charter school will be located within the Floyd County School System and will service students in grades 10 – 12. We anticipate a student enrollment of about 600 during the first year of operation. We plan to open the charter school for operation August 1, 2008.

Our mission is to ensure new and viable options for students as they prepare to enter the 21<sup>st</sup> century workforce. We envision a school centered around a seamless education that connects and combines academics with career education, high school with college, and education with business.

Sincerely,



Kelly Henson  
Authorized Representative  
Superintendent of Schools  
600 Riverside Parkway NE  
Rome, Georgia 30161-2938

cc: Floyd County Board of Education  
600 Riverside Parkway NE  
Rome, Georgia 30161-2938