



Adopted: September 23, 2024

## **219 CHARTER SCHOOL BOARD MEMBER VIOLATION OF POLICY**

### **I. PURPOSE**

The purpose of this policy is to provide an explanation for the process through which charter school board member violation or perceived violation of charter school policy will be remedied.

### **II. GENERAL STATEMENT OF POLICY**

The charter school board will follow Minnesota law when addressing inappropriate behavior by a charter school board member. The below processes pertain only to charter school board member violations of charter school policies that are not dictated by Minnesota law, which follow a different district and legal process.

The charter school board and each of its members are committed to faithful compliance with charter school board policies. The charter school board recognizes that its failure to deal with deliberate or continuing violations of its policies risks the loss of confidence in the board's ability to govern effectively.

The purpose of these parameters and steps is to attempt to resolve any perceived violations at the lowest possible level involving the fewest number of individuals. It is anticipated that most perceived violations will be resolved by private conversation with the charter school board member in question. In the event of willful and continuous violations, the charter school board will seek remedy by applying any of the following measures as described in this policy.

1. Private Conversation: If a charter school board member is perceived to have violated the policies or commitments of the charter school board, any member may address their concerns with the member who is perceived to be in violation, as indicated in the general statement of policy.

2. Referral to Board Chair: If a member observes that specific behavior continues after addressing through private conversation, the member may refer the concern to the Charter School Board Chair for resolution. The purpose of this step is to attempt to resolve any perceived violations at the lowest possible level, involving the fewest number of individuals. If the Board Chair believes there is a potential violation, then the Board Chair will arrange a conversation in a private setting between the member in question and one member of the executive committee, if necessary. In all cases, disciplinary actions should include the board chair, unless the board chair feels they must recuse themselves. If the board chair is suspected of the violation, the concern would be referred to the vice chair.

3. Documentation of Violation: In the event of a perceived serious or continuing violation by the same member, the board chair or designee will prepare a finding of facts related to the concerns. The matter will be brought before the full charter school board at a scheduled meeting and the board chair or designee shall provide the finding of facts related to the violation.

4. Discussion between the member in question and the full Charter School Board: If after reviewing and receiving the finding of facts demonstrating continued willful and sustained behavior by the offending member, the full board may refer the matter for review and disposition at the next scheduled regular meeting. The adjudicated member will receive advance written notice of the discussion, including a statement of the alleged violation. Final discussion and disposition of this issue will occur with the full charter school board.

5. Potential Remedies: One or more of the following potential remedies may be applied.

- Remedial or Corrective Action: After review and discussion with the member in question with consideration of rebuttals by the member, the member may be subject to additional training, and/or temporary removal from committees.
- Removal from Committees: Possible removal from any leadership or committee positions to which the member in question has been appointed.
- Referral to law enforcement or another agency within the jurisdiction as necessary.
- Removal from the Board by Consensus Vote: Any removal must be according to DaVinci Academy Bylaws and not infringe upon any rights due to the subject being removed. The charged member will be given an opportunity to respond to any concerns.
- Statement Regarding Compliance with Board Norms or Policies: The charter school board reserves the right to issue statements regarding the board's interpretation of its policies and any instances of individual charter school board member's noncompliance.
- Censure of Board Member: A member may request that the charter school board censure a board member only after attempting to address an issue at lower levels. The member in question will be censured only after being provided an opportunity to respond to the concerns and after discussion and only by majority vote of the Board. The motion to censure must describe the board member's actions that are the subject of the censure.