

CHARTER SCHOOL APPLICATION

Schools opening in the fall of 2010

LAKE LURE CLASSICAL ACADEMY: Revised Application (February 2010)

North Carolina Department of Public Instruction
NCDPI/Office of Charter Schools
301 N. Wilmington Street
Raleigh NC 27601-2825
919-807-3491

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CHARTER SCHOOL 2009 Application Process

To open a charter school in the 2010-2011 school year

TIMELINE

APPLICATION DUE DATE/TIME:

FEBRUARY 13, 2009	Application must be received in the Office of Charter Schools by 5:00 PM on February 13, 2009. If the preliminary chartering entity is other than the State Board of Education (SBE), please contact the Office of Charter Schools for guidance.
FEBRUARY 20, 2009	Copy of the application due to the Local Board.
MARCH 6, 2009	LEA Impact Statements due to the Office of Charter Schools
APRIL 1, 2009	State Board of Education, Leadership for Innovation Committee reviews applications
MAY 6, 2009	SBE Leadership for Innovation Committee interviews candidates and makes recommendations to be submitted to the SBE.
June 3, 2009	SBE reviews and discusses applications
July 1, 2009	SBE votes on committee recommendations for applicants to begin preliminary planning year with final approval to be granted in March 2010

The Office of Charter Schools must receive the application no later than 5:00 p.m. on February 13, 2009. A copy must be submitted to the LOCAL Board pursuant to G.S. 115C-238.29B(d) within 7 days.

CONTENTS OF APPLICATION

- I. TITLE/COVER PAGE
- II. TABLE OF CONTENTS
- III. CHARTER SCHOOL APPLICATION SUMMARY SHEET

Name of School:	Lake Lure Classical Academy-A Challenge Foundation Academy (LLCA-CFA)
Primary Contact:	Philip Byers
Telephone Number(s):	828-289-2225
Fax:	828-287-9800
E-mail Address(s):	philipbyers@nctv.com
Street Address:	190 North Main Street, Rutherfordton, NC 28139
Local Education Agency:	Rutherford County
Grade Span for 2010-11:	K-7
Projected Enrollment for 2010-11:	352

Targeted Population:

In 1961, Rutherford County consolidated its public school district and closed the only existing public school in Lake Lure. At the time, the Lake Lure community was an outpost of Rutherford County, serving primarily as a summer resort community with few children and a large retirement-aged population. Today, Lake Lure has been transformed into a thriving community of permanent residents, many of which are families with school-aged children. However, the community still lacks a local public school. The nearest county public school option available for parents of children in Lake Lure is nearly 20 miles away. Some children in Lake Lure as young as six years old must ride a bus for as many as 3 hours each day, often boarding before 5:30 a.m. and finally arriving home after 5:30 p.m. Opening a school in the town of Lake Lure, Rutherford County is essential for the families who currently live in the area, and for the many who wish to relocate there. Although the town has, in recent years, worked closely with the local board of education to plan for the construction of a school in Lake Lure, a feasible solution has not yet been devised . . . until now. The nimble-nature of charter schools and their unique ability to serve a smaller population of students without the significant budgetary and infrastructure implications of the larger, traditional system has created an alternative that fulfills the need for a local, public school in Lake Lure and also provides a solution to the longstanding conundrum facing the town's leadership and the local school board. In fact, in its impact statement submitted to the Office of Charter Schools, Rutherford County Schools supports the establishment of a charter school in Lake Lure to meet this need.

Originally, the Town of Lake Lure petitioned the existing charter school in Rutherford County, Thomas Jefferson Classical Academy ("TJCA"), to extend its enrollment to the Lake Lure community. TJCA has had tremendous success in Rutherford County and has a proven track-record of both academic and financial achievement. Although TJCA enrolls a number of students each year from Lake Lure, it is located in Mooresboro, a town that is nearly a 60-mile round-trip drive for

Lake Lure parents and children. In January, the NC State Board of Education denied an enrollment expansion for TJCA, but the NCDPI Office of Charter Schools, local officials and state legislators encouraged the Lake Lure community to apply for its own charter. This application is the culmination of that guidance and is based, in large part, on the successful model offered by TJCA.

The Lake Lure Classical Academy-CFA will provide parents and students the choice of a rigorous curriculum and high expectations of involvement by all stakeholders in the school. Parents will be invited to become involved in their child's educational experience as well as encouraged to volunteer in the school in capacities commensurate with the parent's talents and available time

The *Core Knowledge Sequence*, the main component of our curriculum, was carefully chosen by the Lake Lure Classical Academy:CFA founding board to enable teachers to partner with parents to guide their children toward a higher plane of academic achievement. LLCA-CFA believes that if all children acquire a solid base of knowledge in the early years of their education, they will be best positioned for a high level of academic achievement when they attend college.

A number of public, community meetings have been conducted by LLCA-CFA in order to confirm the need for a school in Lake Lure. Parents, town leaders and local business people have written letters of support and continue to work diligently to disseminate information about the Lake Lure Classical Academy-A Challenge Foundation Academy. A compendium of petitions, town council resolutions, and letters of support from Lake Lure-area businesses and families was submitted to the Office of Charter Schools in October of 2008 to demonstrate the demand for the school and is included in the Appendix of this application.

Conversion:

No: X

Yes: If so, Public or Private:

If a private school, give the name of the school being converted:

If a public school, give the name and six-digit identifier of the school being converted: _____ - _____ - _____

Summary of Educational Mission:

Lake Lure Classical Academy-A Challenge Foundation Academy (LLCA-CFA) will provide a first class education to every child to develop thoughtful, articulate young adults.

Lake Lure Classical Academy-A Challenge Foundation Academy will be a public charter school that embraces scientifically based instructional models, enhanced curriculum design, state of the art technology, and high academic standards. The culture of the school will be built on a foundation of high moral and ethical character. These components, coupled with a talented, well-trained staff and forward-thinking leadership, will prepare students to be productive citizens in the rapidly changing world of the 21st century.

To accomplish its mission, Lake Lure Classical Academy-A Challenge Foundation Academy, will strategically integrate the North Carolina Standard Course of Study with the *Core Knowledge Sequence* to create an overall program of study that will include the depth and breadth necessary to meet the needs of all students. The synthesis of Core Knowledge with the North Carolina Standards will serve two fundamental purposes. First, Core Knowledge brings rich, literary experiences into the classroom and enables children to encounter the world through multiple venues. The thorough study of classical literature, history, English grammar and writing, mathematics, science, music, and art will ensure a strong foundation for all students to succeed in high school, college, and beyond.

Second, the integration of a strong technology program, an experiential learning environment, and Socratic-based discussion in the classroom will create a setting for students to question assumptions and to learn to think critically. All students at LLCA-CFA will have an equal opportunity to achieve subject-mastery as a result of the combined richness of the

content of the NC Standard Course of Study and the student interaction and community involvement components inherent in the *Core Knowledge Sequence*. (www.coreknowledge.org)

IV. BASIC INFORMATION

Name of Proposed Charter School: Lake Lure Classical Academy-A Challenge Foundation Academy (LLCA-CFA)

Local Education Agency in Which Proposed School Will Be Located: Rutherford County

PRIMARY CONTACT INFORMATION:

Primary Contact Person: Philip Byers

Primary Mailing Address: 190 North Main Street

City/State/Zip: Rutherfordton, NC 28139

Phone: 828-289-2225

Fax: 828-287-9800

E-mail Address(s): philipbyers@nctv.com

V. GOVERNANCE

NOTE: Please answer all sections. Do not use "same as LEA" or "whatever the law states". Lack of proper documentation will jeopardize the application review.

PRIVATE NONPROFIT CORPORATION (G.S. 115C-238.29E)

Name of Private Nonprofit: Classical Academies CFA, Inc.
Lake Lure Classical Academy CFA

Mailing Address: 190 North Main Street

City/State/Zip: Rutherfordton, NC 28139

Street Address: Island Creek Road, Lake Lure, NC 28746

Phone: 828-289-2225

Fax: 828-287-9800

Name of registered agent: Philip Byers
Address: PO Box 110, Rutherfordton, NC 28139

Federal Tax ID: 27-1315350

TAX-EXEMPT STATUS (501 (c)(3)) (G.S. 115C-238.29B(b)(3))

The private nonprofit listed as the responsible organization for the proposed charter school has 501 (c)(3) status:

- Yes (copy of letter from federal government attached)
 No Will apply upon preliminary charter approval

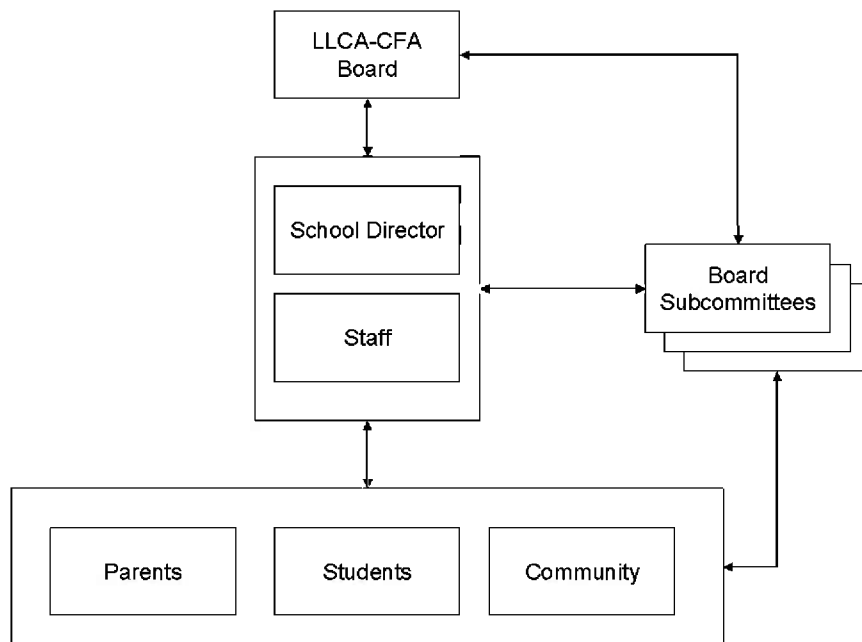
Note:
The tax-exempt status must be obtained from the Internal Revenue Service within twentyfour (24) months of the date the CharterApplication is given final approval (G.S. 115C-238.29E(b))

V. GOVERNANCE (continued)

ORGANIZATIONAL STRUCTURE OF PRIVATE NONPROFIT: (GS 115C-238.29B(b)(3); GS 115C-238.29E(d))

Please provide the following:

1. A well-defined organizational chart showing the relationship of the Board of Directors to the parents and staff of the proposed charterschool.



2. An initial 8-person founding Board of Directors is in place. The founding board is expected to expand to approximately 911 members and transition over time to an operating Board of Directors.

The Founding Board of Directors:

- Philip Byers (Chair), Thomas Jefferson Educational Foundation
- Bryan King, Lakeside Mills, Inc.
- David Faunce, Acadia Northstar, LLC
- Cheryl Reinstadler, Challenge Foundation
- Joan Lange, Challenge Foundation

3. Each founding board member has submitted an application and a one-page resume highlighting his or her experiences over the past ten or more years **See Appendix Section 2**
4. The proposed by-laws, which must include a Conflict of Interest Policy for board members and a stated commitment to the NC Open Meetings Law (G.S. 143.318.9 et seq)

BYLAWS

OF

LAKE LURE CLASSICAL ACADEMY: A CHALLENGE FOUNDATION ACADEMY INC.

ARTICLE I

Organization

I.1 Name. The name of the corporation is Classical Academies CFA Inc. (the "Corporation"). The charter school shall operate under the corporation as:

Lake Lure Classical Academy- A Challenge Foundation Academy

I.2 Principal Office and Other Offices. The Corporation's principal office, known place of business, and place where its records shall be kept is 190 N. Main, Rutherfordton, NC 28139. The Corporation may change its principal office, or adopt other and additional offices, as the Board may designate from time to time.

I.3 Corporate Seal. No instrument executed by or on behalf of the Corporation shall require a corporate seal for validity, but if a corporate seal is used, the Board shall approve its form.

I.4 Fiscal Year. The fiscal year of the Corporation shall begin on the first day of July and end on the last day of June next succeeding.

I.5 Registered Agent. The name and address of the Corporation's registered agent is Charles Phillip Byers.

ARTICLE II

Purpose

II.1 The Corporation is organized for the purpose of being a Charter School under the Charter School Act of 1996, as codified in North Carolina General Statutes 115C-238.29A et seq.

ARTICLE III

Members

III.1 Members. There shall be no members in the Corporation unless provisions for them are later made through an amendment to the Articles of Incorporation.

ARTICLE IV

Board of Directors

IV.1 General Powers. All Corporate powers shall be exercised by or under the authority of, and the business and affairs of the Corporation shall be managed under the direction of, the Board of Directors.

IV.2 Number and Term. The Board of Directors shall consist of a minimum of five and a maximum of eleven directors. The actual number of Directors shall be determined from time-to-time at the discretion of the board. Directors shall serve for terms of three years, or until their successors assume office. Board seats shall have staggered terms such that 1/3 of the positions expire each year. Directors may serve for a maximum of two consecutive terms with a one-term waiting period required before being eligible for re-election. During the waiting period, former board members are permitted to serve on any board committee.

IV.3 Composition.

IV.4 Authority. The powers of the Board of Directors shall include, without limitation, the authority to do the following:

IV.4.1 Appointments. Appoint, remove, replace and supervise all the Corporation's officers and any of the Corporation's employees;

IV.4.2 Investment. Invest and expend Corporation funds in order to carry out all the Corporation's business;

IV.4.3 Agents. Employ or discharge agents, employees and independent contractors;

IV.4.4 Agreements. Negotiate and enter into necessary agreements, or subcontracts to promote, develop and conduct the Corporation's business and otherwise to carry out the Corporation's intent and purpose;

IV.4.5 Insurance. Obtain liability, property and other insurance as necessary to properly protect the Corporation's business and properties and the Corporation's officers, directors, managers, members, and employees;

IV.4.6 Litigation. Institute litigation on routine collection matters for payments due to the Corporation for services rendered by or arranged by the Corporation;

IV.4.7 Borrowing. Borrow money for Corporation purposes;

IV.4.8 Execute Documents. Execute any instruments or documents necessary or convenient to carry on Corporation business; and

IV.4.9 Establish Procedures. Establish operating procedures, requirements, policies and guidelines for the Corporation which shall be implemented and followed by the Corporation's officers, employees, and independent contractors.

IV.5 Policies and Procedures. The Board of Directors shall be authorized from time to time to adjust, amend and repeal such policies and procedures as it may deem necessary or appropriate to govern the Corporation's operations.

IV.6 Action by the Board of Directors. A majority vote is required and sufficient for the Board of Directors to act except in those instances specifically described herein and in the Articles of Incorporation where a super-majority is required in order for the Board of Directors to act or in those designated instances when unanimous consent is required for it to act.

IV.7 Committees. The Board of Directors may establish, from time to time and at its discretion, establish committees in order to accomplish the goals and conduct the programs of the Corporation. Such committees shall have such responsibilities and powers as the Board of Directors shall specify. Committees may include, but are not limited to Finance, Personnel, Fundraising, Facility, Curriculum, Volunteers, and Enrollment, or others as may be needed. Members of committees may, but need not, be members of the Board of Directors. A committee member appointed by the Board of Directors may be removed by the Board of Directors, with or without cause.

IV.8 Compensation. Unless otherwise expressly provided by resolution adopted by the Board of Directors, no Director shall receive any compensation for his or her services as a Director. The Board of Directors may at any time and from time to time by resolution provide that Directors shall be paid a fixed sum for attendance at each Board of Directors meeting or a stated salary as Director. In addition, the Board of Directors may at any time and from time to time by resolution provide that Directors shall be paid their actual expenses, if any, of attendance at each Board of Directors meeting. Nothing in this section shall be construed as precluding any Director from serving the Corporation in any other capacity and receiving compensation therefore, but the Board of Directors may by resolution provide that any Director receiving compensation for services to the Corporation in any other capacity shall not receive additional compensation for services as a Director.

IV.9 Resignations. Any Director may resign at any time by giving written notice of his or her resignation to the Corporation. Any such resignation shall take effect at the time specified therein, or, if the time when it shall become effective is not specified therein, it shall take effect immediately upon its receipt by the Chair or the Secretary; and, unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

IV.10 Full Time Services Not Required. Nothing in these Bylaws shall be deemed to require that a person serving on the Board of Directors spend his or her full time or any specific amount of time managing the Corporation's business; however, any person serving as a Board of Directors member shall be available at reasonable times to assist in the management of the Corporation's business.

IV.11 Director Responsibilities. All board members will be required to demonstrate commitment to the mission of the corporation and to the Lake Lure Classical Academy. Members will be required to serve on at least one committee and attend meetings of the Board of Directors. Directors absent from three (3) consecutive regular meetings of the Board of Directors or one-half of the regular meetings of the Board of Directors within one (1) fiscal year may be subject to removal.

IV.12 Vacancies. Any vacancy on the Board of Directors shall be filled by a majority vote of the remaining members of the Board at any meeting.

IV.13 Removal From the Board of Directors. A Board of Directors member may be removed with or without cause only by a simple majority vote of the Board at any meeting. A member will be considered for dismissal for any one of the following breaches of integrity: violating the confidentiality of items discussed during Executive Session by disclosing any detail or item of conversation to an individual, group or other organization not otherwise belonging to the Board of Directors; undermining the effectiveness of the Board of Directors and any directives, instructions or other policies promulgated by them; being indicted or convicted of a felony; failing to observe and abide by the terms and conditions stated in the Bylaws of the corporation; any other act that would constitute a breach of integrity in the opinion of the members of the Board of Directors.

ARTICLE V

Board of Directors Meetings

V.1 Regular Meetings. The Board of Directors shall meet at least six times per year, at such times and locations as it may determine suitable and appropriate. An annual meeting shall be held in the month of September each year unless determined otherwise by the Board of Directors. Reasonable notice of all Directors' meetings shall be provided to each Director by mail, telephone, or other means of communication as deemed appropriate by the Chairperson of the Board of Directors. All meetings of the Board of Directors shall comply with the open meetings law, 115C-4, of the North Carolina Public Schools Law.

V.2 Special Meetings. The Board of Directors also may hold special meetings called by the Chair or when a majority of the Board of Directors members shall request a meeting. In the event that a Special Meeting is called, each Board of Directors member shall be given 48 hours' notice of that Special Meeting. No other business but that specified in the notice may be transacted without the unanimous consent of all present at such meeting. Any special meeting(s) of the Board of Directors of the Company shall be announced and held in compliance with the open meetings law,

V.3 Quorum. The presence of at least one half of the Directors shall constitute a quorum and shall be necessary to conduct the business of the Corporation; however, a lesser number may reschedule a meeting, and the Corporation shall cause a notice of the rescheduled meeting to be given to all Directors who were not present at the originally called meeting. A quorum shall be required at the rescheduled meeting. Except as otherwise provided in these Bylaws or in the Corporation's Articles of Incorporation, the act of a majority of the directors present at a meeting at which a quorum exists shall be the act of the Board of Directors.

V.4 Means of Communication. The Board of Directors, or a committee thereof, may (a) permit a director or a committee member to participate in a meeting through the use of any means of communication by which all directors or committee members participating may simultaneously hear each other during the meeting. A director or a committee member participating in a meeting by such means shall be considered present at the meeting.

V.5 Compliance with NC Open Meetings Law. Notwithstanding any other provision of these Bylaws, the Corporation shall comply in all respects with the North Carolina Public Schools Law, code section 115C-4 and any corresponding provision of subsequent North Carolina law, in connection with all regular or special meetings of the Board of Directors. Except as otherwise permitted by such Open Meetings Laws,

- (a) no quorum of the Board of Trustees can meet in private for the purpose of deciding on or deliberating toward a decision on any matter and
- (b) no executive session shall be held until
 - (i) the Governing Board shall have first convened in an open session for which notice shall have been given in accordance with law,
 - (ii) a majority of the Governing Board members at such meeting shall have voted to go into executive session,
 - (iii) the Chairperson (or other person presiding over the meeting) has cited the purpose of the executive session and has stated whether or not the Governing Board shall reconvene after the executive session. Executive sessions may be held only for purposes permitted by law.

V.6 Procedure. All business conducted at the meetings of the Corporation, including meetings of the Board of Directors, shall be conducted pursuant to Robert's Rules and Order or a reasonable, comparable format.

V.7 Conflict of Interest. If a matter comes before the Board which places a Director in a conflict of interest between the interests of the Corporation and the interest of the Director, or the Director's family or business, the Director with the conflict shall be prohibited from participating in the discussion and vote on the particular matter. In addition, the Corporation shall comply with the voting and disclosure provisions of the Director Conflict of Interest section of the Non-Profit Corporation Law NCGS 55A-8-31.

