

California Charter Authorizers Boot Camp

Governance

Materials

- **PowerPoint**
- **Sample charter petition excerpts**
- **Petition review checklist**

Charter Governance

Learning Outcomes

- Role of the Charter's Board
- What should be included in petition
- What are the differences between charter and district governance

Role of the Charter School Board – The Buck Stops Here

- **Duty of Care** — Each board member has a legal responsibility to participate actively in making decisions on behalf of the organization and to exercise his or her best judgment while doing so.
- **Duty of Loyalty** — Each board member must put the interests of the organization before their personal and professional interests when acting on behalf of the organization in a decision-making capacity. The organization's needs come first.
- **Duty of Obedience** — Board members bear the legal responsibility of ensuring that the organization complies with the applicable federal, state, and local laws and adheres to its mission.

Charter School Governance vs. District Governance

- What are the differences between charter school and district governance
 - District Boards and County Boards
 - Public entities; Brown Act, Political Reform Act, GC 1090
 - Charter Schools
 - Most (but not all) are governed by California and Federal non-profit law
 - Role of Mega-Waiver
 - Exist in a gray zone – in some ways public entities, in other, non profit corporations

What does Ed Code say?

- 47605(D) The governance structure of the charter school, including, but not limited to, the process to be followed by the charter school to ensure parental involvement.

Governance in Petition

Does the petition:

- Include Articles of incorporation and by-laws for the nonprofit public benefit corporation?
- Describe the proposed school's governance structure and demonstrate how it will maintain active and effective control of the school?

Applicants must describe:

- How often the governing board will meet.
- The process for selecting governing board members.
- The manner of posting meeting notices, distributing agendas and recording.
- Governing board actions.

Governance in Petition (cont'd)

Does the petition:

- Provide an organizational chart showing the relationship of the governing board to and other organizations, the leadership of the school as well as any relevant site committees, etc.
- Provide résumés and/or bios for all individuals committed to serving on the school's governing board.
- Provide an assurance that the governance meetings will comply with the Ralph M. Brown Act and the Political Reform Act.
- Explain the process to be followed by the school for ensuring parental involvement, **including LCAP**

What to look for – Red Flags

- No process for choosing governance team
- No understanding of what Brown Act requires
- No processes in place to collaborate with parents
- Board meetings that are not local or do not provide access to parents
- Unclear on who makes critical decisions
- Lack of capacity/understanding of role

What to look for – Red Flags CMOs

- Affiliated Organizations
- Sole Statutory Member
 - Comprehensive Chart of All Organization's Relationships
- Conflicts of Interest

Key Take Aways

- The Charter School Board Has Full Legal Responsibility – Do They Accept that Responsibility?
- Make sure charter governance team is qualified
- Interview governance team
- Determine that parents are adequately involved
- If there is a CMO
 - Who is (really) in charge!
 - Full Transparency

Learn More

- National Charter School Resource Center
www.charterschoolcenter.org

Going Deeper

- Learn principles of good governance:

www.csba.org

- Network with other authorizers about issues that arise around charter governance
- The Seven Absolute.....Article