

# 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](http://www.charterschoolcenter.org)

# Going Deeper

- Learn principles of good governance:

[www.csba.org](http://www.csba.org)

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