

Quality Charter School Governance

Governance Board Functions

(NACSA Authorizing Matters: Issue Brief, Good to Govern: Evaluating the Capacity of Charter School Founding Boards, September 2007 and from this author and USDE-CPS federal grant funding requirements)

- Ensures contract compliance on the part of the charter school and authorizer
- Sets policy, establishes the budget, selects staff (within contracts), supervises the administrator, evaluates the school and administrator
- Selects supports and terminates, when necessary, the school leader within the terms of the contract
- Ensures operational and financial viability
- Defines educational excellence (with the school leader)

Effective Governance Boards

(NACSA Authorizing Matters: Issue Brief, Good to Govern: Evaluating the Capacity of Charter School Founding Boards, September 2007 and this author)

- Have a clear understanding of oversight role and fiscal management role
- Have the needed combination of skills (i.e. financial, legal, education, curriculum focus, etc. expertise)
- Use non-profit board best practices
- Maintain a clear role delineation of board, school leader, parents, teachers, contractors, service providers, etc. roles
- Remember that no one board member (even the board president) speaks for the board unless specifically delegated the authority to do so
- Are large enough to govern but not too large to function effectively
- Enforce term limits to avoid “founders disease”
- Utilize board committees such as:
 1. Academic excellence
 2. Finance
 3. Governance
 4. Strategic Planning
 5. Board development and training

Clarity of Roles and Responsibilities

(NACSA Authorizing Matters: Issue Brief, Good to Govern: Evaluating the Capacity of Charter School Founding Boards, September 2007)

- Operate with a clear distinction between governance and management
- Understand that founders and the founding boards are frequently different (They often require a different skill set.)
- Clearly define and separate the of roles of board members, the administrator, education service provider(s) and the management organization

Elements of Quality By-Laws

(NACSA Authorizing Matters: Issue Brief, Good to Govern: Evaluating the Capacity of Charter School Founding Boards, September 2007)

- Board Members
 1. Number
 2. Qualifications
 3. Selection Process
 4. Procedures for filling vacancies
 5. Guidelines for removals and resignations
 6. Term limits
 7. Powers
 8. Fees and compensation
- Officers
 1. Number
 2. Selection process
 3. Job descriptions
 4. Process for filling vacancies
- Meeting
 1. Location
 2. Number of meeting per year
 3. Policy for special meetings
 4. Compliance with open meeting laws
 5. Quorum and voting rules
- Staff/administration
 1. Who reports to board
 2. Who votes
- Committees
 1. Number and purpose
 2. Rules under which they operate
 3. Procedure for creating

- Other
 1. Fiscal year begin and end date
 2. Rules of order
 3. Amendments
 4. Consistency with state and federal laws and rules and regulations

Measures of Board Quality

(Source – NAPCS Assessment Criteria and Rubric Draft, January 2008)

- School and student achievement
- Ethical leadership
- Focus on continuous improvement and training
- Responsible Governance
- Fiscal Accountability

Reasons for From a 501 (c) 3 Non-Profit Corporation

("The Case for Organization, Henry Gempler and Andrew Nelson, Foley and Lardner in Instrumentality Charter Schools in Wisconsin, February 2008, Charter Schools" by Joanne Harmon Curry, November 14, 2007 and this author)

- One means of providing organizational structure for a charter school
- Articles of incorporation and bylaws provide: mission, organizational structure, rules and procedures
- Have no stockholders
- Corporate structure provides liability protection for individuals forming the charter school
- Employees of instrumentality charters are entitled to indemnification from the district if operating within their scope of authority
- Allows charter school operators to contract
- May allow organizers to apply for grants and gifts
- Can apply for IRS tax exempt designation