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Dr. John D. Barge, State School Superintendent

Charter School Governance and Autonomy 101

The fundamentals of creating a high-quality charter school governing board

Agenda

Autonomy

- Flexibility from State laws, rules and regulations and local rules and regulations

Governance

- Local School Governance

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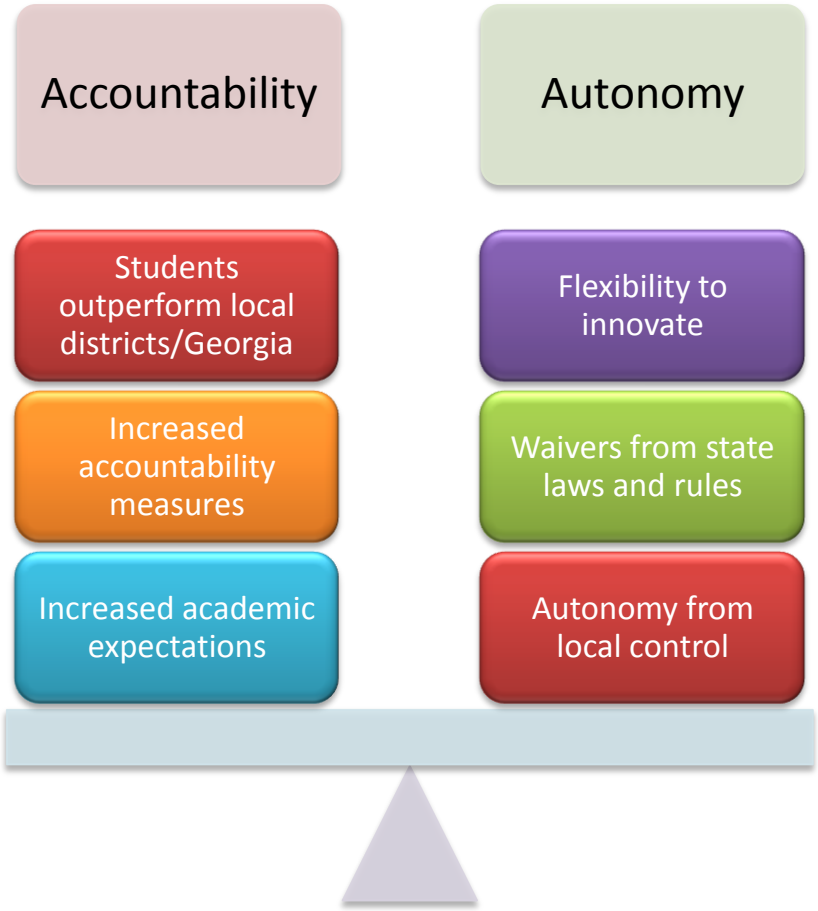
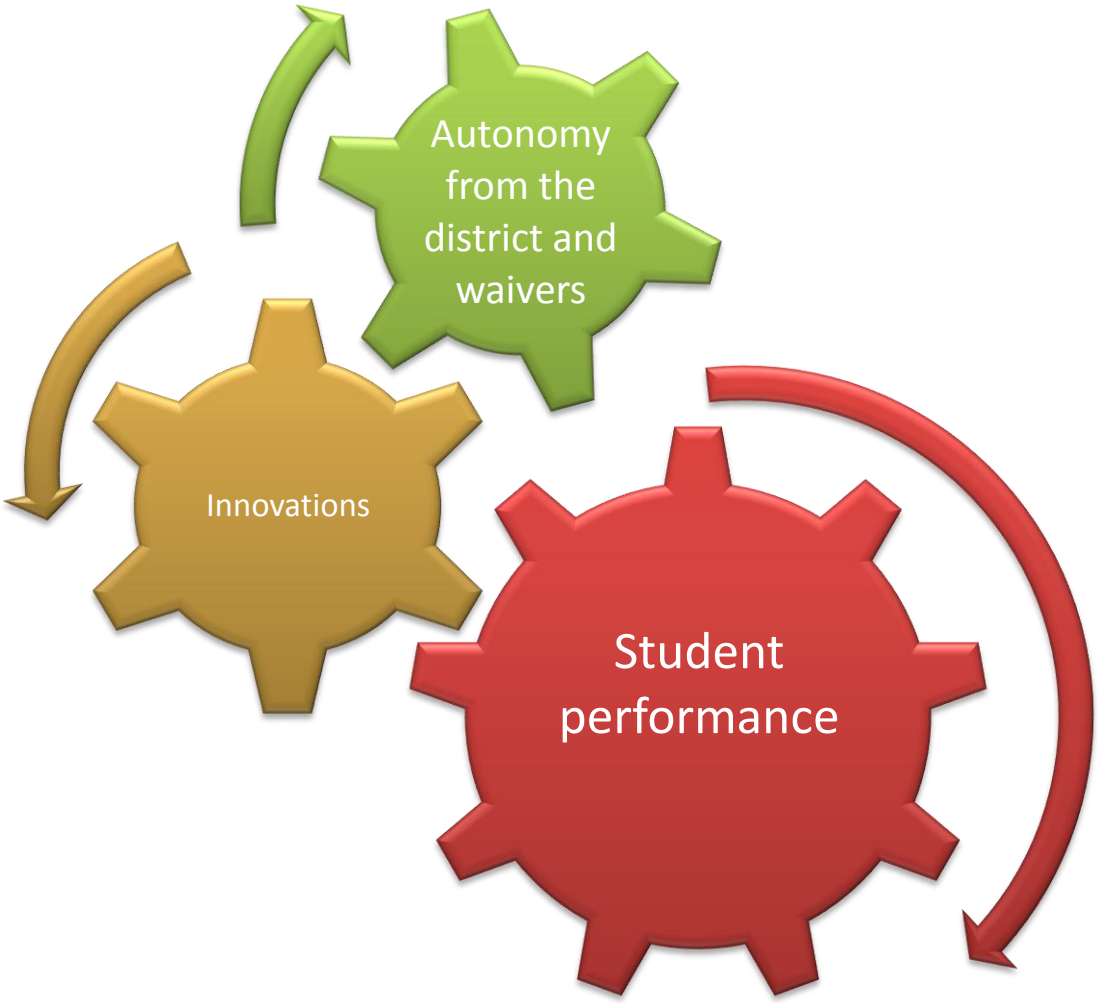
THE CHARTERING DEAL





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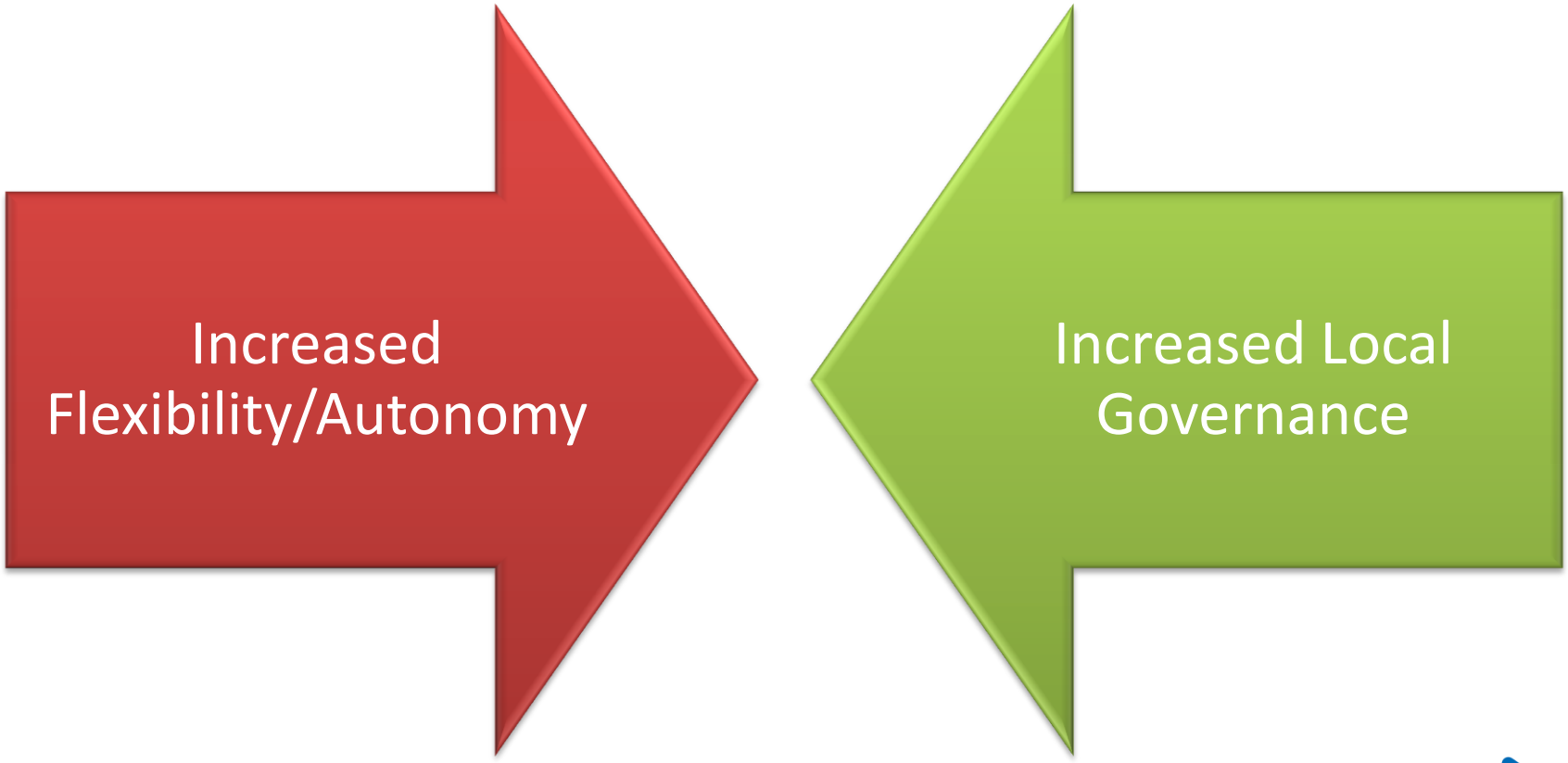
Must have both!



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What is the broad flexibility waiver* (BFW)?

O.C.G.A. § 20-2-2065

The school or system may waive provisions of Title 20 and any state or local rules, regulations, or policies except:

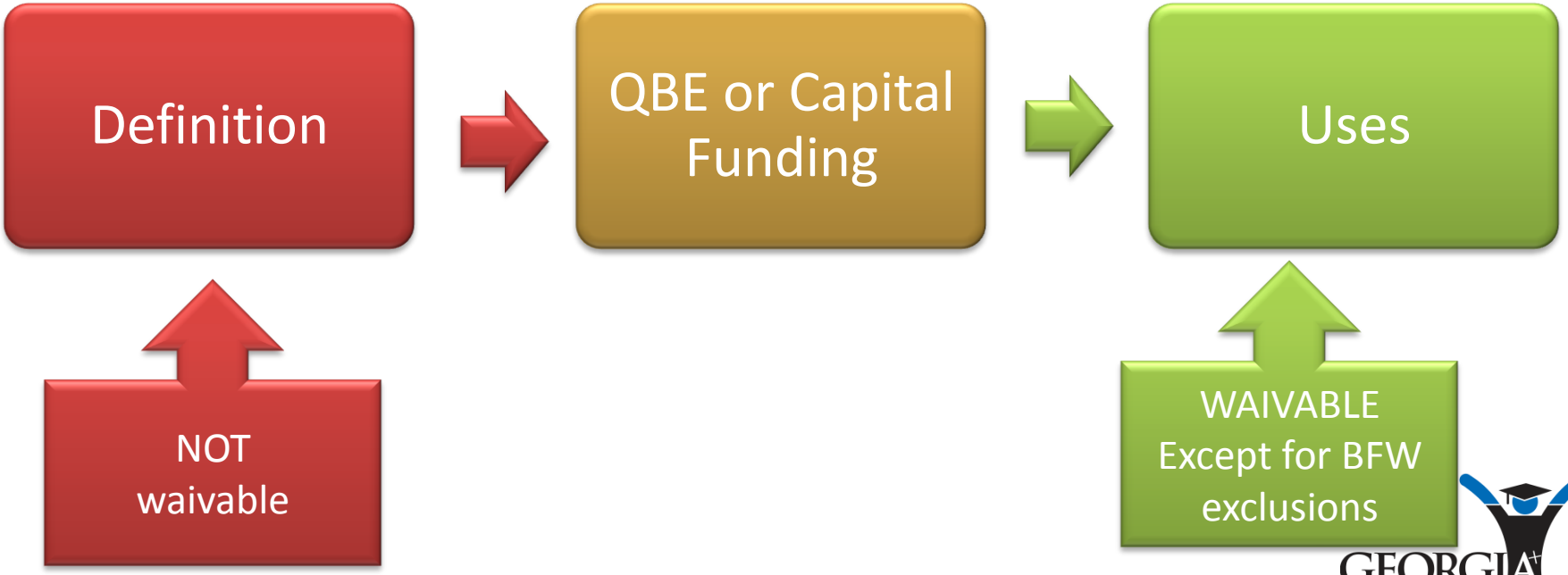
- Charter Schools Act and Commission Act
- Requirements pertaining to health and safety
- Reporting requirements (20-2-160)
- The requirement to not charge tuition
- Period of quiet reflection (20-2-1050)
- Provisions pertaining to fingerprint and criminal background checks (20-2-211.1)
- Funding formulas
- Federal laws and program requirements

**Not an exhaustive list*

What can be waived?

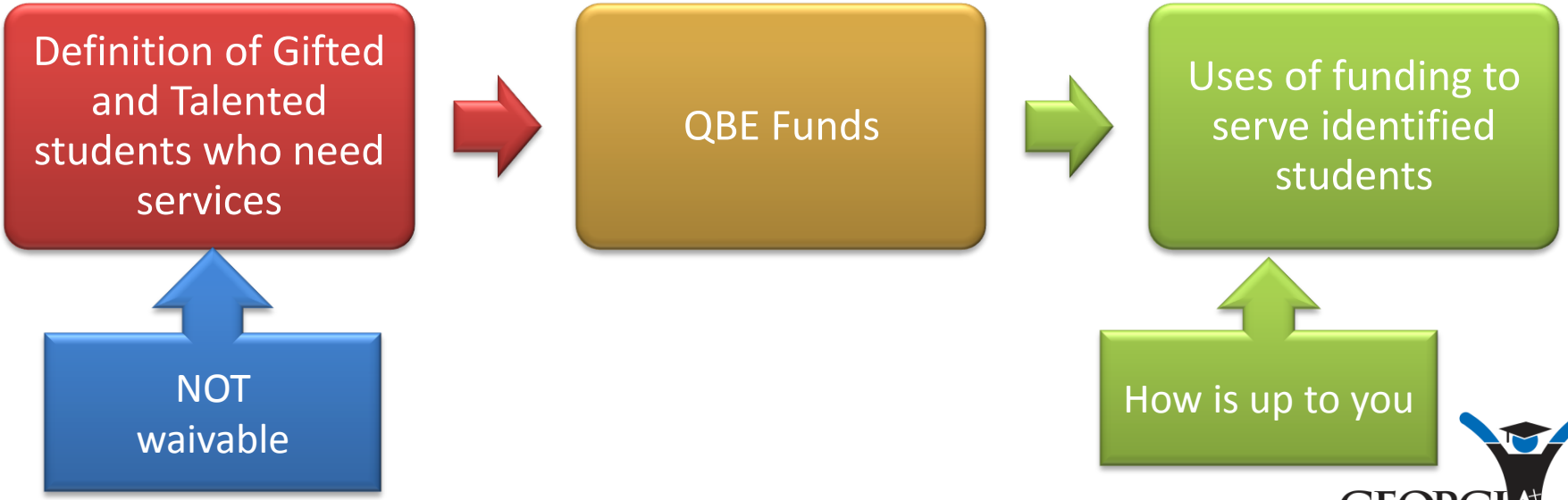
- Definitions can not be waived
- Nothing related to QBE and capital funding and the LUA Manual can be waived

Flexibility equation



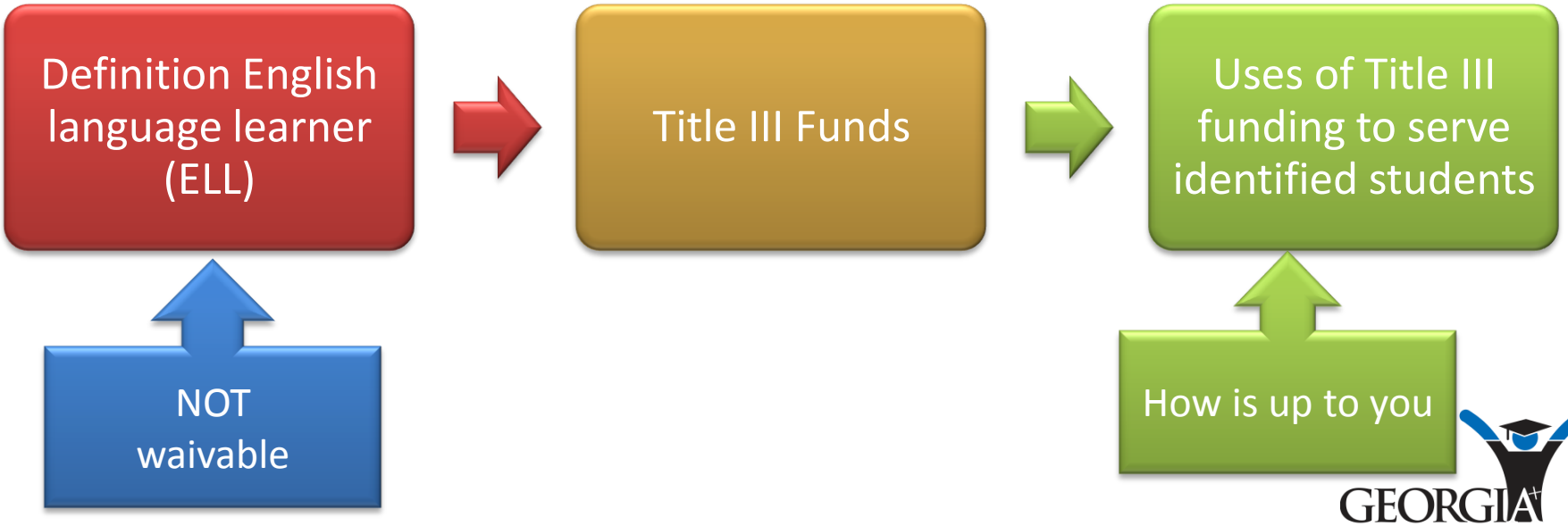
Example: Gifted and Talented Education

- Must use the state's definition of Gifted and Talented to determine which students are identified as needing services, and how much funding is generated
- How you use this funding to serve the students is up to you, as long as you offer services that are research-based, grounded in sound educational theory, and documented as producing results



Example: Title III/ESOL

- Must use the state's definition of an English language learner (ELL) to determine which students are identified as needing services and how much funding is generated
- How you use this funding to serve the students is up to you, as long as you offer services that are in compliance with Title III and other federal laws and meet the required FTE segments



What about facilities?

Facilities requirements related to health and safety are NOT waivable*

Example: Hallway width

Facilities requirements related to waivable academic requirements ARE waivable

Example: Media center

**GaDOE is working on a comprehensive list of such examples*

Responsible Parties

Governing Board

- Non-profit organization
- Holds charter

School Administration

- Oversees daily operations
- Entrusted with care of students

Symptoms of a Governing Board in Trouble

Boundaries

- Involvement in daily school operations

Instability

- Board succession has not been planned.

Unbalanced

- Lack of diversity in board strengths
- Need Financial, Managerial, Legal and Administrative

Capacity

- Board size is too small
  - Not enough volunteers
- Board size too large
  - 'Decision freeze'

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Governing Board Member 101

General Principles	• Duty of care • Duty of loyalty
Requirements	• Academic success • Fiscal Responsibility • Faithful to terms of charter
Training	• Board Member Orientation • Topic Training • Bylaws, Rules of Order

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Duty of Care

- Act in the Best Interest of School
- Attend Board Meetings
- Review charter, accountability plan, financial reports, leases, loan agreements, EMO contracts
- Delegate responsibility when appropriate
- Ensure compliance with law

Duty of Loyalty

Maintain accurate conflict of interest forms	Not knowingly profiting from board decisions	Using position to profit

Board Requirements

Academic Success	Budget/Fiscal responsibility	Compliance-Legal
• AYP • Charter Goals • Growth	• Balanced • Monthly review • Internal controls	• Bylaws • Open Meetings Act • Charter Compliance

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Governing Board Training

Board Orientation

- Every new member should have orientation
- Cover basic board responsibilities
- Committee work

Continuing Training

- Regular training cycle
- Fiscal, academic, legal
- Increase capacity

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School Administration 101

Financial Issues	• Funding • Internal Controls • Administers Grants
General Administrative	• Does not discriminate • Implement programs • Records
Students	• Code of Conduct • Academic plans • Safety

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School Administration Financial Issues

School Administration may propose budgets for the governing board to approve

Implements appropriate internal controls

Produces monthly statements for Board review

Applies for supplemental funding (Federal, State, Private)

School Administration General

Does Not Discriminate

- Building is accessible
- Enrollment policies are fair and transparent
- Grievance policies are in place

Implement Special programs

- Special Education
- English Language Learners
- Title I
- Nutrition Programs
- Title I

Records

- Public Records
- Student Records

School Administration- Students

Code of Conduct

- Student Handbook
- School Uniform

Academic

- Daily Instruction
- School Improvement Plans
- Student services

Safety

- Report child abuse
- Evacuation plans
- General safety procedures

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Joint Responsibilities

Reporting Requirements	• Annual Report • Audit • Accountability Plan
Charter Renewal/Revocation	• Renewal Petition • NCLB/AYP • Enrollment Policies

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Take Aways

Autonomy/Flexibility	• Gives charter schools decision-making authority that is not heavily regulated by a local district.
Governing Boards	• Responsible for governing the school, setting policies, reviewing accuracy of budgets, ensuring compliance.
School Administrators	• Responsible for the daily management/operations of the school.

Questions?

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