



# board essentials

— THE GOVERNOR, JOHN ENGLER —  
**CENTER FOR CHARTER SCHOOLS**  
— CENTRAL MICHIGAN UNIVERSITY —

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#### USE OF THIS DOCUMENT

*This document provides general information to help board members understand their roles and responsibilities pursuant to Michigan law. This document and the information in it does not constitute legal advice. It is also not a substitute for legal or other professional advice. Users should consult their own legal counsel for advice regarding the application of the law.*

#### DIVERSITY

*CMU, an AA/EO institution, strongly and actively strives to increase diversity within its community (see [www.cmich.edu/aaeo](http://www.cmich.edu/aaeo)).*

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## Our Mission

To transform public education through accountability, innovation and access to quality education for all students.

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## Our Vision

The Governor John Engler Center for Charter Schools envisions a diverse and dynamic public education marketplace that fosters academic excellence for all children.

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## Our Values

The Governor John Engler Center for Charter Schools is an innovative, results-oriented organization that values and empowers passionate professionals who are committed to quality and accountability, and known for their integrity.



*Cynthia M. Schumacher*  
Executive Director

*Dear Board Member:*

*Congratulations on your appointment as a charter school board member! Your leadership and service as a public official will make a tremendous difference for many students and families in your community. We thank you for your willingness to serve and look forward to working with you as we pursue academic excellence for all children.*

*As you settle into your new role as a board member, you are sure to have some questions. As your school's authorizer, Central Michigan University will not send you off to pursue academic excellence without giving you the right gear for the trip. This field guide offers the information, tools and references to govern effectively, including:*

- **HOW TO NAVIGATE YOUR ROLE AS A PUBLIC OFFICIAL.** *We'll break down your duties as a charter school board member and help you understand how to govern.*
- **WHERE TO FIND IMPORTANT POLICY LANDMARKS** *You need to know where to look for answers as tough questions arise. This guide offers a framework that can help you make decisions with confidence.*
- **WHEN AND HOW TO INVOLVE SIGHTSEERS.** *You'll need practical information about the Open Meetings Act and handling the media — you can get that here, too.*
- **HOW TO KNOW WHEN YOU'VE ARRIVED.** *This guide can help you get a clearer understanding of CMU's performance and accountability expectations and how this impacts the future reauthorization of the school.*

*In short, this field guide will help you stay on the path toward excellence, while providing you with resources and contact information that may be helpful as you wish to learn more.*

*Again, welcome to the team and please know that you can call on us at any time. We look forward to working with you!*

*Best wishes for a remarkable journey,*

*Cynthia M. Schumacher*  
Executive Director

# Table of Contents

## KNOWING WHERE YOU ARE HEADED

*Know Your Mission • Understand Organizational Realities*

## BEING PREPARED

*Adopt the Proper Mindset • Keep an Ethical Foundation  
Know Your Safeguards • Balance Your Responsibilities...and  
Your Time*

## KNOWING THE TERRAIN

*Understand the Board's Role & Responsibilities • Know the  
CEO's Responsibilities*

## MANAGING YOUR ASSETS

*Michigan's School Funding Structure • Budget Responsibilities  
• Access to Financial Capital*

## SENDING AND RECEIVING MESSAGES

*Use Your Chain of Command • Be Transparent • Get Smart  
About the Press*

## LAYING THE TRAIL

*Know Your Meetings • Quorum • Prepare Effectively  
• Meeting Documents*

## ADMINISTERING FIRST AID

*Manage Conflict • Respond to Crisis • Making Unpopular  
Decisions*

## SEEKING HELP IF YOU'RE LOST

*Where to Turn*

## BUILDING THE TEAM

*CMU's Board Appointment Process • Orienting New  
Board Members*

## KNOWING WHEN YOU HAVE ARRIVED

*Prepare for Reauthorization • Board Self-Evaluation*

## COMMUNICATING WITH BASE CAMP

*Communicate with the Center • Partnership for the Future*



# knowing where you are headed

KNOWING WHERE YOU ARE HEADED

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## Knowing Where You Are Headed

### KNOW YOUR MISSION

Becoming a charter public school board member did not happen by accident. Perhaps someone recognized your background and previous experiences as useful to the school's mission, or perhaps you saw what the school was trying to accomplish and believed you could contribute. Either way, your role as a board member is to govern the school and ensure it fulfills its mission.

Put simply, the school's mission has now become your mission.

If you haven't already, be sure you read the school's mission statement and know it well. These brief statements should articulate the outcomes your school is aiming to achieve, for whom, and how the organization plans to get there. Every decision you make as a board member – even the smallest – should be considered with the school's mission in the back of your mind. You must continually ask yourself if the vote you cast is advancing the school's mission or making it more difficult to achieve. The answer may sometimes surprise you!

From time to time, the board may consider reviewing and possibly updating its mission. Changing realities, such as shifts in the community you are serving or evolving operational needs, may require the school to adjust its aims. Such changes must be carefully considered and deliberately undertaken, as the mission underlies every other decision made by the school.

Why is this so important? It's because great organizations demonstrate their effectiveness by measuring their progress toward mission. For example, The Governor John Engler Center for Charter Schools evaluates its schools, in part, through a series of mission-specific goals. These goals assist the Center in identifying gains that have been made in areas that are not measured by standardized tests, and allow schools to demonstrate success toward their missions.

It is essential for you and your colleagues on the board to keep the school's mission in mind and never remove it from your collective consciousness. It is a sure-fire method of staying on track and, ultimately, for achieving academic excellence for the students you serve.

### UNDERSTAND ORGANIZATIONAL REALITIES

Your school's mission statement should describe the ends to be achieved, and the school's existing organization and resources are the means for achieving them. As a board member, you will have to offer your best thinking about how to allocate dollars, manage a broad spectrum of community needs, and adopt policies that maximize the likelihood that your school's mission will be fully realized.

The school organization itself is a complex tool with many moving parts that the board is responsible for governing. You must understand it well enough to predict how it will behave given a certain set of circumstances. You must also be prepared to care for it and make it strong. The same is true of your school community.

It is this gap – between your current set of organizational realities and the mission your school aims to fulfill – in which you will do much of your work.

Now, let's get started on the journey.



# being prepared is being

BEING PREPARED

## Being Prepared

Before your first board meeting, you'll want to make sure you are ready to take on the responsibilities associated with your role. This section includes tips and strategies for preparing yourself.

### ADOPT THE PROPER MINDSET

To quickly become a contributing and respected board member, you should:

- **KEEP AN INSTITUTIONAL FOCUS:** Your individual concerns and desires must come second to those of the organization you govern. What's best for the organization may be challenging, time-consuming, or – in the case of some tough budget or staff decisions – even painful for you. However, you are there to be a steward of the school. There are times when you may have to set your personal feelings aside to do what's best for the school and the public.

*BE A TEAM PLAYER: THE BOARD MUST SPEAK WITH ONE VOICE, AND WHEN A DECISION IS MADE, YOU MUST WORK WITH YOUR BOARD COLLEAGUES TO UPHOLD AND EFFECTUATE IT. THAT'S TRUE EVEN IF YOU VOTED AGAINST THE DECISION IN THE FIRST PLACE. IT IS NEVER PRODUCTIVE TO STAND ASIDE AND/OR DEVELOP AN OPPOSING FACTION.*

- **LEARN ALL YOU CAN:** As a board member, you will encounter volumes of written reports and recommendations, financial statements, and performance data. You will need to learn to read and understand this information so you can formulate appropriate questions and make sound decisions. Take advantage of the expertise around you.

- **LISTEN WELL:** As a charter school board member, you will represent multiple constituencies with a wide array of interests. It is important to open your mind to the concerns of all these individual interests. Honor the views of everyone, no matter how awkwardly or angrily they are presented to you. But always make decisions in the best interest of the school and the public.

- **COMMUNICATE CAREFULLY:** It can be easy to make statements that are quick or “off the cuff.” As a board member, though, your words carry a great deal of weight with your organization and your community. Don't be afraid to make your point, but be mindful of how you present it and never say anything you wouldn't like to have printed on the front page of the newspaper.

- **KNOW YOUR ROLE:** You'll read more about this later, but it bears repeating often. It is helpful for you to know where the line is between board member responsibilities and management responsibilities. This is an easy line to cross, and you must be cognizant of it at all times.

- **SHARE YOUR EXPERTISE CAREFULLY:** Often, board members have professional backgrounds that offer a unique vantage point to the entire governing body (e.g., law, finance, human resources, curriculum development). If you have a special area of expertise, use your knowledge well but take care how you involve yourself in school projects and activities. You are there to govern, not act as unpaid counsel/accountant/school staff person.

■ **BE A TEAM PLAYER:** The board must speak with one voice, and when a decision is made, you must work with your board colleagues to uphold and effectuate it. That's true even if you voted against the decision in the first place. It is never productive to stand aside and/or develop an opposing faction.

## KEEP AN ETHICAL FOUNDATION

Most people consider themselves fundamentally ethical and it seems improbable that you would ever seek to use your board position for personal gain. However, the fact is that board membership often does involve situations where ethics come into play, and even the appearance of a conflict of interest can be terribly problematic for both you and the charter school you represent.

As your charter school's oversight and support agency, the Center will work closely with your board to help identify and manage potential conflicts. Included below are some general areas to consider; if you are worried or want to get more information, don't hesitate to contact the Center at any time.

Michigan has two specific conflicts of interest statutes that apply to public schools – Incompatible Public Office and Contracts of Public Servants with Public Entities.

It is important for the board to complete due diligence as new contractual relationships are considered and to avoid conflicts or the appearance of conflicts. It is also critically important for the board to understand the interests and relationships of potential new board member nominees prior to nominating their potential new board members for

consideration by the Center. The Center offers some general guidelines to help you identify potential board candidates on [pages 78-79](#).

### INCOMPATIBLE PUBLIC OFFICE

The potential for incompatible public office applies to situations where a public school board member is simultaneously serving in another elected or appointed public office.

An incompatible public office situation can arise when a person holds two or more public offices at the same time. The law defines it as a situation that results in any one of the following during the course of that person's transaction of official duties:

- a. The subordination of one public office by another.
- b. The supervision of one public office by another.
- c. A breach of duty of public office.

The Incompatible Public Office statute specifically prohibits a public school officer or employee from simultaneously holding two or more incompatible offices. The board should engage its legal counsel and/or work with the Center to obtain further guidance if this type of situation arises.

### CONFLICTS OF INTEREST

A conflict of interest is defined as an instance in which a public official's decisions are influenced by his/her personal interests. To help guard against these conflicts, the Center has instituted a conflict of interest disclosure process.

As a charter school board member, you will be required to prepare and submit an annual conflict of interest disclosure form, which can be found under the “Resources” section of the Center’s Web site at: [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org).

As a board member, it is critical for you to make a habit of reflecting upon both current and potential relationships to ensure the charter public school board remains conflict-free. This is one area where it is definitely better to err on the side of caution, as even seemingly innocent acts can create a conflict problem. For example, agreements where no exchange of value takes place are still considered contracts and can get a board member into hot water. What’s more, all aspects of the contracting process are covered, which means that even if the board member’s role is limited to directly or indirectly negotiating, representing or soliciting a contract, they may find themselves in jeopardy.

With respect to the appearance of conflicts, The Honorable Frank Kelley, Former Attorney General of the State of Michigan, has written:

*“The spirit behind the law and public policy of this state in regard to conflicts of interest is that the temptation of impropriety should be avoided, as well as actual impropriety, between government officials and private individuals. Members of governmental boards and agencies at all levels must at all times be scrupulously cognizant of their position of public trust in relation to their private business dealings. If the latter would tempt them to color the performance of their public responsibilities, then they would be in violation of the spirit of the conflict of interest laws in this state.”*

## KNOW YOUR SAFEGUARDS

In exchange for your service and stewardship, there are legal and financial protections for your work as a charter school board member. This section covers the basics.

### GOVERNMENTAL IMMUNITY

Michigan’s [governmental immunity statute](#) affords charter school board members broad immunity from tort liability.

In general, the act provides that each member of a board, council, commission, or statutorily-created task force of a governmental agency shall be immune from tort liability for personal injury or property damage the member causes while in the course of service. The following stipulations apply:

- The member is acting or reasonably believes he or she is acting within the scope of his or her authority.
- The governmental agency is engaged in the exercise or discharge of a governmental function.
- The member’s conduct does not amount to gross negligence that is the proximate cause of the injury or damage. Gross negligence is defined as conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.

Whether a charter school board member acted within the scope of his or her authority while in the exercise or discharge of a governmental function, and whether he or she was grossly negligent, can become factual questions during the course of litigation. This means that it may be necessary for a charter school board member to participate in the defense of lawsuits brought against him or her or the board itself, in order to establish sufficient facts to resolve such actions.

A key factor in any such litigation will be whether the charter public school board member acted within the scope of his or her authority while discharging a governmental function. This can become a key issue in actions for libel, slander, and tortious interference with contractual relations or other intentional tort causes of action.

Be sure to contact the board's legal counsel and/or the Center if you are concerned about this type of action against you or the school.

### INSURANCE COVERAGE

All Michigan charter public schools are required to maintain minimum levels of insurance coverage. As a board member, you may be afforded certain protections from liability based on the policies held by your school.

To help protect the boards of the charter schools it authorizes, Central Michigan University's Charter Contract requires each school to obtain School Leaders Liability insurance of \$1 million per occurrence and \$3 million aggregate. There are additional insurance requirements that can be found in the Charter Contract.

### BALANCE YOUR RESPONSIBILITIES... AND YOUR TIME

Your involvement as a charter school board member may feel somewhat daunting at first. A charter school can generate a lot of documents which should be read, comprehended and digested prior to each board meeting. What's more, board subcommittee meeting participation, attendance at school

events, and contact from various constituents require time and attention. So, how do you manage it all?

■ **DON'T GO IT ALONE:** Divide and share responsibilities with your other colleagues on the board. In addition, you can get advice and input from your peers who may have more experience reviewing certain types of documentation. Finally, your school leader will likely be a good source of information as you orient yourself to your responsibilities. Use your team!

■ **UNDERSTAND YOUR BOARD POLICIES:** These policies are there to help you understand how your school is designed to operate. If your school is new and does not yet have board policies, the very act of developing or adapting them will be a great lesson in how the school's responsibilities will be carried out, and what the role of the board is. See [page 27](#) of this document for more information about board policies.

■ **KNOW (AND RESPECT) THE LINES OF AUTHORITY:** The school's management is there to carry out daily operations. If a constituent is asking you to engage in an operational issue, proceed with care. Work with your management, and limit your role according to the specific circumstance at hand.

■ **TAKE ADVANTAGE OF TRAINING OPPORTUNITIES:** The Center, the National Charter Schools Institute, and other organizations exist to provide you with leadership development and support. What you'll gain in knowledge and skill will more than offset the time you invest.



# knowing the terrain

# Knowing the Terrain

## UNDERSTAND THE BOARD'S ROLE & RESPONSIBILITIES

A charter school board's responsibility and main charge is organizational governance, meaning your board holds the ultimate power within the organization and is responsible for its overall effectiveness. Conversely, this means the board is also accountable for the results the school achieves or fails to achieve. In simple terms, your board is the primary entity responsible for ensuring that the kids in your school are learning and that the school's money is well spent.

This power and accountability is concentrated in one simple act: a vote. No other action carries the weight, authority or consequence of an official board vote that is taken and recorded in the minutes.

As mentioned several times already, for any school board to operate effectively, it must be clear about its own responsibilities and the responsibilities that have been delegated to management. One way to distinguish the difference between roles and responsibilities of the board and management is to say that the board's focus should be on measuring and supporting operational outcomes (the ends), and management is responsible for the methods by which the outcomes are achieved (the means).

Below are some universal governance responsibilities and practices that belong to the board.

## PROVIDE LEADERSHIP TOWARD MISSION

A statement of mission and purpose should articulate your school's goals, means, and primary constituents served. The mission is a vital component of the Charter Contract. It is the board's responsibility to implement the mission and ensure congruence between decisions made and the core values of the charter public school. Each individual board member should understand the mission and ensure that they believe in it and can support it.

Please refer to [page 10](#) for more discussion of a school's mission and the board's role in effectively supporting it.

## SELECT AND SUPPORT THE MANAGEMENT

Next to setting and supporting your school's mission, selecting your school's management is the one decision that will have the greatest impact.

Your board has two primary options relative to management. First, you can directly hire a school leader who is responsible for the day-to-day operation of the school, just as in a conventional K-12 district. Alternatively, some charter school boards opt to contract with an Educational Service Provider (ESP) for all or a portion of their operations.

*CMU has developed policies outlining requirements to be satisfied before charter school boards and ESPs enter into a final agreement. These policies address the roles and responsibilities of the ESP and the board as they relate to contract development and negotiations. All ESP agreements must be in compliance with these policies before the final agreement is executed. Please visit [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org) for more information.*

When considering this decision (if it has not already been made), the board must first decide the level of operations it desires to offer for contract. Some ESPs offer complete turn-key approaches to administration – they will hire staff, run the school, and bear responsibility for all daily activities at the school site. Other ESPs will perform only limited services, such as the hiring of staff or the management of accounting, compliance and reporting functions. The board should do its homework and have a clear understanding of current needs and objectives as these alternatives are considered. It is very appropriate for boards to enlist the support of experienced outside organizations, including the Center, to help navigate this process and prepare to contract for services.

As the board prepares to make its own choice relative to management, you must develop a clear idea of your objectives and undertake a careful search process to find the most qualified individual or group for the job. The board may benefit from experienced advisors during this process. A wide variety of individuals and organizations, ranging from peer advisors on another charter school board to organizations like the [National Charter Schools Institute](#) are available to assist.

Regardless of the decision you make, the board should ensure that the school’s management team shares a passion for the school’s unique mission. The board should also make certain that management has the policy and professional support it needs from the board, to help further the goals of the school.

## DEVELOP AND ADOPT POLICIES AND UPDATES

Institutionalizing the vision and mission of a charter public school through legally researched, comprehensive policies is a fundamental responsibility of the board. These policies should be documented for easy reference and should be reviewed regularly for necessary updates and to ensure they remain applicable.

Please note that the Center offers the opportunity to obtain, adapt and update a set of legally researched policies to all schools authorized by Central Michigan University. This service is provided at no cost to the board through the [National Charter Schools Institute](#).

### Legal Duties of Boards

A charter public school board member must meet certain standards of conduct in relationship to the organization. These essential standards are referred to as Duty of Care, Duty of Loyalty and Duty of Obedience:

- **Duty of Care:** A board member must exercise reasonable care when making decisions as a steward of the charter public school by taking the “care” that an ordinarily prudent person would exercise in a like position and under similar circumstances.
- **The Duty of Loyalty:** A board member must have loyalty to the charter public school. Conflicts of interest, including the appearance of conflicts of interest, must be avoided when participating in making decisions. This includes personal and professional conflicts of interest with other organizations to which a charter public school board member is connected. The duty of loyalty also includes a commitment to keep confidential matters confidential.
- **The Duty of Obedience:** A board member must act in a way that is consistent with the goals of the charter public school, being faithful to the mission and fulfilling the public’s trust that the state’s funds will be used to fulfill the educational mission of the school.

*THE BOARD SHOULD WORK IN PARTNERSHIP WITH MANAGEMENT TO IDENTIFY ALL NEEDS AND PRIORITIES RELATED TO THE SCHOOL'S MISSION. ADEQUATE RESOURCES CAN THEN BE ALLOCATED THROUGH BOARD ACTION. IN ORDER TO CARRY OUT ITS OBJECTIVES AND REMAIN ACCOUNTABLE TO THE TAXPAYERS, THE BOARD OF DIRECTORS MUST APPROVE AN ANNUAL BUDGET AND ENSURE THAT PROPER FINANCIAL CONTROLS ARE IN PLACE.*

#### **ENSURE EFFECTIVE ORGANIZATIONAL PLANNING AND ADEQUATE RESOURCES**

As stewards of the charter public school, you and your colleagues on the board must be prepared to serve as active partners with management and the Center in strategic thinking.

Working together, your partnership can generate high-quality action plans that help advance your mission and hold yourselves accountable for results. These planning activities also provide an excellent forum for engaging staff, parents and other stakeholders, and can be a valuable tool for enriching your school community. Developing plans that set appropriate milestones and benchmarks along the way will also help ensure that progress is being made toward achieving goals and realizing the school's mission.

The board should work in partnership with management to identify all needs and priorities related to the school's mission. Adequate resources can then be allocated through board action. In order to carry out its objectives and remain accountable to the taxpayers, the board of directors must approve an annual budget and ensure that proper financial controls are in place.

#### **CARRY OUT BUSINESS AND FISCAL RESPONSIBILITIES**

Overseeing the school's finances is one of the other core responsibilities you will carry out as a charter school board. You can best fulfill this role by asking good questions and expecting quality answers.

Information about Michigan's public school funding structure and the tools, resources and reports you'll be working with is provided on [page 36](#) of this field guide.

#### **BE "RESULTS-ORIENTED"**

It is the board's responsibility to ensure that the total organization is effective in achieving its mission and efficient in using its resources. The board should begin this periodic discussion by evaluating its success as a board against mission and objectives as set forth in the Charter Contract.

The board should use the same process when evaluating its management team. Begin with the ends in mind, and ask whether management is effectively fulfilling the mission and objectives established by the board.

#### **CREATE A CULTURE OF CONTINUOUS LEARNING**

Exceptional charter school boards produce exceptional results and frame their work around proven best practices. This type of board work only happens through a well designed, thought-out board development plan. Much like teachers and administrators require development to hone their skills, board members should discuss and seek out opportunities for their development in performing governance responsibilities.

Boards should also consider creating a governance committee that addresses recruitment, orientation, education, and evaluation for the board. This type of planned development is critical to maintaining a healthy board environment and remaining focused on the true objective—student achievement.

## KNOW THE CEO'S RESPONSIBILITIES

In Michigan's charter public school community, the management team goes by many different names. Of course, much depends on whether the board has engaged an Educational Service Provider (ESP), or whether a more traditional "self-managed" structure is used. However, even beyond this distinction, terms like "principal," "superintendent," and "school leader" are used interchangeably. For purposes of this document, we will refer to the school leadership role as "Chief Executive," or "CEO."

We have already described the responsibilities that belong to you and your colleagues on the board. Now, for comparison purposes, we will explore the CEO's responsibilities.

### IMPLEMENTATION OF BOARD POLICY

The CEO is responsible for carrying out the things the board said it would do at the policy level. Operational matters, student academic and behavioral decisions, parent communications, project management and a host of other functions necessary to carry out board policy are delegated to the CEO.

The CEO is also the first line of defense when it comes to identifying gaps and recommending improvements

to board-adopted policies. From time to time, there are unforeseen implementation issues related to a particular policy. The CEO can help rapidly identify and support the board in making necessary changes.

### DEVELOPMENT OF INSTRUCTIONAL PROGRAMMING

The CEO acts as instructional leader for the school, in accordance with the board's mission and adopted policies. By ensuring appropriate teaching and learning, and keeping abreast of trends and issues in K-12 education, the CEO is able to help the board respond to the educational needs of its students and act as an effective sounding board and leader for staff.

### MANAGEMENT OF STAFF

The CEO recommends candidates and contractors for employment by the school. In addition, the CEO is responsible for ensuring that teachers, other administrators, and support staff are effectively managed and evaluated according to their performance. In exchange, the CEO is held accountable for all staff actions, given that he/she is presumably directing and/or monitoring their work.

In this role, the CEO also acts as a central part of the school's "chain of command," responding to and addressing concerns from parents, staff and other stakeholders. Any concern that comes to the board from one of its constituencies should do so only after all attempts have been made to work through the CEO.

### RESOURCE MANAGER

Based on his/her daily experiences and accumulated knowledge, the CEO typically makes recommendations to

the board pertaining to budget, curriculum and staffing decisions. The CEO also carries out the budget and spending policies of the board, and is responsible for providing the board with complete and accurate financial reports generated through a sound and transparent internal controls process.

#### COMPLIANCE MANAGER

The CEO is responsible for submitting financial, academic and other information to the Center, as well as other applicable state and federal organizations. The board may approve the content of many of these reports, but it is ultimately the CEO that presses the necessary buttons and submits this information to the appropriate agencies.

#### ESSENTIAL COMMUNICATIONS LINK

The CEO functions as a liaison between the school board and the community, informing each about pressing issues being experienced on both sides. The CEO is the first line of communication between the board and the community and, simultaneously, the CEO often brings issues from the community before the board to be addressed.

As administrative, financial, compliance and policy challenges arise, the CEO also is expected to bring these issues before the board so they may be addressed in a timely fashion.



# managing your assets

## Managing Your Assets

### MICHIGAN'S SCHOOL FUNDING STRUCTURE

The amount of school aid funds to be received by a charter public school is determined by the State School Aid Act.

As with traditional public schools, charter public schools receive funding based on the number of students attending the school. Therefore, student counts are critical budget assumptions that require realistic estimates. State aid revenues are calculated based on a “blended student count,” which is calculated by taking 90 percent of the Academy’s adjusted current year October headcount and 10 percent of the Academy’s current year February headcount, unless a new grade is added or a new school is opened. In these situations, state aid is calculated based on 50 percent of the October count and 50 percent of the February count during the first two years of operation.

*AS WITH TRADITIONAL PUBLIC SCHOOLS, CHARTER PUBLIC SCHOOLS RECEIVE FUNDING BASED ON THE NUMBER OF STUDENTS ATTENDING THE SCHOOL. THEREFORE, STUDENT COUNTS ARE CRITICAL BUDGET ASSUMPTIONS THAT REQUIRE REALISTIC ESTIMATES.*

The Michigan Department of Education (MDE) will report the payments on the Financial Status Reports (FSR) to your administration monthly. The FSR and the actual state aid

payment are sent to the Center. Generally, state aid is processed on the 20th of the month by the MDE. Although the Charter Contract allows for 10 days processing, the Center makes every attempt to process the state aid the same day it is received from the MDE.

The state’s payment schedule provides for 11 payments, beginning in October and ending the following August. Total state aid includes the per-pupil state foundation allowance as well as categorical funding such as At Risk and Special Education. Although allowed by statute to assess a 3 percent administrative oversight fee on total state aid, CMU only assesses the administrative oversight fee on the general operating funds.

### BUDGET RESPONSIBILITIES

Your board is required by law to annually adopt a budget prior to July 1. The board-approved budget must comply with the [Uniform Budget and Accounting Act](#).

The Uniform Budget and Accounting Act requires the board to designate, by resolution, a Chief Administrative Officer (CAO). The CAO has the final responsibility for the budget preparation, the budget presentation to your board and the control of expenditures under the budget and the general appropriation act. Prior to adopting the budget, your board is required to hold a public hearing as mandated by the [Budget Hearings of Local Governments](#) statute.

The State School Aid Act prohibits a charter public school board from passing a deficit budget. It is permissible to use an unassigned fund balance to cover a current year deficit.

## FINANCIAL REPORTING RESPONSIBILITIES

Your school is required by law and by its Charter Contract to follow the Michigan Department of Education's prescribed chart of accounts ([Michigan School Accounting Manual](#)) and public sector accounting principles.

*YOU SHOULD RECEIVE THE FOLLOWING INFORMATION FOR BOTH TYPES OF FUNDS BEFORE EACH REGULARLY SCHEDULED BOARD MEETING:*

- 1. STATEMENT OF REVENUES, EXPENDITURES AND CHANGES IN FUND BALANCE – BUDGETED VS. ACTUAL*
- 2. BALANCE SHEET*
- 3. CASH FLOW STATEMENT (NOT REQUIRED FOR SPECIAL REVENUE FUNDS)*

The school has financial statements for its general fund and special revenue funds. The general fund is the school's primary operating account, through which most of its revenues and expenditures will flow. A special revenue fund is a separate account which has been earmarked for a specific purpose, such as a Student Lunch Fund. You should receive the following information for both types of funds before each regularly scheduled board meeting:

1. Statement of revenues, expenditures and changes in fund balance – budgeted vs. actual
2. Balance sheet
3. Cash flow statement (not required for special revenue funds)

Copies of the first two statements must be submitted to the Center on a quarterly basis, as required by the Oversight,

Compliance and Reporting Agreement in the school's Charter Contract.

To help ensure state and CMU-required documents and reports are submitted according to law and the Charter Contract, the Center develops and issues a [Master Calendar of Reporting Requirements \(MCRR\)](#). The MCRR, issued annually, is a comprehensive calendar that outlines the deadlines for all required documents and/or reports. The MCRR can be found on the Center's website and imported into Microsoft Outlook.

NOTE: Additional financial resources, including sample budgets, are available on our website at: [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org), under the "Resources" tab.

## ACCESS TO FINANCIAL CAPITAL

The financial market and access to facility financing has evolved greatly since the inception of charter public schools. Lenders have credited much of this access and availability to the stability and success of schools as well as strong oversight by the authorizer community.

If your school needs to obtain a loan from a financial institution, the school must first receive approval from the Michigan Department of Treasury because the loan is secured by the school's future state aid payments. Information and forms can be found on the Department of Treasury's website: [www.michigan.gov/treasury](http://www.michigan.gov/treasury).

Because Central Michigan University is widely known for its solid oversight practices as an authorizer, being chartered by CMU increases a charter public school's access to financing. CMU offers the ability to intercept and redirect state aid. Upon request by the charter public school board, CMU can deduct the payment from the school's state aid

payment and transfer the loan set-aside to the lender on behalf of the charter public school. This provides comfort to the lenders as they are first to get paid. In order to facilitate direct transfers to lenders, the Center requires a complete copy of the charter public school's loan agreement.

*IF YOUR SCHOOL NEEDS TO OBTAIN A LOAN FROM A FINANCIAL INSTITUTION, THE SCHOOL MUST FIRST RECEIVE APPROVAL FROM THE MICHIGAN DEPARTMENT OF TREASURY BECAUSE THE LOAN IS SECURED BY THE SCHOOL'S FUTURE STATE AID PAYMENTS.*

Once an executed state school aid payment agreement and direction is received, the Center, as limited fiscal agent, is obligated to make the required payments upon receipt of state aid unless explicitly stated in writing by both the lending institution and the charter public school board.



# SENDING & RECEIVING MESSAGES

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## Sending and Receiving Messages

### USE YOUR CHAIN OF COMMAND

As described throughout this field guide, there is a very clear division of responsibilities among your school's board and its management. This applies to communications, as well. Your board is responsible, with the help of management, for communicating about its policies, plans and decisions. Management, in turn, is responsible for communicating about day-to-day needs and concerns. Both partners can leverage and support one another in these communication efforts for the ultimate benefit of the school.

However, there will be times when the media, a parent, or some other constituent will attempt to skirt this chain of command and catch you off guard. You may get a call at home, for instance, from a parent who is upset about a grade his or her child received that day, or about a disciplinary incident that has occurred. Or, you may get a call from a reporter about an alleged incident at the school. How do you respond?

Your first and best course of action is always to reflect back on your chain of command. It is incumbent upon you as a board member to respect the CEO's authority to deal with daily situations and administrative decisions that arise at the school. No matter what your response, you need to ensure that you act as facilitator of continued dialogue, rather than simply stepping in and making assumptions about what may or may not have happened.

In time, you will learn how to work with this chain of command and build a mutually beneficial system of

communication between the board and the CEO and, ultimately, with the students and families being served.

### BE TRANSPARENT

Many unpleasant scenarios can be mitigated or avoided altogether simply by adopting a culture of transparency. You are now one of your school's central links to the community. Clearly articulating the organization's mission, accomplishments and goals to the public, as well as garnering support from members of the community, are important elements of a comprehensive public relations strategy. Additionally, as the board of a public institution funded by taxpayer dollars, it is critical that the board function transparently. The board also has a legal obligation to follow the Open Meetings Act and should remember that as the governing body of the organization, it sets the tone and mode of operation for management, staff, and others affiliated with the organization.

### GET SMART ABOUT THE PRESS

During your time as a board member, the media can be a great help to you or a great hindrance, depending on your ability to deal tactfully and openly with reporters.

The Center strongly recommends being clear and interactive with members of the press. Every charter school can benefit from a good media strategy. We therefore encourage you, your CEO and your board colleagues to take part in high-quality media training opportunities.

Your board should also consider having a designated spokesperson for the school. Typically that person will be the CEO. This helps ensure consistent messaging and offers reporters a familiar point of contact as issues arise.



# laying the trail

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## Laying The Trail

### KNOW YOUR MEETINGS

The arena in which your work as a board member will be conducted is largely going to be a public meeting. There are several types of meetings, as described below, but they all function in largely the same way. They are generally open, always incorporate the use of an agenda and minutes, and are the only forums in which the board can act in full accordance with its powers.

Each type of meeting is distinctive in its purpose and is explained here in further detail.

#### REGULAR MEETINGS

This is a charter public school board's routine, monthly meeting. It is identified by the annual schedule of board meetings adopted by the board. A regular meeting may be cancelled for lack of agenda items or lack of board member availability—known as a lack of quorum. Any additional meeting that is scheduled during the school year, and not on the annual board meeting calendar, is a special meeting.

#### SPECIAL MEETINGS

Periodic 'special purpose' meetings are usually held to address time-sensitive issues, or subjects that require extensive deliberation and consideration. Contrary to common belief, the agenda of a special meeting is not restricted to a single item, nor is a charter school board required to state the purpose of the special meeting in its public posting. A board may take action on any item

it deems appropriate and may amend a special meeting agenda to accommodate additional business items.

#### EMERGENCY MEETINGS

This is an extraordinarily rare type of meeting, held “in the event of a severe and imminent threat to the health, safety or welfare of the public when two-thirds of the members serving on the body decide that delay would be detrimental to efforts to lessen or respond to the threat.”

#### ANNUAL ORGANIZATIONAL MEETINGS

The annual organizational meeting refers to the meeting at which charter public school board officers are elected and other annual business, if any, is transacted. Visit the “Resources” section of the Center's website at: [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org) for a list of standard items included in the annual meeting.

#### COMMITTEE MEETINGS

At times, it may prove beneficial for a charter public school board to establish a committee. According to the Charter Contract, a board may establish a committee by resolution.

It is recommended and most effective to create committees for a specific purpose or project. Committees should meet only for the duration of the specified purpose and/or project and then dissolve.

*THE PURPOSE OF ANY COMMITTEE IS TO GATHER INFORMATION AND PROVIDE PARED-DOWN OPTIONS TO THE FULL BOARD FOR A FINAL DECISION AND VOTE.*

There are certain functions that cannot be delegated by the charter public school board, most of which surround making decisions for the board. The purpose of any committee is to gather information and provide pared-down options to the full board for a final decision and vote.

Committees can and typically do have non-committee members participate in the committee meetings as they are usually less formal than a regular board meeting. As an extension to the board, however, the activities conducted by a committee must follow the standards and requirements of the full board. Committees should publicly post their meetings and cannot include a quorum of the board, or they may be in violation of the posting. Additional guidance can be found in the charter school board's operating policies as well as in the [Open Meetings Act](#).

*AT TIMES, MULTIPLE BOARD MEMBERS MAY ATTEND A CONFERENCE, WORKSHOP, OR SEMINAR. THIS IS PERMISSIBLE AS LONG AS THE FOLLOWING REQUIREMENTS ARE MET:*

- 1. THE CONFERENCE, WORKSHOP, OR SEMINAR MUST ADDRESS ISSUES THAT ARE BROADER THAN THOSE AFFECTING AN INDIVIDUAL SCHOOL DISTRICT;*
- 2. THE CONFERENCE, WORKSHOP, OR SEMINAR MUST BE OPEN TO INDIVIDUALS OUTSIDE OF A PARTICULAR BOARD;*
- 3. BOARD MEMBERS MUST REFRAIN FROM COLLECTIVE DISCUSSIONS WHILE AT THE EVENT.*

## CONFERENCES AND WORKSHOPS

Over time, there has been much discussion surrounding section 3(10) of the Open Meetings Act and what constitutes "a social or chance gathering or conference not designed to avoid..." the Open Meetings Act. The Attorney General has been called upon several times to provide clarity with respect to permissible gatherings.

At times, multiple board members may attend a conference, workshop, or seminar. This is permissible as long as the following requirements are met:

1. The conference, workshop, or seminar must address issues that are broader than those affecting an individual school district;
2. The conference, workshop, or seminar must be open to individuals outside of a particular board;
3. Board members must refrain from collective discussions while at the event.

A charter public school board may ask a particular group to give a presentation to the full board. This is permissible as long as the following requirements are met:

1. The intent of the board is to only gather information from the group(s) and the board does not make any decisions or deliberate toward a decision;
2. The role of the board members is to listen and observe.

### SOCIAL GATHERINGS

Social gatherings and legitimately chance meetings are not considered board meetings, even if a quorum of the board is present. The caveat is that the board members must refrain from discussing and deliberating on school business.

### RETREATS

From time to time, your board may determine that it would be beneficial to hold a retreat where general education issues are discussed. While the board may agree to not make decisions or engage in deliberations, retreats are clearly meetings which must be open to the public and must be posted as such. Therefore, retreats must be held at a location accessible to the public.

*WHILE THE BOARD MAY AGREE TO NOT MAKE DECISIONS OR ENGAGE IN DELIBERATIONS, RETREATS ARE CLEARLY MEETINGS WHICH MUST BE OPEN TO THE PUBLIC AND MUST BE POSTED AS SUCH. THEREFORE, RETREATS MUST BE HELD AT A LOCATION ACCESSIBLE TO THE PUBLIC.*

### CLOSED SESSIONS

Charter public school boards are permitted by the [Open Meetings Act](#) to meet in closed session for specific reasons. Once a board has legitimately convened a closed session, it can only discuss issues directly pertaining to the stated purpose of the closed session. A board is prohibited from taking action during closed session; therefore, all decisions related to the stated purpose must be made in open session. In a closed meeting, meeting minutes must be taken and kept, but are not open to the public.

A board must vote during open session to enter closed session. In certain circumstances, a simple majority vote is sufficient to enter closed session; however, other circumstances require a two-thirds majority, as noted below.

If a board is uncertain whether it can enter closed session, the board should discuss the issue in open session. It is also recommended that boards consult with their legal counsel in this area to ensure compliance with the [Open Meetings Act](#).

The reasons for entering closed session (applicable to a charter public school board), allowed by [section 8 of the Open Meetings Act](#), are as follows:

The following types of closed meetings may be held upon a simple majority vote:

- 1) To consider discipline, suspension, dismissal, personnel evaluation, or a complaint brought against an employee, if the named person requests a closed session;
- 2) To consider discipline, suspension, or dismissal of a student of the charter public school, if the student or the student's parent or guardian requests a closed session;
- 3) To review an application for employment for public office if the candidate requests that the application remain confidential; however, all interviews must be conducted in an open meeting.

The following types of closed meetings may be held upon a two-thirds majority vote:

- 1) For the purpose of strategizing and negotiation of a collective bargaining agreement, if either negotiating party requests a closed session;

- 2) To consider the purchase or lease of real property up until the time that an option to purchase or lease the property is obtained;
- 3) To consult with its attorney regarding trial or settlement strategy in connection with pending litigation, but only if discussion during open session would have a detrimental financial effect on the litigating or settlement strategy of the board;
- 4) To consider material exempt from discussion or disclosure by state or federal law.

### ILLEGAL MEETINGS

The following types of meetings are not allowable under state law:

- **INFORMAL MEETINGS:** A charter public school board cannot meet privately, or prior to an open board meeting to discuss or decide what the board will formally decide at the open meeting.
- **CLOSED MEETINGS FOR ILLEGAL PURPOSES:** As previously described, boards may enter into a closed meeting (or closed session) for a few reasons. However, boards sometimes do not understand or improperly apply closed meeting requirements.
- **MEETINGS THAT ARE NOT PROPERLY POSTED:** Often, a situation may arise when the board may need to reschedule a regular meeting or may deem it appropriate to hold a special meeting. The board president and secretary should verify that the meeting was posted appropriately, with proper notice to allow the public the opportunity to attend.

- **MEETINGS NOT ACCESSIBLE TO THE PUBLIC:** Many boards hold annual retreats or workshops to reconnect and focus on specific matters or strategic planning. Although the board may choose any location that it feels can appropriately serve these functions, the [Open Meetings Act](#) clearly requires all board meetings, including retreats and workshops, be held at a location that is “available” to the public.

*IF A BOARD HOLDS A MEETING, BUT A QUORUM IS NOT PRESENT, ANY ACTION TAKEN AT THE MEETING IS NOT VALID AND MUST BE REVISITED AT THE BOARD'S NEXT MEETING AND ACTED UPON WHEN A QUORUM IS PRESENT.*

### QUORUM

According to the Charter Contract, a quorum of board members means a majority of members of the charter public school board as established by CMU's Board of Trustees. For example, a quorum for a seven-position board is four; a quorum for a five-position board is three. This number is not affected by board vacancies.

The act of the majority of the board members present at which a quorum is present shall be the act of the board. However, if a board holds a meeting, but a quorum is not present, any action taken at the meeting is not valid and must be revisited at the board's next meeting and acted upon when a quorum is present.

## PREPARE EFFECTIVELY

It is critical that your board and CEO prepare in advance for board meetings. Preparation for meetings allows the board to be deliberate on the business discussed and the action taken. As an individual board member, you are expected to prepare for the board meeting by reading all of the supporting materials and documentation prior to the meeting. If you have questions about the information provided, do your best to find answers in advance of the meeting day. When every board member is prepared, meetings run smoothly and are not as lengthy because the board does not have to take time during the meeting to review materials and get up to speed.

This, in turn, establishes order and allows the board to be more effective with the time and resources available. Board preparation consists of several steps, beginning with the proper posting of the meeting and ending with preparation of the board packet, as explained in further detail here.

### BOARD MEETING SCHEDULE

Every year, the board is required to adopt an annual calendar of regularly scheduled meetings which should include, at minimum, the date, time and place of each meeting. Michigan law requires that the annual calendar be posted, as designated by the board, within 10 days of adoption. In addition, the schedule must also be adopted and submitted to the Center.

The board bylaws found in your school's Charter Contract require your board to schedule regular monthly meetings.

The Center believes that monthly meetings are appropriate for effectively governing a charter public school. Though a board may cancel a regular meeting, the Center expects boards to meet as necessary to complete their business.

■ **CHANGES TO SCHEDULE:** Your school's Charter Contract requires the board to submit its schedule of regular meetings for the fiscal year in compliance with the [Master Calendar of Reporting Requirements](#). Any changes to the schedule must be posted and submitted to the Center within 10 days of board approval or sooner if required by law.

■ **MEETING CANCELLATIONS:** Similar to the required notice announcing a recently scheduled meeting, your board must give notice of cancellation to the public. A copy of this cancellation notice must be displayed at the school board's designated site and be submitted to the Center.

### BOARD NOTIFICATION

The board bylaws found in your school's Charter Contract require written notice of regular meetings to be given to each board member. This written notice should state the time and place of the meeting and be delivered personally, mailed or sent by facsimile to the board member's business address. To satisfy this requirement, all board members should be given a copy of the public notice of regular meetings and any subsequent approved changes.

However, there are times when written notice is not possible. Provided there is a communal spirit and goodwill among members, oral notification works acceptably and is generally acknowledged by the Center. The bylaws provide

that a board member may waive notice of any meeting by written statement, or electronically sent by the board member, signed before or after the meeting. In addition, the attendance of a board member at a meeting constitutes a waiver of notice of the meeting.

The same notification procedures also apply to special meetings. A written notice should be given to each board member stating the time and place of the meeting, delivered personally, mailed or sent electronically to the board member's preferred address. The Center recognizes that board members typically arrange special meetings informally and not by written notice.

#### PUBLIC NOTIFICATION

As indicated by their name, charter public schools are public entities governed by a public board with public officials using public dollars to operate. Therefore, the board must notify members of the public of all meetings through postings that must be made available in compliance with the Open Meetings Act.

The board should elect a board secretary whose responsibility is to ensure that identified school or board staff has fulfilled this requirement.

## MEETING DOCUMENTS

There are several documents that are essential for boards. Effective use of these documents can support efficient, effective board meetings, careful record-keeping and, ultimately, stronger advancement toward mission.

#### AGENDA

Your board is responsible for developing its own meeting agendas. While administrative input and coordination with your CEO is necessary and appropriate, a board must retain control over its meeting agendas. Generally, your board president is primarily responsible for developing meeting agendas, working with the CEO and other board members to ensure all appropriate business is included.

Once developed, the meeting agenda must be submitted to the Center.

The following guidance should help your board with agenda development and management:

- A meeting agenda and supporting materials are sent to board members and other individuals, as necessary, in compliance with the board's policies. This usually occurs seven days prior to a regular meeting, to ensure sufficient time for advance review. Associated documents or supporting materials should also be included (such as written material the board is expected to consider and/or approve, e.g. leases, contracts, budget amendments, financial statements, policies, etc.).
- Your board may change its agenda prior to or during a meeting. Most boards have a relaxed practice of allowing any member to add an item to the agenda prior to approval.

- Your board president, or vice-president/other presiding officer in his or her absence, is responsible for running the meeting in accordance with the agenda. This includes ensuring both staff and board members limit discussion and deliberation only to agenda items.
- Your CEO should be expected to monitor and notify the board of business items requiring attention (e.g. a grant or loan application, budget amendment, major purchase).
- Your board should expect routine administrative and other reports to be delivered in writing in advance of the meeting. An oral report should be brief and cover only those subjects not fully addressed in the written report, highlight sections of the written report of particular importance, and provide important information not available at the time of the written report's submission.
- Your board should adopt written policies concerning agenda development and distribution.
- As mentioned, every charter school board member is expected to prepare by reading all materials provided in advance of a meeting.

#### BOARD PACKET

As stated previously, you and your colleagues on the board should receive board packets. The Center recommends that board members receive the board packet at least seven days prior to the scheduled board meeting. Board packets should include the proposed agenda and all necessary supporting documentation for the agenda items. Examples of supporting documentation should include, but are not limited to:

- The previous meeting's minutes, including resolutions
- Written committee reports

#### EXAMPLES OF SUPPORTING DOCUMENTATION SHOULD INCLUDE, BUT ARE NOT LIMITED TO:

- *THE PREVIOUS MEETING'S MINUTES, INCLUDING RESOLUTIONS*
- *WRITTEN COMMITTEE REPORTS*
- *WRITTEN REPORTS FROM YOUR CEO*
- *FINANCIAL STATEMENTS AND OTHER FINANCIAL DOCUMENTS*
- *INFORMATION REGARDING STUDENT ACHIEVEMENT AND STANDARDIZED TEST SCORES*
- *COPIES OF ANY RESOLUTIONS REQUIRING BOARD ACTION*
- *COPIES OF ANY DOCUMENTS REQUIRING BOARD APPROVAL, I.E. SCHOOL CALENDAR, SCHOOL IMPROVEMENT PLAN, ETC.*
- *COPIES OF BOARD CORRESPONDENCE*

- Written reports from your CEO
- Financial statements and other financial documents
- Information regarding student achievement and standardized test scores
- Copies of any resolutions requiring board action
- Copies of any documents requiring board approval, i.e. school calendar, school improvement plan, etc.
- Copies of board correspondence

The board packet allows individual board members to read through all of the agenda items and supporting documentation in advance of the meeting. Consistent use of board packets allows for better organization, better communication, and better use of time and resources.

### BOARD MEETING MINUTES

Board meeting minutes must be kept for all board meetings, whether the meetings are regular, special, open, closed, or for a work session. The meeting minutes must contain certain items that align with the Open Meetings Act and the school's Charter Contract.

Meeting minutes are the official, public record of all decisions made by the charter public school board. Recognizing that individual board members have no individual decision making authority, the minutes provide the public and school management with clear direction based on the decision making of the entire board. Therefore, the board should engage in vigorous deliberations, if necessary, prior to voting on a decision that becomes policy.

In a closed meeting, minutes must be taken and kept but are not open to the public.

### PROPOSED MINUTES

Proposed minutes must be made available to the public for inspection no later than eight business days after the meeting to which the minutes refer. A set of proposed minutes must also be submitted to the Center within eight business days after the meeting to which the minutes refer. The minutes must be submitted through the Document Submission Tool on the Authorizer Oversight Information System (AOIS) and must contain either the signature of the recording secretary or the board secretary.

### APPROVED MINUTES

Approved minutes must be made available to the public for inspection no later than five business days after the meeting at which they are approved. A set of approved minutes must also be submitted to the Center within five business days after the meeting to which the minutes refer. The minutes must be submitted through the Document Submission Tool on AOIS and must contain the signature of the board secretary.

### CORRECTIONS TO MINUTES

Corrections to proposed minutes should be made at the next meeting held by the charter public school board, regardless of whether it is a regular meeting or a special meeting. The board should review the proposed minutes to ensure that all decisions were recorded and all of the information is accurate and complete. The board should then approve the minutes with all corrections, if applicable.

*MEETING MINUTES ARE THE OFFICIAL, PUBLIC RECORD OF ALL DECISIONS MADE BY THE CHARTER PUBLIC SCHOOL BOARD. RECOGNIZING THAT INDIVIDUAL BOARD MEMBERS HAVE NO INDIVIDUAL DECISION MAKING AUTHORITY, THE MINUTES PROVIDE THE PUBLIC AND SCHOOL MANAGEMENT WITH CLEAR DIRECTION BASED ON THE DECISION MAKING OF THE ENTIRE BOARD.*

## PUBLIC PARTICIPATION

As a charter public school, all board decisions must be made at a meeting that is open to the public, with a few exceptions. Although the public may attend the board meetings, their participation is limited and the board may establish rules for public participation at the meetings, some of which include: addressing the board, public comment, agenda items and recording equipment.

The rule of thumb to follow is that an open meeting is conducted in public, not for the public. Consider the board's demeanor, actions and conversation. Try to refrain from interacting with the audience and respect the formality of the meeting. Most successful boards hold their meetings around a table, where the board members can see and interact with each other rather than on the public observing the meeting.



# administering first aid

# Administering First Aid

## MANAGE CONFLICT

In any passionate group of leaders, there are certain to be times when disagreements present themselves. These are critical times for any board!

Your demeanor and actions have a great deal of power to help take the bite out of contentious board situations. Practice the following behaviors:

- **ASSUME GOOD INTENTIONS.** With very few exceptions, all board members generally have the same goal in mind: positive educational outcomes and better lives for children. The disagreement usually surrounds how to get there. Keeping this simple fact in mind can help keep trust levels high and foster more productive dialogue among board members.
- **FOCUS ON THE PRIMARY ISSUE.** When there is a problem to be solved, focus only on that problem. Don't waste time assigning blame, or discussing what might have been.
- **LISTEN AND LEARN.** In many tense situations, the ears close and the mouths open. Try to reverse this pattern, and see if you can identify some new piece of knowledge that will help you see the facts in a new light.
- **START WITH WHAT YOU CAN AGREE ON.** By identifying common assumptions and objectives, you may learn that both sides are not so far apart after all.
- **GO BACK TO YOUR MISSION.** Perhaps viewing the current situation in light of your board's mission will help shed light on a better course of action.

- **OPEN COMMUNICATIONS TO PREVENT FUTURE DISPUTES.** Circle back continuously to ensure you keep trust levels high.

By understanding the dynamics of the board and working together in cooperation for the students' best interests, as with any trying time, this too can be a time of growth and learning.

## RESPOND TO CRISIS

The worst has happened! A student is injured, or a teacher is arrested, or an outbreak of food poisoning has originated in your school cafeteria. What do you do?

Every school should have a crisis communications plan in place. This plan should address your interactions with key stakeholders, the media, and other important constituencies. You will also want to keep your authorizer in the loop!

Consider the following pieces of advice when a crisis occurs:

- **HAVE A PLAN.** As a board, you should work with your CEO to identify a course of action in light of whatever circumstance has befallen your school. Consider an emergency board meeting to discuss solutions and, if necessary, allocate necessary resources. If the food poisoning is severe, bring in a local health agency to test and support sick individuals. If a staff member has been arrested, provide counseling to upset children. Then work to support your CEO in executing whatever plan you develop together. Which leads to –
- **LOOSEN – BUT DON'T BREAK – THE CHAIN OF COMMAND.** The CEO is still in charge of carrying out whatever direction the board provides. However, he/she may need practical help and support, particularly in the area of communications and outreach. Be prepared to assist in whatever way you are directed.

*IT IS NOT NECESSARY FOR EVERYONE TO TALK TO THE PRESS; NAME A SPOKESPERSON (TYPICALLY THE CEO) AND KEEP THAT PERSON VISIBLE TO THE PRESS AND THE PUBLIC.*

- **APPOINT A SPOKESPERSON.** It is not necessary for everyone to talk to the press; name a spokesperson (typically the CEO) and keep that person visible to the press and the public.
- **USE CONSISTENT MESSAGING.** Agree on what your message will be, and keep it as open as possible. When people are frightened, they become suspicious about what you might not be telling them. Within the bounds of the law and student confidentiality, be as forthright as you can.
- **BE PROACTIVE.** Think of everyone who might need to be updated about your situation, and get in touch quickly. As a board member, you can help your CEO be as rapid and broad as possible in his/her outreach efforts. The list might include:
  - *Students*
  - *Parents*
  - *Staff*
  - *Authorizer*
  - *ESP*
  - *Media*
  - *Local Lawmakers*
  - *Community Partners*
- **DOCUMENT AND EVOLVE.** Once the crisis has passed, make note of what worked well and what didn't. Make/update your plan for next time.

## MAKING UNPOPULAR DECISIONS

At some point, you may be compelled to cast a vote that will be unpopular with your school community. How do you manage the fallout?

The following tips may help:

- **REMEMBER YOUR ROLE.** You are appointed to govern, and sometimes make painful decisions. If you are convinced you are voting in a manner that is in the best interests of the school, then you must do as your conscience dictates.
- **UNDERSTAND THE MAGNITUDE OF THE DECISION.** Some decisions may seem like a big deal, but may not be as important to the public as you perceive. Getting a good reading on the pulse of the school can help alleviate stress for you and the school community.
- **GIVE YOUR CONSTITUENTS A CHANCE TO BE HEARD.** Invite comment, listen carefully, and try to understand. It may not change your vote, but your stakeholders will respond more favorably if they feel their views were incorporated into the board's thinking.
- **EXPLAIN YOUR POSITION CAREFULLY.** Be calm, thoughtful and thorough in describing your views.
- **CONSIDER FOLLOWING UP IN WRITING.** Depending on the circumstances, you and your colleagues may wish to do a written communication explaining the difficulty of the decision and asking for understanding.
- **KEEP COMMUNICATING, BUT MOVE ON.** There are many more decisions to be made. Don't let one controversial decision hamper your ability to act in the future!

*YOU ARE APPOINTED TO GOVERN, AND SOMETIMES MAKE PAINFUL DECISIONS. IF YOU ARE CONVINCED YOU ARE VOTING IN A MANNER THAT IS IN THE BEST INTERESTS OF THE SCHOOL, THEN YOU MUST DO AS YOUR CONSCIENCE DICTATES.*



# SEEKING help if you're lost

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# Seeking Help if You're Lost

## WHERE TO TURN

Confounded by a difficult decision? Struggling with a tough legal or policy issue? Don't despair – there is an array of practical resources at your disposal.

### WRITTEN TOOLS

Your first point of reference is, as mentioned, your school's mission. Working with your CEO and board colleagues, use the mission as a roadmap for future direction. Your board policies can also serve the same purpose if you are struggling through murky territory.

Your next line of defense is your Charter Contract. This document spells out not only how your school is supposed to perform, but what legal requirements govern its operation.

You can also check applicable sections of state and federal law. [Michigan's Revised School Code](#) and [State School Aid Act](#), coupled with the federal [Elementary and Secondary Education Act](#), can be a valuable roadmap if you need direction.

### TECHNICAL ASSISTANCE

Your school's legal counsel may also be a good resource depending on the issue your school is facing. The Center can be a valuable resource when challenging issues arise. As one of the nation's largest university authorizers, we have seen many issues before and can help answer questions and support you as you seek solutions to difficult situations.



# building the team

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## Building the Team

Charter school boards are designed to be self-perpetuating, which means that you and your colleagues will nominate and recommend new board members as vacancies occur. This should be an ongoing and active process, followed by a thorough plan for orienting your new colleagues to their board responsibilities.

When preparing to fill a vacancy, the board should consider the following:

1. Who is currently sitting on the board and what skill set does each individual bring to the table?
2. Based on your school's mission, what additional skills would be helpful to continue progress toward the mission?

Now, armed with an outline of desired skills, look around your community for individuals who match those skills. When you find an individual who possesses the desired skills to round out your board, ask if they are interested in serving on a charter school board. If the person is interested, find out if he or she is a resident of the state and a US citizen; if there is any potential for conflicts of interest between their professional and personal life and serving on the board; and if they have the time to devote to attending meetings.

If you find multiple candidates that fit the skill set outlined by your board, discuss nominating one and asking the others to serve on a committee until an additional board position become available.

It is important to remember, when seeking candidates to fill vacancies, that employees of the charter school or management company which contracts with the school,

or an employee of Central Michigan University acting as a representative of Central Michigan University are prohibited from serving as a board member.

## CMU'S BOARD APPOINTMENT PROCESS

The CMU Board of Trustees has adopted a specific policy governing the method of selection, appointment and removal of charter public school board members. The following overview outlines the process followed in recommending prospective board members for appointment or removal.

1. The school board first nominates by majority vote, in accordance with the [Open Meetings Act](#), prospective board members to be presented to the Center;
2. The prospective board member completes the Application for Board Appointment and submits it for consideration to the Center;
3. The Center conducts a criminal background check;
4. The Center conducts a personal interview;
5. Based on a successful review of the candidate, the Center recommends him/her to the CMU Board of Trustees for consideration at its next public meeting;
6. After appointment by the CMU Board of Trustees, the prospective board member swears the constitutional Oath of Office; and

*THE CMU BOARD OF TRUSTEES HAS ADOPTED A SPECIFIC POLICY GOVERNING THE METHOD OF SELECTION, APPOINTMENT AND REMOVAL OF CHARTER PUBLIC SCHOOL BOARD MEMBERS.*

7. The board member files the Oath of Office with the Center and begins serving.

The [Application for Board Appointment](#) was designed to implement the policies outlined by the CMU Board of Trustees, including the criminal background history disclosure requirement. This application has become an essential tool in identifying and presenting qualified candidates to the CMU Board of Trustees for consideration and approval as a charter public school board member.

The [Method of Selection, Appointment and Removal Policy](#) can be found under the “Resources” tab on the Center’s website at: [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org).

## ORIENTING NEW BOARD MEMBERS

Once a new board member has been seated, you and your colleagues will need to have a plan for ensuring that person understands your school’s mission, organization, culture, and operations.

While an official procedure that includes the distribution of a common set of resources and materials is best, even an informal series of meetings to help your new colleague acclimate to his/her new role can be a valuable orientation tool. Your goal is to ensure that the board member has the same understanding of and respect for your school’s mission and organization that you do, and that he/she will govern with continuity.

Work to connect new board members with this field guide and with board resources available through the Center at [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org). Contact the Center if you have questions or would like more information about bringing new board members up to speed.



# knowing when you have arrived

KNOWING WHEN YOU HAVE ARRIVED

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## Knowing When You Have Arrived

### PREPARE FOR REAUTHORIZATION

Reauthorization is a significant milestone for authorizers and schools. Reauthorization means the Charter Contract will soon expire and a determination must be made if the school has delivered on its promises.

At CMU, the reauthorization process is guided by three core questions:

1. Is the school's academic program successful?
2. Is the school's organization viable?
3. Is the school demonstrating good faith in following its Charter Contract and applicable law?

If the answers to these core questions are affirmative, the Center recommends that the University Board of Trustees issue the school a new Charter Contract. Schools

that exceed their goals are reauthorized for seven years. Schools that meet their goals are reauthorized for five years. Schools that have not met all their goals, but are demonstrating solid progress are reauthorized for three years. Schools not delivering, but that are committed and have a solid plan for turning things around, may be issued a one-year probationary contract. Schools that are unwilling or unable to deliver results are not renewed.

### BOARD SELF-EVALUATION

One of the most powerful practices for boards is to conduct a self evaluation of the quality of their own decisions and the overall operations of the charter school.

Experienced and highly effective board members have learned that it's critical to regularly conduct short, practical evaluations on the quality of their activities and attend to the results of those evaluations throughout the year.

*AT CMU, THE REAUTHORIZATION PROCESS IS GUIDED BY THREE CORE QUESTIONS:*

- 1. IS THE SCHOOL'S ACADEMIC PROGRAM SUCCESSFUL?*
- 2. IS THE SCHOOL'S ORGANIZATION VIABLE?*
- 3. IS THE SCHOOL DEMONSTRATING GOOD FAITH IN FOLLOWING ITS CHARTER CONTRACT AND APPLICABLE LAW?*



# communicating with base camp

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# Communicating With Base Camp

## COMMUNICATE WITH THE CENTER

The Governor John Engler Center for Charter Schools provides both oversight and support to the schools the university authorizes. We want to help schools succeed.

To that end, we encourage all charter school boards to stay in regular contact with us. It helps us to be aware of the issues you are facing, and in many instances our team can connect you with the tools and assistance you need.

We understand some charter schools may be hesitant to call, believing that alerting our team to a problem will be a negative when reauthorization decisions are made. In reality, however, the opposite is true. Showing good faith efforts to solve problems is a positive, not a negative. Our lines are always open...call us at (989) 774-2100 or visit us online at [www.TheCenterForCharters.org](http://www.TheCenterForCharters.org).

## PARTNERSHIP FOR THE FUTURE

Your involvement as a charter school board member makes you part of something that is larger than just your school. You are now involved in a robust and growing community of schools that is providing competition, choice and academic leadership for students across Michigan. We welcome you to the charter sector and look forward to the positive results that will surely come about as a result of your governance.

