



Board of Directors Professional Development Board Responsibilities



- Traditional public schools **ELECT** board members from the school district community at large.
- Public school academies members are **APPOINTED** by the Authorizer typically based on recommendations from the PSA board of directors. Under normal circumstances, this can be an advantage for academies in maintaining continuity of goals and direction.
- Public School Academies, like traditional public schools, are taxpayer funded and therefore are public governmental bodies subject to all of the related laws, requirements, and transparency.
- The authorizer's contract is between SVSU and the Academy Board of Directors.
- The Educational Service Provider (ESP) is between the Academy Board of Directors and the ESP. The ESP hires and contracts teachers and staff and employs the school leader selected by the Board. The ESP is a contractor that is hired by and works for the Board.

Authorizing Agreement:

The Authorizing Agreement sets the requirements by the authorizer (SVSU) and the Charter School being authorized in order to operate. This agreement is between SVSU and the charter academy school board. The SVSU Authorizer/Academy Contract contains the following:

Terms and Conditions

Schedule 1 – SVSU Policy Statement

Schedule 2 – Fiscal Agreement

Schedule 3 – Academy Articles

Schedule 4 – Academy Bylaws

Schedule 5 – Educational Goals

Schedule 6 – Curriculum

Schedule 7 – Staff Responsibilities

Schedule 8 – Description of Physical Plant

Schedule 9 – Application/Enrollment of Students

Schedule 10 – School Calendar/Daily Schedule

Schedule 11 – Age and Grade Range of Pupils

Schedule 12 – Methods of Pupil Assessment

Schedule 13 – Governance Structure

Educational Service Provider (ESP) Agreement:

- ✓ An ESP agreement is between the charter school board and a private company to provide management services either for all administrative functions or in various areas such as finance and human resources.
- ✓ Related to human resources, the ESP is the employer for teachers, staff, and typically the school leader.
- ✓ The ESP pays for the salaries, benefits, income taxes, handles deductions, and other payroll or HR requirements.
- ✓ An additional benefit is that a charter school that uses an ESP for staffing is not subject to the State pension system as they are employed by a private company-the ESP.
- ✓ The school board does not have the ability to directly discipline or dismiss staff hired by the ESP but can work with the ESP to remove a staff member from the charter school. In such case, it is up to the ESP on what to do regarding its employee including re-assignment, discipline, or termination subject to applicable employment laws.

Educational Service Provider (ESP) Agreement:

SVSU requires the following steps to be completed for the Authorizer review/approval process:

1. ESP sends proposed ESP agreement to Academy by the first part of April.
2. Academy representative sends proposed ESP agreement to SVSU.
3. Academy Board completes the Due Diligence Form on ESP Company/agreement and sends to SVSU.
4. SVSU sends proposed ESP agreement to Dykema Gossett for review.
5. SVSU receives changes from Dykema Gossett and returns ESP agreement to Academy representative for changes. Academy sends required changes to ESP.
6. Academy receives agreement back from ESP. Academy sends to Board Attorney for review and SVSU for review.

Any changes go back to Academy. Attorney sends to SVSU the Attorney Opinion Letter once all changes are completed.

7. Academy & ESP execute proposed ESP agreement and a copy is sent to SVSU by or before June 30.

BOARD AND BOARD MEMBER RESPONSIBILITIES – OVERVIEW

- Typically, the authorizer will work and communicate with the board of directors as a whole, individual board members, the school leader, the management company, and in some cases staff members depending on the topic.
- There are several advantages to hiring a management company.
 - ✓ The ability to hire staff through the management company who are employees of the management company and our at-will under normal circumstances.
 - ✓ The management company provides for the expertise to operate the PSA including compliance with federal, state, and local requirements and laws.
 - ✓ Because the management company employees school staff, the school is not required to contribute to the school employees retirement system (approx. 26% of payroll) and the school is free to offer its own retirement savings plan if so desired.

BOARD AND BOARD MEMBER RESPONSIBILITIES – MAJOR AREAS

LEGISLATIVE OR POLICYMAKING –

The board is responsible for the development of policies and for the employment of a director who shall carry out its policies through the development and implementation of regulations.

EDUCATIONAL PLANNING AND APPRAISAL –

The board is responsible for acquiring and requiring reliable information from responsible sources that will enable it to make the best possible decisions about the scope and nature of the educational services. The board is responsible for requiring appraisals of the results of the educational services.

STAFFING AND APPRAISAL –

The board is responsible for employing a school leader and the staff necessary for carrying out the educational program, for establishing salaries and salary schedules and other terms and conditions of employment, and for establishing personnel policies district-wide in application. The board is responsible for appraising the effectiveness of its staff by providing for their regular evaluation.

BOARD AND BOARD MEMBER RESPONSIBILITIES – MAJOR AREAS

FINANCIAL RESOURCES –

The board is responsible for adopting a budget that will provide the financial basis for buildings, staff, materials, and equipment that will enable the district to carry out educational programs. The board is responsible for exercising control over the finances of the district to assure proper use of and accounting for all funds.

SCHOOL FACILITIES –

The board is responsible for determining educational/instructional needs, for communicating these needs to the community, for purchasing and disposing of properties, and for approving building plans that will support and enhance the educational program.

COMMUNICATION WITH PUBLIC –

The board is responsible for providing adequate and direct means for keeping the public informed about the wishes of the public. The board may exercise the above legal powers and duties only when convened in a legally constituted meeting.

BOARD AND BOARD MEMBER RESPONSIBILITIES – BOARD DUTIES

To meet these responsibilities, the board:

- Implements a contract with the academy authorizer
- Hires the ESP and school leader
- Sets goals for the school in conjunction with administration and staff
- Establishes policies for the operation of the school
- Maintains oversight of administration in carrying out these policies
- Approves and maintains oversight for the budget and amendments in accordance with federal and state laws and to meet school goals
- Annually evaluates the school leader
- Provides for the education of students
- Provides for the safety and welfare of students
- Approves contracts, leases, and borrowings
- Is responsible for providing school staff and contractors and related matters
- Provides for the acquisition, disposal, and maintenance of facilities and addressing facility needs
- Communicates with school stakeholders and other community members

CASE DISCUSSION

You have just been appointed to the ABC Academy Board. The Board consists of 5 members. The Academy has been in existence for the past 15 years. The student count is 350 in grades K-5. The Academy student count has been declining slightly during the past few years and at its highest level was 385.

Fund balance is 8% and the facility is in decent shape.

Student achievement has declined the last 2 years and is generally around the State average. The Academy has begun to see an increase in at-risk students coming from a neighboring school district the past few years.

You were a teacher in a different school district until you retired and one of the reasons you wanted to be on the Academy Board is because you have two grandchildren at the school. You have heard from some teachers at the Academy that are not happy with school leadership. They have specific ideas on changes to the curriculum and other school practices that the school leader has not been willing to do. The teachers are asking for your help in getting these changes.

How would you proceed?

BOARD AND BOARD MEMBER RESPONSIBILITIES – NOT RECOMMENDED

The school board role should/does NOT include:

- Generally deciding who the ESP can hire but school leadership and the board should have input into position assignments.
- Determine how the ESP (school leader) manages the school or become involved in day-to-day operations
- Micro-managing! Board sets policy, goals, and budget and administration and staff are responsible for their implementation.
- Playing to the media or special interests (parents, staff, other); also known as “grandstanding”
- Disregarding the chain of command or established processes/protocols
 - ✓ Creates anxiety with staff (who is in charge)?
 - ✓ Can inadvertently create legal problems for school with particular issues

BOARD AND BOARD MEMBER RESPONSIBILITIES – NOT RECOMMENDED

The school board role should NOT include (continued):

- Disregarding information and data that does not meet a specific narrative
- Modeling distrust and disrespect
 - ✓ As leaders, we have a responsibility to act as leaders and carry ourselves as leaders
- Springing questions on school leadership at a meeting, some of which may be loaded
- Questioning the motives of other board members, school leadership, or staff in public
- Airing dirty laundry in public
- Lack of uniform communication to staff, media, parents, community
- Operating as the complaint department
- Second guessing school leadership decisions particularly publicly

CASE DISCUSSION

You are on the board for a K-12 Academy with 600 students. The board consists of 5 members. Generally, there have not been any major concerns with student achievement, facilities, and the budget. The school leader is in her second year.

Your brother's daughter is a teacher at the school and has been there for 6 years. Prior to the current school leader being hired, you were not aware of any issues. However, the current school leader has informed the management company that she does not want to retain this teacher for the upcoming school year.

Your brother is furious and believes the school leader does not know what she is doing and has it in for his daughter because she just does not like her. He has not asked you to do anything, however you hear about the situation every time you see him.

What would you do?

BOARD AND BOARD MEMBER RESPONSIBILITIES – BOARD GOVERNANCE

Board governance is a philosophy that establishes a model for the goals, strategies, operations, and conduct for the school that can be best described as “leading by example.”

Per Michigan Association of School Boards (MASB)

Board of Education Governance Standards:

- The Board of Education, in cooperation with the superintendent and stakeholders, establishes and commits to a vision for the school district that emphasizes high expectations for achievement of all students and quality instruction.
- The Board of Education governs in a manner that is dignified and worthy of trust.
- The Board of Education is accountable to the school district community.
- The Board of Education holds the superintendent accountable for creating the outcomes identified in the school district plan.

BOARD AND BOARD MEMBER RESPONSIBILITIES – BOARD GOVERNANCE

Within board governance:

- Board decisions should be based on pre-established principles, prospectively communicated to parents and staff, and be consistently applied
- The board only has authority as a collective
- Inherent in board governance is the concept of “consensus”
 - ✓ That is to say that individual members have a right to their views if they differ from the majority. However, once a decision is made, the members support the decision and **do not work to undermine the decision or other members of the board. This is also the expectation of SVSU.**

BOARD AND BOARD MEMBER RESPONSIBILITIES – BOARD GOVERNANCE

Individual board member governance standards:

- The individual school board member is motivated by and focuses on what is in the best interest of all students.
- The individual school board member believes in the importance of and actively engages in lifelong learning.
- The individual school board member understands and respects both the authority and responsibilities of the board of education.
- The individual school board member approaches school governance work with a spirit of inquiry.

Questions

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