



# LAKE SUPERIOR STATE UNIVERSITY CHARTER SCHOOLS

BOARD MANUAL



Charter Schools Office of Lake Superior State University warmly welcomes you as a member of a public school academy board of directors. We are at a turning point in education in this country and this state. You are on the cutting edge. As a board member, your contributions are vital and your willingness to serve is sincerely appreciated.

Even though this will be a very satisfying time for you, it can also be an extremely challenging one. Unlike traditional boards with rules and regulations in place for many years, public school academy boards have the responsibilities of overseeing their academies and developing their board structure simultaneously. In some cases, the school is in its start-up stages. This is a tremendous undertaking but one that will reap many rewards.

Your main responsibilities as a board member are to:

- *Set direction for the academy through the design and adoption of academy core values, vision and mission statements, and develop a plan to evaluate their achievement.*
- *Hire competent leadership or contract with an Educational Service Provider and hold it accountable for effectiveness in achieving board goals.*
- *Create, adopt, and continuously monitor the implementation of a strategic plan that executes the board's core values, vision and mission statements, and board goals.*
- *Adopt and monitor the implementation of board policies by academy personnel. Monitor student achievement.*
- *Monitor customer satisfaction.*
- *Establish high expectations for success.*
- *Consistently serve the best interests of students and parents.*
- *Work as a team with other board members and the school staff.*
- *Ensure that all federal and state laws and regulations as well as contract obligations to LSSU are fulfilled.*
- *Conduct periodic board self-assessments.*
- *Develop, adopt, monitor and amend a budget that reflects board priorities.*
- *Monitor the academy's School Improvement Plan and make sure that it meets State requirements, reflects board priorities, is consistent with the board's budget priorities, and is filed in a timely manner.*

The LSSU Provost and Vice President for Academic Affairs, the Executive Director of the LSSU Charter Schools Office and the other staff members of the Charter Schools Office work as a team to make recommendations to the Lake Superior State University Board of Trustees about which applicants should be granted charter contracts. The LSSU Board of Trustees appoints board members for each of the academies. The board of the authorized charter school has a contract with the LSSU Board of Trustees that states the obligations to be fulfilled in order to operate. Once an academy is operational, the Charter Schools Office provides oversight to ensure that the school complies with all state and federal regulations governing public school academies. (Every year each public school academy must submit close to a hundred required reports!) The Charter Schools Office provides training for new board members and a representative from the Charter Schools Office attends several regularly scheduled board meetings of each charter school each year. In addition, the Charter Schools Office staff is always available to answer questions and provide support.

Charter school board members should keep in mind the school belongs to the State and the community

it serves. One of the board's roles is to demonstrate leadership in service to the school by setting goals and collaborating with other members, parents, students, and staff. The rewards are great for board members who embrace the challenges: the pride of seeing students learn and achieve, knowing you played a significant part in making their achievements possible.

## OUR Philosophy

We believe in authorizing through the lens of an educator, realizing students are more than academic performance or financial incentives. True authorizing takes into account the whole child, whole academy, and whole community while recognizing the importance of increased performance and sustainability.

## OUR VISION

We envision an educational system in Michigan that provides families with diverse educational opportunities that allow for each child to flourish and find his/her place in the global community.

## OUR MISSION

To ensure quality oversight and support to our authorized charter academies resulting in students who are prepared for the next phase of life whether it be attending college, the military, or entering the workforce.

## We VALUE

### ***Excellence in Teaching and Learning***

Our first priority is high-quality instruction and positive educational outcomes. We focus on building relationships that promote academic excellence.

### ***Opportunity***

The students and staff that are affiliated with LSSU CSO authorized academies have access to a wide range of opportunities to grow academically, professionally, culturally and socially.

### ***Accountability and Autonomy***

We believe in holding our stakeholders and ourselves accountable for the results of decisions and actions that influence performance.

### ***Diversity***

We recognize the uniqueness of individuals, academies and communities. Their diverse perspectives and experiences enrich the educational experience for all stakeholders.

### ***Ethics and Principles***

We promote an environment of transparency, honesty, respectful and courteous behavior where everyone is appreciated and empowered.

### ***Stewardship***

We intentionally operate in a sustainable way in order to leave our academies sound for future generations of charter students, alumni and friends.

# CHARTER SCHOOLS OFFICE TEAM

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# SECTION 1 FAQ OF BOARD MEMBERS AND ABOUT PUBLIC SCHOOL ACADEMIES

## 1. Who appoints academy board members?

Vacancies on the Board of Directors may result from the expiration of the term of a director, the resignation or death of a director, or the removal of a director by action of the Academy Board of Directors or the Lake Superior State University Board of Trustees. The Academy Board's by-laws prescribe the number of directors. The number of directors may be increased or decreased consistent with the by-laws and the Resolution of the Lake Superior State University Board of Trustees regarding the selection and appointment of directors.

The Board of Trustees of Lake Superior State University appoints members of the Academy Board of Directors for three-year terms or to complete the unexpired term of a former director. The Board of Trustees resolution prescribes that each Academy Board shall have from five to nine members who serve staggered three-year terms. By statute, academy board members must be U.S. citizens and residents of the State of Michigan. At least one board member must be a resident of the local community. The By-laws may prescribe additional requirements consistent with the law and the contract.

The process for appointment of a new board member or the reappointment of a current board member is as follows:

- Applicants must complete an application for board appointment from the LSSU Charter Schools Office or the academy. Applications are available on-line at [www.lssu.edu/charter-schools/board-application/](http://www.lssu.edu/charter-schools/board-application/)
- The Board of Directors may interview candidates and must nominate an individual by majority vote.
- The Charter Schools Office will have a criminal history background check completed and interview the candidate.
- Candidates sign an agreement on the application to participate in board training. Upon recommendation by the Charter Schools Office, the Board of Trustees acts to appoint the candidate.
- After appointment, the prospective board member takes the oath of office and is seated on the Board. A board member is a public officer and is subject to all laws and regulations pertaining to holding public office.

## 2. Can an academy board member be removed?

Yes. A board member may be removed by the Academy Board or the LSSU Board of Trustees. Consult your by-laws. Cause for removal may include frequent absences from meetings without notice, and chronic disruptive or disharmonious behavior which impairs the ability of the board to carry out its responsibilities.

The LSSU Board of Trustees may take corrective actions to avoid revocation of a contract. These corrective actions include appointment of new directors to the academy board. The causes for such corrective actions are identified in the Revised School Code and/or the charter contract.

### **3. As an academy board member, must I disclose related party transactions?**

Yes. If you have any questions, please call the LSSU Charter Schools Office for information regarding the conflict of interest laws and disclosure requirements. The application for appointment contains questions regarding conflict of interest. Completion and return of a conflict of interest questionnaire is required for each board member annually.

### **4. What is an Incompatible Public Office?**

An “incompatible public office” means a public office held by a public official, which, when the official is performing the duties of the public offices held by the official, results in any of the following with respect to those offices held:

- The subordination of one public office by another
- The supervision of one public office by another
- The breach of duty of public office

This restriction applies to situations where a public school academy board member or employee is also simultaneously serving in another elected or appointed public office.

### **5. What limits of liability apply to board members?**

The articles of incorporation may contain provisions consistent with any of the following:

- A provision regarding the management of the corporation or creating, defining, limiting, or regulating the powers of the corporation, its directors, officers, members, shareholders or a class of shareholders or members.
- A provision eliminating the personal liability of volunteer directors to the corporation for monetary damages for a breach of the directors’ fiduciary duty. This provision does not eliminate:
  - A breach of the director’s or officer’s duty of loyalty to third parties
  - Does not protect the director from liability for:
    - Breach of contract
    - Intentional misconduct
    - Improper personal benefit
    - Gross negligence
- A provision that permits a corporation to assume the liability for acts or omissions of a non-director volunteer who acted in good faith within the scope of authority. An indemnification provision, which extends to employees and agents.
- Liability insurance coverage.

**The foregoing notwithstanding, individual board members may be held criminally or civilly liable for violation of the Open Meetings Act. (MCL 15.272; Sec. 12 & 13)**

### **6. As an Academy Board Member, do I have Governmental Immunity? MCL 691.1407**

Governmental entities and their employees have governmental immunity from tort liability when engaged in the exercise or discharge of a governmental function. Employees, officers, members

and volunteers also have immunity for personal injuries and property damage caused while in the course of employment or service if that person:

- Is acting or reasonably believes to be acting within the scope of his/her authority;
- Is engaged in the exercise or discharge of a governmental function; and
- Is not grossly negligent (“Gross negligence” means conduct so reckless as to demonstrate a substantial lack of concern for whether an injury results.)

### **7. Can the Board of Directors contract with a management company? If so, what should I look for in a management agreement?**

Yes, however, you must watch for improper delegation of power by the Board. The Board of Directors must operate independently of the educational management company. The management agreement shall require the educational management company to provide the Board of Directors at least annually all of the same information that a traditional school district is required to disclose, which the Board of Directors must then disclose on the academy’s website homepage. Lake Superior State University must review and may disapprove any agreement between the Board of Directors and the educational management organization before the agreement is final and valid. Disapproval by the authorizer can only occur if the agreement is contrary to the contract or applicable law.

### **8. Can a Board terminate its contract with the Management Company?**

Yes. The Academy Board of Directors hires the Management Company and subject to the terms and conditions within its contract may terminate the contract. The Academy Board of Directors should conduct annual evaluations of its management company, the results of which should provide guidance to any future contractual connections between the management company and the Academy Board of Directors.

### **9. Can the Board terminate its contract with LSSU?**

Yes. Subject to the terms and conditions of the contract, the Board of Directors may terminate its contract by presenting to the University Board of Trustees a certified resolution requesting termination. Please call the LSSU Charter Schools Office if you have questions regarding the academy’s contract.

### **10. Can LSSU terminate or decide not to renew an academy’s charter?**

Yes, however such actions would not be taken without cause and due process. It is the philosophy and the intention of the Charter Schools Office to support the academy’s efforts and focus on the progress made toward reaching its goals. Any action to terminate the contract must be consistent with the Revised School Code and the charter contract. The Revised School Code states a contract may be revoked for the following reasons:

- Failure of the public school academy to demonstrate improved pupil academic achievement for all groups of pupils or meet the educational goals set forth in the contract.
- Failure of the public school academy to comply with all applicable law. Failure of the public school academy to meet generally accepted public sector accounting principles and demonstrate sound fiscal stewardship.



- The existence of one or more other grounds for revocation as specified in the contract.

## **11. What are some of the provisions under the Freedom of Information Act (“FOIA”) – MCL 15.231 et seq.**

The Freedom of Information Act (FOIA) provides a mechanism whereby interested citizens may obtain records of a public agency in the performance of its duties.

- “Public Record” is defined as writing prepared, owned, used, in the possession of, or retained by a public body in the performance of an official function, from the time it is created.
- “Writing” is defined very broadly.
- The public has the right to inspect, copy, or receive copies.
- You do not have to make a compilation, summary or report of information (except as required in Section 11 of Act).
- The academy has five days to respond to a FOIA request for information (can issue a notice to extend time period by not more than 10 business days under unusual circumstances).
- Section 13 of the Act lists exemptions from disclosure.
- The Board must designate a FOIA Coordinator annually.

## **12. Are charter schools tax-exempt? How are they organized?**

Yes. The Revised School Code provides that public school academies shall be organized and administered under the direction of a board of directors and with bylaws adopted by the board of directors. A public school academy corporation shall be organized under the Nonprofit Corporation Act, 1982 PA 162. A public school academy shall not be organized by a church, or other religious organization and shall not have any organizational or contractual affiliation with or constitute a church or other religious organization.

A charter school is organized when an authorizing body issues a contract to organize and operate a public school academy. As a governmental body, the charter school is exempt from federal taxes and all state and local income taxes. Property occupied by a charter schools and used exclusively for educational purposes is exempt from real and personal property taxes (24 mills) levied for school operating purposes. A PSA cannot levy ad valorem property taxes or another tax for any purpose.

(Note: A charter school is not a charitable or educational organization and does not therefore receive its exemption from taxes under 503 (c) (3) of the Internal Revenue Code. Charter schools must apply to the Internal Revenue Service to qualify for 501(c) (3) status).

## **13. What is a public school academy (PSA)?**

A PSA is a state-supported public school operating under a charter contract issued by a public authorizing body. PSAs are also commonly referred to as charter schools. Charter schools may include grades K-12 or any combination of those grades. They may not charge tuition and must serve anyone who applies to attend; that is, they may not screen out students based on race, religion, sex, gender, nationality, sexual orientation or test scores. Students are selected randomly for admission if the number of students applying exceeds the school's enrollment capacity. Charter

teachers must be certified and “highly qualified” as defined in the federal Elementary and Secondary Education Act (ESEA); charter school students are assessed annually as part of the Michigan Education Assessment Program (MEAP). Charter schools cannot be religiously affiliated. Authorizing bodies include the boards of school districts that operate grades K-12; an intermediate school board; the board of a community college; the governing board of a state public university; and two or more of the previous operating under an interlocal agreement under the Urban Cooperation Act.

#### **14. What law governs the establishment and operation of a PSA?**

Part 6A of Michigan’s Revised School Code was adopted to allow for the establishment of PSAs in Michigan (MCL 380.501 *et seq*). Following this change, three additional sections of law were added to provide for the establishment of three additional categories of charter schools:

- Urban High School Academies (UHSAs) chartered under MCL 380.522, commonly referenced as Part 6C of the Revised School Code.
- Strict Discipline Academies (SDAs) chartered under the Revised School Code (MCL 380.1311b). SDAs are established for the purpose of serving suspended, expelled or adjudicated young people.
- Schools of Excellence (SOE) chartered under MCL 380.551 *et seq* commonly referenced as Part 6E of the Revised School Code.

Collectively, PSAs, UHSAs, SOE and SDAs are called charter schools. LSSU has only authorized PSAs and SOE.

#### **15. Is a PSA considered a local school district?**

Yes. Sec. 501 of the Revised School Code states: (1) A public school academy is a public school under section 2 of article VIII of the state constitution of 1963, is a school district for the purposes of section 11 of article IX of the state constitution of 1963 and for the purposes of section 1225 and section 1351a, and is subject to the leadership and general supervision of the state board over all public education under section 3 of article VIII of the state constitution of 1963. A public school academy is a body corporate and is a governmental agency. The powers granted to a public school academy under this part constitute the performance of essential public purposes and governmental functions of this state.

#### **16. What are the major components of a PSA application?**

- Identification of the applicant for the contract along with all contact information. Proposed board of directors and a description of the qualifications and method of appointment.
- Proposed articles of incorporation and proposed time the articles will become effective. Name of proposed PSA.
- Purposes for the PSA.
- The name of the authorizing body.
- The proposed bylaws.
- Documentation meeting the application requirements.
- The governance structure of the academy.
- Measures 1-3 of an Academy’s Educational Goals are determined by LSSU, however, Measure 4 focuses on Academy Specific Goals. Applicants are encouraged to submit a mission specific goal and measures should demonstrate that the Academy is

accomplishing its mission and should not overlap with the authorizer required measures.

- The address and description of the physical plant including the identification of the local and intermediate school district in which the academy will be located.
- Proposed method to provide LSSU with assurance that the Public School Academy will comply with the educational goals of the PSA and comply with all applicable laws, regulations, and reporting procedures for state, federal, and contractual requirements.
- Age or grades to be served by the academy and projected number of students. The school's admission policy and criteria to be maintained by the PSA in compliance with section 504, including a description of how the applicant will provide to the public adequate notice that a PSA is being created and adequate information on the admission policy, criteria and process.
- The school's calendar and school day schedule including number of days and hours of instruction and projected opening date.
- Method of financing the academy and the first year's proposed budget as prescribed in the Michigan Accounting Manual.
- Description of qualifications, certifications, and responsibilities of staff. Management company contract if applicable.

### **17. What are the major responsibilities of the authorizing body?**

An authorizing body oversees a public school academy operating under a contract. The authorizing body is responsible for overseeing compliance by the board of directors with the contract and all applicable law. This requirement does not relieve any other government entity of its enforcement or supervisory responsibility. The Superintendent of Public Instruction may suspend the power of the authorizing body to issue new contracts if she or he finds that the authorizing body is not engaging in appropriate continuing oversight of one or more academies.

An authorizing body is not required to issue a contract to an applicant. Contracts shall be issued on a competitive basis. The authorizing body is required to consider all of the following: The resources available for the proposed PSA.

- The population to be served.
- The educational goals to be achieved.
- The applicant's track record.
- The graduation rate of the school district in which the proposed PSA is proposed to be located.
- The number of schools in the proximity of the proposed location that have been determined to be among the lowest achieving 5% of all public schools in the state. The number of students on waiting lists of PSAs in the proximity of the proposed location of the proposed PSA.

### **18. May a PSA be selective in its admission policy?**

A PSA may not charge tuition and shall not discriminate in its pupil admission policies or practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a student with a disability, or any other basis that would be illegal if used by a school district. The PSA may limit admission to students who are within a particular range of age or grade level. Students must be residents of the state, except for foreign exchange students. A student who was enrolled in the PSA the immediately preceding year shall be allowed to enroll in the PSA in the appropriate grade if the grade is offered. Other enrollment priorities are allowed:

- A sibling of a pupil enrolled in the PSA.
- A pupil who transfers to the PSA from another public school pursuant to an approved matriculation agreement that provides for this priority.
- A child of a person who is employed by or at the PSA or on the board of directors of the PSA.

If there are more applications to enroll in a particular grade than seats available, then pupils shall be selected to enroll using a random selection process overseen by the authorizer.

### **19. Must a PSA use certified teachers?**

Certification requirements for PSA teachers are identical to those of local school district teachers. Special exceptions are made for a PSA that is authorized by a state university or community college that may wish to use collegiate staff to teach PSA students.

### **20. May a private school become a PSA?**

Private schools can become PSA's only if they are reconstituted as public entities and accept the duties and responsibilities of becoming a public school.

### **21. How is a PSA funded?**

A PSA is funded through the State School Aid Act. A PSA receives funding through the per-pupil base foundation in the same manner as all other Michigan public schools. By law, this amount may not exceed the per-pupil base foundation received by the local school district where the PSA is geographically located. The amount of per-pupil aid for your Academy may be accessed through the Michigan Department of Education website, [www.michigan.gov/mde](http://www.michigan.gov/mde). A PSA may access state and federal grants in the same manner as local school districts. Various factors apply to the eligibility of academies and school districts to apply for grants. The Michigan Department of Education website lists grants made available to PSAs and local school districts. Unlike other Michigan public schools, a PSA may not bond to support facility costs.

### **22. What are the required elements of a charter contract?**

Within 10 days after issuing a contract, the authorizing body must submit a copy of the contract to the Superintendent of Public Instruction. The required elements of a contract must contain at least the following.

- The educational goals of the PSA and the methods by which it will be held accountable including demonstrated improved pupil academic achievement for all groups of pupils. A description of the method to be used to monitor the PSA's compliance with applicable law and its performance in meeting targeted educational objectives.
- A description of the process for amending the contract.
- All of the matters set forth in the application.
- Procedures for revoking the contract and grounds for revoking the contract. A description and address for the physical plant(s).
- Requirements and procedures for financial audits.
- The term of the contract and a description of the process and standards for renewal; the standards shall include improved academic achievement for all groups of students as the most important factor in the renewal decision.

- Certification by a board member that the PSA will comply with the contract and all applicable law.
- A requirement that the board of directors shall ensure compliance with 1968 PA 317 (dealing with conflicts of interest).
- A requirement that the board of directors shall prohibit certain family relationships between board members, owners and employees of educational management organizations and employees of the PSA.
- A requirement that the board of directors shall collect, maintain and make available specified information.
- A requirement that the board of directors shall make information concerning its operation and management available.
- A requirement that prior to its implementation, the authorizing body must review and may disapprove the management agreement.
- A requirement that the board of directors must demonstrate the openness of its enrollment process.
- A requirement that the board of directors must prohibit an individual from being employed in more than one full-time position.

**23. Must all state and federal education dollars be sent directly to the authorizing body of the PSA?**

No. The law requires that payments under the State School Aid Act be sent directly to the authorizing bodies. The authorizing body is permitted to retain a maximum of 3% of total state aid for considering an application for a contract, for issuing a contract, or for providing oversight of a contract. An authorizing body may provide other services and charge a fee for those services, but shall not require such an arrangement as a condition for issuing the authorizing contract. A PSA may receive federal funds directly from the Michigan Department of Education by following the same procedure that local school districts are required to follow.

**24. Do local public school districts have the responsibility for transporting PSA students to and from school?**

No. The transportation of students is the responsibility of the PSA. If the PSA does provide transportation to its enrolled pupils, it must follow the provisions of the Revised School Code (MCL 380.1321) and the Pupil Transportation Act, 1990 PA 187.

**25. Does a PSA have to participate in the federal free and reduced lunch program?**

No. Participation in this program is optional for a PSA. If a PSA elects not to serve lunch, the PSA is encouraged to determine the number of students who would qualify for free or reduced lunch. The number of qualifying students is used to determine funding levels for various other state and federal programs (Title I, At-Risk, etc.) For information, please contact (517) 373- 3347; Fax (517) 373-4022.

**26. If a student voluntarily leaves a PSA must the student’s resident school district enroll the student? If a student voluntarily leaves a local school district must a PSA enroll the student?**

Yes in both instances. The only exceptions are in a case of expulsion or when a PSA has reached

enrollment capacity. Expulsions should be handled on an individual basis.

## 27. Is a PSA permitted to offer Career and Technological Education programs for students?

Yes. As a public education entity, these programs may be offered at a PSA in the same manner as the program is offered in any public school district.

## 28. What are the common responsibilities of a PSA to the Michigan Department of Education as they relate to financial reporting?

- **A PSA is required to follow a common fiscal year.** That year begins July 1 and ends June 30 of the following calendar year.
- **A PSA is required to follow "Generally Accepted Accounting Principles" for Governmental Entities.** The Michigan Public School Accounting Manual addresses many of these and should be used as a reference. Specific questions related to school accounting issues may be directed to public school finance staff at (517) 335-0524.
- **A PSA is required to follow a uniform chart of accounts.** That chart of accounts is found in the Michigan Public School Accounting Manual. The Revised School Code, PA291, MCLA 380.1281c, requires the Michigan Department of Education to: **"Prescribe appropriate uniform pupil and finance accounting records for use in school districts, public school academies, and intermediate school districts and promulgate rules for their adoption."**

In addition, Michigan Administrative Rules Relating to Education (R340.852) states **The Chart of Accounts (Michigan School Accounting Manual) prescribed and published by the MDE shall be used by all public schools**

- **A PSA is to submit an annual comprehensive financial report, including Balance Sheet, Revenues and Expenditures, using the chart of accounts prescribed in the Michigan Public School Accounting Manual.** The report is submitted electronically and is due on November 15 each year. The penalty for noncompliance is the withholding of state aid payments. See the State School Aid Act, Section 18 (3 & 5). The data are submitted to FID, the Financial Information Database, maintained by CEPI, the Center for Educational Performance and Information.
- **A PSA is required to post financial information on its website,** in accordance with the Michigan Transparency Act, including a copy of its board adopted budget within 30 days of its adoption.
- **A PSA is required to have an audit of its financial accounting records conducted at least annually by an independent certified public accountant.** The audit reports are filed with MDE no later than November 15 of each year. Guidance for the audit is given in the Michigan School Auditing Manual. The penalty for noncompliance is the withholding of state school aid payments. See State School Aid Act of 1979, *as amended*, sections 18(2) and (5). For further information, contact audit staff at (517) 373-4591.
- **A PSA is subject to all financial audits identified in Governmental Auditing Standards (GAS).** The pamphlet known as the Yellow Book describing the standards is for sale by the U.S. Government Printing Office at <http://bookstore.gpo.gov>.
- **A PSA board shall adopt a budget prior to the commencement of the fiscal year, using the minimum levels of appropriation described in the Michigan Public School Accounting Manual.** The Uniform Budgeting and Accounting Act requires the board to amend budgets when deviations exceed established limits. The board must hold a public hearing on the

- proposed budget prior to its adoption and announced at least six days prior to the hearing.
- **A PSA is not to adopt or operate under a “deficit budget”** (State School Aid Act of 1979, as amended, section 102). MDE closely monitors entities that violate this statute and may require a deficit reduction plan if a deficit is found.
- **A PSA is to follow the Revised School Code when procuring short-term operating loans. (380.1225)** The Michigan Finance Authority (MFA) in the Department of Treasury makes short-term loans available to PSAs who are qualified. Competent legal counsel should be sought before an academy enters into any borrowing agreement.

**29. What options may a PSA use to meet its responsibilities to provide a student with disabilities a free and appropriate public education as required by state and federal law?**

Special education includes all programs and services as defined in Rule 340.1701(e) of the Revised Administrative Rules for Special Education. Accordingly, a PSA may use any of the following methods to provide a student with a disability appropriate special education programs as determined by an individualized educational planning committee.

- Directly employ appropriately qualified personnel to meet the individualized education programs of their students with disabilities.
- Contract with another local or intermediate school district, the Michigan Schools for the Deaf and Blind, the Michigan Department of Community Health, or the Michigan Family Independence Agency to provide services.
- Contract with an outside company for the provision of instructional services by employees of that company.
- Contract with an agency approved by the State Board for delivery of an ancillary or other related service (as defined by Rule 340.1701).

**30. Is a PSA entitled to apply for reimbursement under the State School Aid Act and the intermediate school district special education millage when it hires staff or contracts for services for special education?**

Yes, a PSA is a public local school district under the State School Aid Act and a local district included in the Intermediate School District Plan for Special Education and has the right to participate in state aid and ISD special education funding. A PSA is bound to the same requirements as other local constituent districts served by the ISD and must be recognized in its respective ISD Plan for Special Education Programs and Services.

**31. Is a PSA eligible for Individuals with Disabilities Education Act funds?**

Federal special education funds under the Individuals with Disabilities Education Act (IDEA) are granted to the ISD and distributed to constituent districts according to the ISD Plan for Special Education Programs and Services. The Plan must comply with state and federal regulations controlling the use and distribution of IDEA funds. The Plan is developed cooperatively with local constituent districts including PSAs.

**32. If a PSA is eligible for ISD special education millage and IDEA funds, must the PSA follow the same requirements for obtaining funds (filing of forms and applications)?**

Yes, a PSA must follow the same requirements as other local educational agencies. State and federal funds are appropriated under the State School Aid Act for purposes of reimbursing districts and ISDs for special education programs, services and special education personnel as defined in the Revised School Code. Rule 340.1771 and Rule 340.1700d provide personnel approval criteria. Funds are also allocated to districts and ISDs for transportation services, as determined by MDE, for pupils in special education programs.

### **33. Is a PSA subject to the Michigan Revised Administrative Rules for Special Education, the Family Education Rights and Privacy Act (FERPA), and Section 504?**

Yes, the Individuals with Disabilities Education Act (IDEA) considers state as a whole. If the state receives federal funds, then all entities of the public educational system must comply with IDEA provisions, ensuring that each eligible child with a disability is provided a free, appropriate public education. Michigan complies with IDEA and its implementing regulations. A PSA is required to adhere to Michigan statutes and rules for special education.

FERPA has broader applicability than just special education; it applies to all public educational entities and their students. Section 504 of the Vocational Rehabilitation Act essentially is a civil rights statute, which applies to individuals with disabilities and bars discrimination on the basis of disability. The definition of “disabled” in Section 504 is broader and more inclusive than the definition in IDEA. Michigan has no authority to exempt a PSA from those federal requirements.

### **34. Is the ISD required to monitor special education programs and services?**

A PSA is a local school district with the same rights and responsibilities as any other school district. The Michigan Department of Education is required to monitor local and intermediate school districts for compliance with IDEA and the Michigan Revised Administrative Rules for Special Education. The ISDs are integral to the monitoring process and must monitor a PSA to ensure compliance.

### **35. Is the ISD responsible to support a PSA that is serving students residing outside of the ISD where the PSA is located?**

Yes, the ISD has the same responsibility to the constituent PSA district as it has to any other constituent district. It is not unusual for a public school district to serve students who come from other districts including students whose parents reside in a different ISD district (e.g., tuition pupils, pupils released by their district of residence, eligible migrant children, and children in a PSA located within the ISD district). The ISD has the same obligation to pupils whose parents reside elsewhere as it has to any other pupil legally enrolled in a constituent district.

### **36. Must students be certified for special education services and be identified on the enrollment count if additional state or federal funding is not claimed?**

Children who are suspected to have a disability under state or federal law must be identified irrespective of application or claim for additional state or federal funding.

### **37. If a PSA contracts with a private **concern** to provide speech, psychological, and social work services, must the credentials of the providers be the same as those employed by public schools and must the PSA submit its personnel inventory to the**



## **ISD?**

Yes, the credentials must be the same and the personnel providing special education programs or services must be reported.

# SECTION 2 EDUCATION TERMS BOARD MEMBERS NEED TO KNOW

## **Accountability**

### **Michigan School Index System**

The Michigan School Index System was developed to comply with the accountability requirements outlined in the Every Student Succeeds Act (ESSA) of 2015. The school index system allows users to analyze a school's strengths and weaknesses in a variety of areas. Schools receive credit in each area based on the degree to which the school meets its targets. Areas included in a school's index may include Student Assessment data, Graduation Rates, Attendance Rates, Completing Advanced Coursework, Postsecondary Enrollment, and Staffing Ratios. Schools receive an overall index value based on the areas above in which they have data, as well as index values for each individual area and student subgroup. Index values can range from 0-100. Schools with a low index area identified as one of three low-performing school types according to federal requirements specified in ESSA.

Schools can have up to six components comprising their overall index value. Schools are only scored for those components that pertain to their particular school. Schools missing components will have weight redistributed proportionally to those existing components. The components are as follows: Student Growth, Student Proficiency, School Quality/Student Success, Graduation Rate, English Learner Progress, and Assessment Participation. Each component has a different weight with Student Growth accounting for 34%, Student Proficiency 29%, School Quality/Student Success 14%, English Learner Progress 10%, and Assessment Participation 3%.

Schools with a valid student subgroup (any subgroup with at least 30 students) will have an index value calculated for the subgroup as well as have the subgroup included in the component and overall index values. Student subgroups include Racial/Ethnic subgroups, English Learners, Economically Disadvantaged, and Students with Disabilities.

To meet the minimum requirements of ESSA, in spring 2018, Michigan began identifying schools with the Michigan School Index System using data from 2016-17. Schools with the lowest overall of subgroup index values, or 4-year cohort graduation rates, were identified for support in one of three categories.

- **Comprehensive Support**
  - o Lowest performing
  - o Schools with graduation rates at or below 67%
  - o Additional Targeted Support Schools not exiting that status in a state determined time frame
- **Targeted Support and Improvement Schools (TSI)**
  - o Schools with 1-2 subgroups performing at the level of a CSI school
- **Additional Targeted Support Schools (ATS)**
  - o Schools with 3 or more subgroups are performing at the level of a CSI school

## **Annual Education Report**

The Annual Education Report (AER) is designed to meet the federal requirements of the Elementary and Secondary Education Act of 2001 for an annual report. The report provides data on student assessment, accountability, and teacher quality.

## Assessment

Students attending academies authorized by LSSU are required to take a variety of assessments in order to meet state, federal, and authorizer requirements. The mission of LSSU CSO is “to ensure quality oversight and support to our authorized charter academies resulting in students who are prepared for the next phase of life whether it be attending college or entering the work force.”

Assessments are a way to gauge whether or not students are college and career ready and to measure the degree to which an academy is meeting its contractual Educational Goals. LSSU outlines specific growth, achievement, state/federal accountability, and academy specific goals (optional) and measures for academies. All students are expected to meet a SCGP of 50, however, for achievement; we evaluate cohort vs non-cohort student performance. **Cohort** students are those students that have attended an academy for three or more consistent years. **Non-cohort** students are those students who have attended an academy for less than three consistent years. We expect cohort students to achieve the college and career readiness benchmarks as well as outperform non-cohort students.

Students are assessed using a variety of assessments including formative, summative, criterion-referenced, norm-referenced, computer adaptive and standardized. Each type

of assessment is defined below. Keep in mind, the authorizer or state required assessments may fall into multiple categories.

- o **Formative Assessment:** A wide variety of assessments used by teachers to evaluate student learning at the time of instruction that provides feedback as to whether or not a student is understanding the concept.
- o **Summative Assessment:** Assessments given at the end of teaching a concept that measures student learning at the conclusion of an instructional unit, project, program, or school year and is generally used for grading or accountability purposes.
- o **Criterion-referenced:** Assessments designed to measure student performance against a set of specific criteria.
- o **Norm-referenced:** Assessments are designed to report whether test takers performed better or worse than a norm group. A norm group is simply a sample of test takers who are representative of the population for whom the test was intended.
- o **Computer Adaptive:** An assessment that changes the level of difficulty of questions asked based on whether the taker gets the previous question correct or incorrect.
- o **Standardized test:** A test that is administered and scored in a consistent, standard manner.

Your Educational Goals outline the various assessments and measures/targets expected of students. Please see Section 8 for further detail.

Assessment	Required by Whom	Grades Tested	Type of Assessment
NWEA's (MAP)	Authorizer	2 <sup>nd</sup> -8 <sup>th</sup> Math and Reading	Summative Computer Adaptive Norm Referenced
M-STEP	State	3 <sup>rd</sup> -8 <sup>th</sup> - Math and English Language Arts (ELA)	Summative Computer Adaptive Criterion Referenced
M-STEP	State	4 <sup>th</sup> , 7 <sup>th</sup> , 11 <sup>th</sup> -Science 5 <sup>th</sup> , 8 <sup>th</sup> , 11 <sup>th</sup> - Social Studies	Summative NOT Computer Adaptive Criterion Referenced
PSAT/SAT	State Authorizer	8 <sup>th</sup> , 9 <sup>th</sup> , 10 <sup>th</sup> , 11 <sup>th</sup>	Summative Not Computer Adaptive Norm Referenced

o **Student Growth:** LSSU monitors student fall to spring growth of each academic year to ensure students are college and career ready by the time they leave LSSU academies. Benchmarks for the NWEA MAP are determined by NWEA's 2015 Norm Study and growth is monitored through Student Conditional Growth

Percentiles. The MAP is administered three times per year during authorizer determined testing windows; in the fall, winter, and spring, which allows us to assess student growth over one academic year.

o **Student Conditional Growth Percentiles:** Growth is measured by *Student Conditional Growth Percentiles* (SCGP). Using SCGP allows for the comparison of "like" students. Students that test similarly in the fall are compared again in the spring based on their spring performance and then ranked against other "like" students. An SCGP of 50 means that average learning is occurring over time. An SCGP >50 means greater than average learning is occurring over time while an SCGP <50 means lower than average learning is occurring over time. An SCGP of at least 50 means adequate growth.

### Blended Count

The calculation of State Aid based on pupil membership data. The Michigan Department of Education calculates the figure using prior school year's Spring count (10%) and current school year's Fall count (90%).

### Common Core State Standards (CCSS)

In June 2010, the State Board of Education adopted the CCS as the state K-12 content standards for Math and English Language Arts.

o **Next Generation Science Standards (NGSS):** In November 2017, the State Board of Education adopted new K-12 science standards which are based upon the NGSS and replace the

former Grade Level Content Expectations standards for science.

**o C3 Framework for Social Studies Standards:** Michigan’s current Social Studies Standards were created in 2007. Research has shown that Michigan students are not being prepared to be college/career ready and civic life ready. Because of this, an Update Committee was formed to making the current standards, “fewer, clearer, and higher.” The C3 or College, Career, and Civic Life Standards are expected to be reviewed later in 2018 by the State and considered for adoption as the new social studies standards for Michigan.

**Count Day** – There are two count days each school year, Spring count day is the second Wednesday in February and Fall count day is the first Wednesday in October.

**Family Educational Rights and Privacy Act (FERPA)** This federal law protects the privacy of student education records and applies to all school receiving federal funds.

**Individuals with Disabilities Act (IDEA):** The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children. Students identified with disabilities receive an **Individualized Education Program (IEP)**.

**Individualized Education Program:** A written statement for a child with a disability that is developed, reviewed, and revised to meet all applicable state and federal laws. Infants and toddlers, birth-age two, with disabilities and their families receive early intervention services and children ages three through twenty-one receive special education and related services under the **Individuals with Disabilities Education Act** (see above).

**Michigan Learning Standards:** State standards broadly outline what students need to know and be able to do in each subject and grade level to be career- and college-ready upon high school graduation.

**Michigan Merit Curriculum:** This curriculum (a course of study) states that students who earn a diploma, at a minimum, have demonstrated proficiency with the content outlined by the state academic standards.

**Michigan Student Test of Educational Progress:** In 2015, Michigan transitioned from the Michigan Educational Assessment Program (MEAP) to the Michigan Student Test of Educational Progress as the state required assessment. Students in grades 3<sup>rd</sup>-8<sup>th</sup> are tested in Math and English Language Arts as well as Science in grades 4<sup>th</sup>, 7<sup>th</sup>, and 11<sup>th</sup>, and Social Studies in grades 5<sup>th</sup>, 8<sup>th</sup>, and 11<sup>th</sup>.

**National Assessment of Educational Progress (NAEP):** The National Assessment of Educational Progress informs the public about the academic status of elementary and secondary students in the United States through the Nation’s Report Card. NAEP is administered to a representative sample of students (not all students take it) in public, private, Bureau of Indian Education, and Department of Defense Schools. The main NAEP is given in grades 4<sup>th</sup> and 8<sup>th</sup> at the state level and grade 12<sup>th</sup> at the national level.

**Preliminary Scholastic Aptitude Test (PSAT):** A standardized test taken by 9<sup>th</sup> (PSAT9) and 10<sup>th</sup> (PSAT 10) graders. Beginning in 2018-19, Michigan 8<sup>th</sup> graders will be required to take the PSAT8. The PSAT

is predictive of a student's performance on the SAT taken in 11<sup>th</sup> grade.

**Scholastic Aptitude Test (SAT):** A standardized test taken by 11<sup>th</sup> graders (and some 12<sup>th</sup>) in Michigan and serves as the state college entrance exam.

**Michigan Integrated Continuous Improvement Process (MICIP):** Michigan schools are required to develop a three to five year, refined and updated annually, that defines a school's targeted effort to raise student achievement for all of its students.

**Section 504 of the Rehabilitation Act:** Section 504 of the 1973 Rehabilitation Act was the first disability civil rights law to be enacted in the United States. It prohibits discrimination against people with disabilities in programs that receive federal financial assistance and set the stage for the enactment of the American with Disabilities' Act.

- o **Americans with Disabilities Act (ADA):** ADA became law in 1990. The ADA is a civil rights law that prohibits discrimination against individuals with disabilities in all areas of public life, including jobs, schools, transportation, and all public and private places that are open to the general public.

**State Aid:** Proposal A in 1994 created the funding for public schools, collectively known as State Aid (SA). Public school academies (PSA) receive SA from the State of Michigan on the 20<sup>th</sup> of each month (except the month of September). There is no statutory authority for PSA's to levy taxes, which, is the primary reason PSA's rely so heavily on SA. The Michigan Department of Education calculates SA using a formula that incorporates the PSA's pupil membership count and the foundation amount, among other items; the prior school year's Spring count is 10% and the current school year's Fall count is 90%. The foundation amount that is used to calculate the SA payment is updated annually by legislative action.

# SECTION 3 EDUCATION LAW THAT BOARD MEMBERS SHOULD KNOW

This section discusses four statutes:

- The Revised School Code, Act 451 of 1976, MCL 380.1-380.1852
- The State School Aid Act, Act 74 of 1979, MCL 388.1601-388.1896
- Freedom of Information Act, Act 442 of 1976, MCL 15.231-15.246
- Open Meetings Act, Act 267 of 1976, MCL 15.261-15.275

For more detailed information, consult the statutes and the MDE website [www.michigan.gov/mde](http://www.michigan.gov/mde). Board members are encouraged to explore the details of these statutes in more detail than this brief introduction.

**The Revised School Code or PA 451 of 1976** defines a public school academy as follows: "Public school academy" means a public school academy established under part 6a and, except as used in part 6a, also includes an urban high school academy established under part 6c, a school of excellence established under part 6e, and a strict discipline academy established under sections 1311b to 1311.

A PSA may be authorized and issued a contract by the board of a school district, an intermediate school district board, a community college board, the governing board of a public university, or two or more of these agencies pursuant to an interlocal agreement. A PSA is organized and administered under the direction of a board of directors. Section 502 of the Revised School Code stipulated what must be included in the application for a contract, including the educational goals, the curricula to be offered, and the methods of pupil assessment. The educational goals shall include demonstrated improved pupil academic achievement for all groups of pupils. The authorizer is responsible for overseeing compliance by the board of directors with the contract and all applicable law. For this oversight, the authorizers may collect a fee not to exceed 3% of state aid.

An authorizer is not required to issue a contract. Section 503 specifies the required elements of a contract and the factors to be considered in the decision whether to offer a contract. The process must be open and competitive. One required element is the educational goals the public school academy is to achieve and the methods by which it will be held accountable. The educational goals shall include demonstrated improved pupil academic achievement for all groups of pupils. Other required elements of the charter contract include a description of the method to be used to monitor the public school academy's compliance with applicable law, a description of the process for amending the contract, procedures and grounds for revoking the contract, a description of and address for the proposed physical plant in which the public school academy will be located, requirements and procedures for annual financial audits conducted by a certified public accountant in accordance with generally accepted governmental auditing principles, the term of the contract and a description of the process and standards for renewal of the contract, and a certification, signed by an authorized member of the board of directors, that the public school academy will comply with the contract and all applicable law. The contract must also require the board to make information concerning its operation and management available to the public and to the authorizing body in the same manner as is required by state law for school districts. See the statute and your charter contract for specific information that must be made public and transparent.

Section 503(c) requires management agreements to require the educational management

organization to provide to the board at least annually all of the same information that a school district is required to disclose. Within 30 days after receiving the information, the board of directors shall make it available through a link on the public school academy's website homepage.

Section 504 includes conditions about enrollment and defines allowable enrollment preferences. Section 505 requires the use of certificated teachers, but does allow tenured or tenure-track faculty members of the university authorizer to teach any grade. Section 507 states the responsibilities of the authorizer.

**The State School Aid Act or PA 74 of 1979** provides for funding of public schools. The amount of State Aid, or the **Foundation Grant**, changes on an annual basis through amendments to this Act. Funding is provided through this Act for special purposes as well: e.g., special education, early childhood education, school lunches, incentive payments for adoption of best practices, and allocation of federal funds. Over 80% of funding for education in Michigan is through the Foundation Grant. The Foundation Grant is related to average daily attendance, which is calculated using a blended count, for most schools, currently based 90% on the fall pupil membership count day and 10% on the spring supplemental count day from the previous year. The Act also authorizes the issuance of certain bonds and makes appropriations for community colleges and universities. Proposals for significant changes in funding are under discussion. Board members should be kept apprised of these changes.

**The Freedom of Information Act or PA 442 of 1976** provides public access to public records of public bodies. The PSA is a public body. The public has a right to inspect or receive a copy of a public record. The Board of Directors must appoint an **FOIA Coordinator** to accept and process requests for information. The Act provides for exemptions from disclosure, penalties, fees for compiling and reproducing information and time limits. **Salaries of employees are not exempt, even if the employee is an employee of a management company.**

**The Open Meetings Act or PA 267 of 1967** strengthens the right of citizens to know what goes on in government by requiring public bodies to conduct their business at open meetings. The Act requires the posting of dates, times and places for regular and special meetings. The Act defines the occasions when meetings may be closed and how a public body moves into a closed meeting. It requires and defines what must be included in minutes of meetings and the publication of the minutes. It provides opportunities for individuals to address public bodies while allowing the body to establish reasonable rules and regulations. People have the right to attend such meetings. Not only decisions, but also deliberations must be made in open meetings. The Act provides for penalties for violation.



# SECTION 4 BOARD ROLES AND RESPONSIBILITIES

## Characteristics of an Effective Academy Board

- Knowledge of, and belief in, the Academy's Mission and Vision Statements and Core Values
- Clear understanding and practice of the difference between governance and management
- Clarity of roles and responsibilities of the full board, individual directors, and committees
- Understanding of the Academy's educational goals with regular reporting and discussion of improvement in student academic achievement for all groups of students  
Board meetings focused on strategic issues and results, not just reporting, with the board engaged in strategic planning
- Engaged in sound fiscal stewardship

The Academy Board is a public steward with the responsibility to **ensure that public dollars are being well spent**; and to **ensure that the students are being well educated**. Academy Boards accomplish these two primary functions by **setting policy** regarding how the school is to be run, and **monitoring school operations** to ensure that its policies are being implemented.

## Roles and Responsibilities

The responsibilities of **Academy Board Officers** are as follows:

- The **President** presides at meetings; coordinates communication with the school leader; serves as a role model and mentor for other Board Members; coordinates the preparation of the agenda; facilitates orientation of new board members; signs contracts and documents as authorized by the Board; and coordinates evaluation of the school leader or Management Company.
- The **Vice President** takes over the President's function when the President is absent; performs other specific functions assigned by the President; and serves as a vital part of the Board leadership.
- The **Secretary** maintains all board records and ensures their accuracy and safety; records board minutes; certifies and distributes board meeting minutes, orders and resolutions; and provides notice of board meetings.
- The **Treasurer** acts as the custodian of corporate funds; ensures that accounting staff follow appropriate guidelines; disburses funds only as authorized; analyses fiscal reports and reports to the Board; monitors compliance requirements; and coordinates the preparation and presentation of the annual budget to the Board.

The Academy Bylaws may provide for the appointment of assistants to the officers; check your Bylaws.

The **Board of Directors**, as a governance board, must understand the **roles and responsibilities** of its members and the Board as an entity. These include the following:

- Identify expectations for the Academy.
- Identify student achievement outcomes.
- Delegate to the school leader or the Educational Service Provider the responsibility

- to deliver both expectations and outcomes.
- Monitor the performance of the school leader or the ESP and hold the leader or the ESP accountable.
- Evaluate the school leader or the ESP for compliance with expectations and student performance outcomes.

The Academy Board has the following legal duties:

- Duty of Care
- Duty of Loyalty
- Duty of Obedience

The **Duty of Care** requires Board members to attend board meetings and participate in a meaningful way. Board members should prepare for Board meetings by reading board packets before the meeting, pay attention and make good decisions. Board members should evaluate reports of committees, school leaders, and outside consultants; and ask questions when they do not understand. Board members should know the contents of key documents, including the articles of incorporation and bylaws; the charter contract; the ESP agreement; the lease; Board policies; financial reports; and key laws such as the Open Meetings Act, the Freedom of Information Act, and FERPA. This burden is reduced by relying on experts.

The **Duty of Loyalty** requires the Board member to act solely in the best interest of the Academy. Board members must set aside personal or conflicting interests: be aware of the conflict between being a parent of a student at the Academy and being a board member or the conflict between being a friend of a staff member and being a Board member. Avoid financial relationships with the ESP. Board members should be aware of Conflict of Interest policies and statutes and disclose potential conflicts to the Board. Individual Board members should refrain from speaking on the Board's behalf unless that responsibility is specifically delegated to the individual. Do not disclose confidential information.

The **Duty of Obedience** requires Board members to comply with all legal and charter contract requirements. Retain legal counsel, a certified public accountant and other professionals to assist the Board. Act in a way that is consistent with Academy goals and keep the Educational Mission front and center. Board members must have the courage to challenge the ESP or management team when goals are not being met. The Academy Board is accountable to the authorizer as well as the state. The contract requires measurable student achievement at a contractually defined level. The Academy Board must manage and account for the taxpayers' money: to engage in sound fiscal stewardship. The Academy Board must comply with all applicable law, federal and state, and the charter contract.

A Governing Board, as contrasted with a Managing Board, ensures the right outcomes are established and evaluates how well those outcomes were achieved.

**The General Powers/Duties of the Academy Board** include

- Planning;
- Student achievement and growth;
- Compliance with the contract and applicable law;
- Financial oversight; and
- Board affairs.

**Planning** includes developing the Vision and Mission Statements for the Academy. Prior to the issuance of the charter contract, the process of developing these statements forges consensus among the members of the development team around core values. After the Academy is operational, these statements guide daily decisions and future direction and inspire those within the Academy to work toward common goals. An effective Academy Board is committed to promoting the mission and vision. These statements define the Academy's goals and philosophy for students, parents, teachers, school leaders and other staff members, board members and the outside community. These statements define the unique character, core values, priorities, educational program, target population and goals of the Academy. Board members should be able to clearly state the mission and vision of the Academy and describe how the Academy is working toward meeting the objectives.

The **Vision Statement** paints a picture of the end goals of the Academy. It addresses the following questions.

- What kind of Academy do you want?
- Where do you want the Academy to be in five to ten years?
- What direction do you want to go in?

It should be concise, inspirational and realistic.

The **Mission Statement** should also be concise, inspirational and realistic. It should address the following questions.

- What distinctive programs and curricula will be offered?
- What is our educational philosophy?
- What is our target market?
- What are our values?

Vision and Mission statements should be promoted. Display of the statements at the entrance to the Academy; and on letterhead, websites, promotional materials and flyers are opportunities. The statements should be referenced in training and at professional development events and at board meetings.

***Good plans shape good decisions. That's why good planning helps to make elusive dreams come true. - Lester R. Bittel***

An effective Academy Board develops a **Strategic Plan** to ensure the Academy stays on a path toward fulfilling its mission and vision. The school leader or ESP manages day-to-day operations, but the Board establishes the Academy's direction in its long-range Strategic Plan. The process articulates the vision and mission into clear annual goals and objectives. Each goal includes outcomes data that can be measured and monitored for progress, and used to formulate school improvement strategies. By including representatives from all stakeholder groups, the process encourages consensus building and mutual ownership of the plan.

The strategic plan is typically developed during a Board retreat or workshop. The team should be small and manageable, but representative of the stakeholders. Include individuals with a variety of backgrounds, talents, personalities and thinking styles. The purpose of the process is to develop a four to five page document that can be understood by stakeholders; that includes the vision and mission statements, annual and long-term objectives, functional strategies, assigned individual responsibilities, and status toward meeting goals. A SWOT analysis (strengths, weaknesses, opportunities, threats) might be used. Goals should be SMART goals (specific, measureable,

attainable, realistic, time bound).

Steps in strategic planning include asking strategic questions, setting goals, and implementation strategy. Strategic questions might deal with whether the Academy is in line with founding statements. If not, should the Academy change or should the founding statements change? What external factors have an impact on the Academy? What are the strengths, weaknesses, opportunities and threats? Using vision and mission statements and the answers that are generated by asking strategic questions, the Strategic Planning Committee should create long-term goals. At a minimum, goals should include student achievement and growth; professional development for the Board, school leaders and professional staff; financial stability; facility development and improvement; enrollment management; and external and internal relationships. After setting goals, the Committee should focus on implementation strategies, noting how and by whom progress will be monitored.

Student achievement and growth goals are prescribed in the Revised School Code and the charter contract. The Academy Board has a role in shaping and defining these goals and in monitoring student growth and achievement while ensuring students meet the expectations outlined in the Educational Goals. Measures 1-3 of the Educational Goals are set by the authorizer and outline specific growth and achievement goals that must be met. Academies are able to set Academy Specific Goals under Measure 4.

The Board approves the curriculum and assures that it is aligned with the state approved curriculum. Students attending academies authorized by LSSU must comply with state, federal, and authorizer required assessments. See page 18 and 19 of Board Manual for a summary table of assessments. For Traditional Academies, the authorizer (LSSU) requires 2<sup>nd</sup>-8<sup>th</sup> graders to be assessed by either Northwest Evaluation Association's Measures of Academic Progress or Scantron's Performance Series by Global Scholars three times per year during the authorizer determined windows. Targets are based on NWEA's 2015 Norm Study. Cohort students (students attending an academy for 3+ consecutive years) are expected to meet the targets outlined in the norm study as well as outperform non-cohort students (students attending an academy for less than 3 consecutive years). NWEA student growth is measured by Student Conditional Growth Percentiles. Students are expected to be at the 50<sup>th</sup> Percentile or >. Additionally, the authorizer requires 8<sup>th</sup>, 9<sup>th</sup>, and 10<sup>th</sup> graders to be assessed by the Preliminary Scholastic Aptitude Test or PSAT.

The state requires 3<sup>rd</sup>-11<sup>th</sup> graders to be assessed by the state mandated assessment (currently M-STEP) in some or all (depending on grade level) of the subjects (English Language Arts, Math, Science, and Social Studies) in the spring of each academic year during state mandated testing windows. The Scholastic Aptitude Test or SAT is the state mandated college entrance exam and is administered to 11<sup>th</sup> graders and qualifying 12<sup>th</sup> graders. The SAT is part of the Michigan Merit Exam or MME which is the state mandated exam for 11<sup>th</sup> graders and qualifying 12<sup>th</sup> graders). The MME also includes a job skills assessment called WorkKeys as well as the Michigan developed Science and Social Studies M-STEP.

Academy progress in meeting their Educational Goals is reported annually in the Academic Performance Report which is LSSU CSO generated. Boards are held accountable by LSSU CSO to ensure students are meeting their goals. **YOU MUST BE FAMILIAR WITH YOUR EDUCATIONAL GOALS!** Boards have a responsibility to hold their school leaders and or Educational Management

Organizations (EMO's) accountable for student growth and achievement. It is important to be familiar with your Educational Goals so that you are able to ask questions regarding student progress.

Does your ESP or school leader provide the Board with easily understood data that explains how students are meeting goals? Do you frequently discuss student growth and achievement at meetings? Are you familiar with your annual Academic Performance Report provided by LSSU CSO?

The Revised School Code and the charter contract require the Academy to be **compliant with the contract and applicable law**. The Master Calendar of Reporting Requirements (MCRR) lists documents and reports that must be filed with the Charter Schools Office, which keeps track of the "compliance rate" or the percentage of required reports filed on a timely, complete and accurate basis. The Charter Schools Office contracts with a number of organizations to check on compliance issues and Supervisory Field Officers from the Charter Schools Office attend some board meetings, visit the academy and file reports. The Academy is required to include a number of documents on its website. The Board is responsible, ultimately, for compliance with the contract and applicable law. Board members should receive periodic reports from the school leader or ESP regarding compliance with applicable law and the contract.

**Financial oversight** is second only to student achievement in importance as a Board responsibility. Board members have a responsibility to ensure that school leaders or the ESP have competently and effectively managed the Academy's finances. As a Board member, do you know when spending does not line up with the adopted budget? Do you understand the financial reports? Do you require your school leaders to explain discrepancies and overspending of the budget?

Your responsibility is to ensure that budgets, budget amendments and quarterly financial reports are made with Board involvement on a timely basis. Do you receive the proposed budget far enough in advance of the scheduled budget hearing to permit you time to review it, understand it, frame meaningful questions, and negotiate changes? Do you compare the proposed budget with past budgets to understand income and expense trends? Do you ever ask the accountant or auditor for assistance in understanding the budget?

The Academy is required to have an independent certified public accountant audit the financial statements annually. Does the auditor explain the audit to the Board? Is the explanation understandable? Board member responses to expressed concerns in the audit and management letter are appropriate.

**Enrollment management** is part of the financial oversight responsibility. Is enrollment stable and near capacity? What is the Academy's attrition rate? What are the reasons for attrition? This issue may need to be addressed in the Board's strategic planning.

**Board of Directors Membership and Succession** is an issue for which the Academy Board should plan and establish policies. Candidates for the board should have varied experiences, skills and expertise. Diversity of perspective is important. The Academy Board should establish a policy and procedure for recruiting, interviewing and nominating replacement board members with attention to the needed skills and expertise, and the nominee's commitment to meeting responsibilities of a board member. Boards should also consider policies for handling conflict and working with board members who are no longer contributing or keeping their commitment to attend board meetings, contribute to decision making and participate in training and development. The Academy Board

may want to amend its bylaws to incorporate these ideas to provide for orderly transition of board membership including both nomination and removal processes.

The Academy Board should **make effective use of Committees** by setting expectations and policies for committee operations. Committees may be standing committees or temporary committees. The Academy Board approves the committee and the President appoints the members (consult the Academy bylaws). Committees that include board members must be certain to have fewer board members than the number that constitutes a quorum. The committee recommends to the Board; the Board makes decisions. Committee membership may include teachers and school leaders, parents, even students, depending on the purpose.

The full Academy Board can contribute to the success of its committee structure by following these simple guidelines:

- Define a clear purpose for the committee and **stay focused on the objective**. Committees should meet only when there is work to be done.
- Include committee reports in the board agenda packet.
- Evaluate the committee's performance.
- Dissolve committees when they are no longer needed.

The Board has a responsibility to evaluate itself and the school leader or ESP. In evaluating the school leader if he or she is a Board employee; or the ESP if the appointment, employment and evaluation of employees are contracted; the Board should focus on the effectiveness and efficiency in meeting Board goals developed in the strategic plan, in student achievement and growth; financial stability and sound fiscal stewardship; compliance with the contract and applicable law; and other operational issues such as external and internal relationships. In self-evaluation, the Board should evaluate its own effectiveness and efficiency in holding the school leaders or ESP accountable. The Board should also look at individual member participation in board business and in professional development.

The contract requires Board members to participate in board training and professional development. Applicants for Board membership agree to participate in professional development. An effective Board will demonstrate a strong commitment to continuous improvement by engaging in professional development. Training will increase the Board's capacity to accomplish its responsibilities, overcome challenges and work together effectively. Professional development can help Board members understand their curriculum, state and authorizer assessment requirements, student achievement, financial stewardship and compliance requirements. Board members must distinguish their role as a governing board from that of management, especially the tendency to micromanage; training can help them distinguish the difference. Training can also help Board members perform their responsibility to hold the ESP or school leader accountable for performance.

# SECTION 5 RELATIONSHIPS WITH THE SCHOOL LEADER, THE ESP, AND THE AUTHORIZER

One of the hardest lessons for the Board member to learn is that the job of the Board is to set policy and the job of the school leader or ESP is to manage the day-to-day operations of the school; to implement the policy.

## **Developing Sound Policy**

Written policies have two purposes: providing direction to the Board and to the staff in implementing the Board's goals; and meeting legal and contractual requirements. Written policies should be available to anyone who requests them. They should be available on the Academy's website and at the school office.

The Board is responsible for adopting policies. The school administration is responsible for creating procedures to implement those policies. Policy indicates what should be done; procedures indicate how it should be done. Four types of policies that the Academy Board should consider are

- Policies required by law
- Policies required by the contract
- Policies that give broader definition to the vision/mission
- Policies that communicate Board decisions

A policy will state a purpose or goal, express what the Board desires to achieve or wants to see happen, and provide a rationale and framework for specific requirements. Policies may also establish basic controls and assign general responsibility.

The benefits of written policies include

- They allow the Board to speak with one voice.
- They demonstrate that the Board and the Academy are running a business-like operation.
- They inform everyone of the Board's intent, goals and aspirations and help avoid ambiguity, confusion and trouble.
- They give credence to board actions.
- They establish a legal record.
- They give the public a means to evaluate board performance.
- They are impersonal and make whimsical administration difficult.
- They foster stability and continuity, helping to ensure smooth transitions with changes in Board membership and school leadership.
- They contribute to Board efficiency obviating the need for the Board to become involved with routine decisions.
- They clarify the roles and functions of the Board and the school leader.

Boards should adopt policies before the problem or emergency occurs. Borrow or purchase them from other schools and organizations.

The Board should consider adopting a calendar cycle for review and adoption of Board Policies and

assignment of responsibility to one person for this task. Lake Superior State University will provide and pay for the Update Service for Board Policies produced by the National Charter School Institute for those Academy Boards adopting this service.

### **The Role of the School Leader or the ESP**

Almost all LSSU authorized academies have contracted with an Educational Service Provider (ESP) to provide educational and operational services including the provision, supervision, training and evaluation of personnel. Under such circumstances, the Board should have input into the selection and evaluation of school personnel, including the school leader. The Academy Board should evaluate the ESP and hold it accountable for performance.

- Full service ESPs may provide the following services in addition to providing personnel: Monitoring teacher and administrator certification, background checks, and related credentialing
- Day-to-day operations of the Academy consistent with Board policy
- Implementation of Board policies
- Recommending purchase or lease of technology, materials, services
- Evaluation of the curriculum and educational programs
- Preparation and management of budget and financial reports
- Preparation of educational reports
- Administration of required assessments and reporting of student achievement and growth
- Acting as compliance officer and filing required documents with the State and Charter Schools Office
- Monitoring school safety
- Monitoring effectiveness of student instruction
- Implementing Board policy regarding student discipline
- Implementation of School Improvement and Technology Plans
- Communicating with, informing and advising the Board

The Board must avoid micromanagement and focus on governance. When Boards fail to do so, they impede school operations and lose their focus on the big picture. While the Board must hand over the day-to-day operations and management to the ESP/school leader, it must guard against overdependence on the ESP/leader. The Board retains its governance responsibility. It is the Board that is accountable to the authorizer, not the ESP or school leader. This is a difficult balance to maintain. Open communication with the ESP or school leader about their respective roles and recognition that sometimes the line between the two is blurred will be helpful.

### **The Role of the Authorizer**

The authorizer's role is oversight. The public often thinks that the authorizer is responsible for operating the Academy and for its performance. That is the Board's responsibility. Once the contract is issued, the authorizer's role includes the following:

- The appointment or reappointment of Academy Board members,
- Provision of professional development opportunities for Board members,  
Ensuring compliance with the contract and applicable law including
  - The Open Meetings Act,
  - Teacher and administrator certification,



- Health and safety regulations,
- Insurance coverage,
- The Revised School Code,
- Financial reporting, budgeting and audits, and
- Reporting and transparency requirements,
- Monitoring student achievement and growth,
- Attending Board meetings and visiting school buildings,
- Performing annual reviews in the areas of
  - Governance and compliance
  - Academics
  - Finance
- Renewal (Reauthorization reviews)
- Reviewing ESP Agreements,
- Reviewing requests for contract amendments and making recommendations to the LSSU Board of Trustees, and
- Instituting contract termination procedures when necessary.

The authorizer must try to avoid getting involved in either governance or operational issues and to restrict its activities to oversight of the contract and applicable law. Occasionally, it will overstep and invites a friendly reminder when this happens. While oversight is required by statute, Lake Superior State University also attempts to provide support consistent with the requirements of the contract.

# SECTION 6 UNDERSTANDING SCHOOL FINANCE

This section discusses five major areas and directs the reader to additional resources:

- Overview of Governance
- Fiduciary Duty - the responsibilities of each Board Member
- Governmental Accounting
- Basic Financial Statements
  - The Balance Sheet
  - Income Statement
  - Budget to Actual
- State Aid
- Reporting Requirements
- Resources

## **Overview of Governance**

Governance is the structure and process of decision making and implementation of the Public School Academy's Board of Directors. Proper governance is the responsibility, and legal obligation, of each Board member that is due to its authorizer, the State, the Federal Government and the public. It is essential that each Board member understand this legal obligation and ensure proper governing practices and accountability for the Board's actions. While the administration of the School is responsible for day-to-day operations and transactions, the ultimate responsibility rests with the Board. Ensuring that all applicable laws and regulations and Board policies and procedures are followed, and the administration or ESP performs in a manner consistent with the goals and objectives are responsibilities of the Academy Board. Lake Superior State University is the authorizer for the Academy and is responsible for oversight of the Board.

The formation of a Finance Committee is highly recommended. The Finance Committee is typically chaired by the Board Treasurer, with at least two other Board Members to provide comprehensive oversight for financial direction and financial reporting and present any specific financial issues to the Board.

## **Fiduciary Duty**

As a member of the Academy Board of Directors, you owe a fiduciary duty to the authorizer, the State, the Federal Government and the public to perform in the best interest of each. This means that each transaction must be conducted in a manner consistent with the mission of the Academy, and in compliance with all applicable laws and regulations, including Best Practices.

The National Charter School Center has some excellent resources on its website, including: [Toolkit: Governance Best Practices for Highly Effective Charter School Boards](#).

**Governmental Accounting** is the method of accounting that Public School Academies use. Governmental Accounting operates using Fund Accounting, which emphasizes accountability over profitability. Fund Accounting is a self-balancing mechanism that sets apart specific "Funds" for specific purposes; those fund types are Governmental, Proprietary and Fiduciary Funds.

The Governmental Fund Types are: the General Fund, Special Revenue Funds, Capital Project Funds, Debt Service Funds and Permanent Funds. The General Fund is the main operating fund of the school, and is the default for any activity that does not fall into one of the other Governmental Fund

types. Special Revenue Funds are used to account for specific sources of revenue and the associated expenditures, for example the Food Service Fund. Capital Project Funds are used to account for the acquisition or construction of assets to be held by the School. Debt Service Funds are used to account for any debt payments owed by the School, such as Bond or loan payments. Permanent Funds are used to record any assets whose principal is restricted, except earned interest that may be used.

The Proprietary Funds are used to account for any business type activities a school may have. There are two types of Proprietary Funds: Enterprise Funds and Internal Service Funds. Enterprise Funds are used to account for services which are performed on a fee basis, for example a Preschool that charges tuition. Internal Service Funds are used to account for services provided to other departments of the Academy on a cost reimbursement basis, for example, a Motor Pool.

The Fiduciary Funds are used to account for assets that are held by the Academy in a trustee or agency capacity; for instance, retirement funds or school social club funds like a PTO.

Governmental Accounting uses the current economic resources measurement focus which recognizes the inflows and outflows of resources in the current financial time period. The Governmental Financial Statements show the results of the Economic Resources Measurement Focus. Governmental Accounting also uses the Modified Accrual Basis, which recognizes revenues when they are both measureable and available. Expenditures are recognized as the liability is incurred. The Governmental wide statements display the results of Modified Accrual Basis.

### **Basic Financial Statements**

**The Balance Sheet** is the position of the Fund or Academy as of a specific date. There should be a separate Balance Sheet for each fund the School operates. The three components of the Balance Sheet are Assets, Liabilities and Fund Balance. The Balance Sheet can be expressed in the formula:  $Liabilities + Fund\ Balance = Assets$ , which means that the Liabilities and Fund Balance added together, must equal the Total Assets balance.

The Assets section is made up of current assets such as Cash and Equivalents, Accounts Receivable, Prepaid Expenses & any Due from Others. The Liabilities section is what is currently owed, such as Accounts Payable, Accrued Wages and any Due To Others. Long Term Assets and Liabilities (i.e. General Fixed Assets or Long Term Bonds) are shown on the Government Wide statements. Fund Balance is the operating result of Revenues and Expenditures from previous periods. Fund Balance can be segregated for specific purposes (i.e. Restricted, committed, etc.), and is generally not a form of liquid cash.

**The Income Statement**, aka Profit & loss, can be compiled for any specific time period, but generally is prepared quarterly or annually for each Fund of the School. This statement compiles all of the revenues and expenditures for the time period specified; the result is what is added to the Fund Balance, on the Balance Sheet at the beginning of the period.

**The Budget to Actual** is a report that depicts the Income Statement, (the "Actual" results for the period), compared to either the Original or Amended Budget for the Fiscal Year. The Uniform Budgeting and Accounting Act requires that the Academy Board adopt a budget at a public hearing prior to (on or before June 30) the start of the fiscal year for the General Fund and any Special Revenue Funds; **any variance from Actual above 1% is considered a violation of the Act.**

## **State Aid**

The primary source of Revenue for many Public Schools is State Aid, which was voted into law by constitutional amendment with Proposal A in 1994. The Act increased sales taxes, limited future assessment increases, and allowed different classes of property to be taxed at different rates for school operating purposes. State Aid funds are based on a dollar amount (foundation) per pupil for each student in the School District. Each School District undertakes student population counts in the fall (October) and again in the winter (February) each school year to determine student membership; these population counts are the basis for the amount of State Aid each School will receive.

The treasury pays State Aid in eleven installments from October thru August. The treasury does not pay in the month of September. Schools still operate and have expenses during the month of September, but, without State Aid some schools use short term financing, known as: State Aid Note, (through the Michigan Finance Authority or a third party lender) to cover the expenses for the month of September. Typically a State Aid Note is repaid with the State Aid installments (Oct – Aug) on a monthly basis.

State Aid Payments go directly to the authorizer—Lake Superior State University. LSSU charges 3% for an administration fee and reduces the State Aid payment by that amount and any State Aid Note payments if borrowed from Michigan Finance Authority and then remits the remainder to each School.

## **Reporting Requirements**

Public School Academies have many reporting requirements throughout the fiscal year to meet requirements set forth in the contract, Grant agreements and Federal or State statutes. As the authorizer for the Academy, LSSU requires the submission of specific financial statements for review on a quarterly basis. A Balance Sheet, Income Statement (year-to-date) and a Budget to Actual (year-to-date) are the financial statements that must be submitted quarterly.

Among the most important requirements are an annual Audit that must be performed by an independent Certified Public Accountant. More information about Financial Reporting can be found in the Michigan Public School Accounting Manual or at the MDE website.

## **Resources**

There are many resources available to Board Members for guidance, financial information or research:

- The Governmental Finance Officers Association (GFOA)
- The Center for Education Performance & Information (CEPI)
- The Michigan Department of Education
  - Website: [www.michigan.gov/mde](http://www.michigan.gov/mde)
  - The Michigan Public School Accounting Manual
- The Certified Public Accounting Firm who performs the Annual Audit The National Charter School Resource Center: [www.charterschoolcenter.org](http://www.charterschoolcenter.org) The LSSU Charter Schools Office

# SECTION 7 THE AGREEMENT WITH LAKE SUPERIOR STATE UNIVERSITY

The Legislature has empowered certain governmental bodies, including public universities such as Lake Superior State University, under the Revised School Code to grant contracts to applicants to operate as charter schools. The contract is issued by the Lake Superior State University Board of Trustees to the Board of Directors of the Academy. The Code prescribes a number of elements that must be included in the Contract including the following:

- The authorizing resolution of the Board of Trustees, which expresses the Board of Trustees decision to issue the contract to the Academy, states the length of the contract and provides for a mid-contract review.
- A resolution of the Board of Trustees defining the method of selection and appointment of Academy board members.
- The educational goals the Academy is to achieve and the methods by which it will be held accountable. The educational goals shall include demonstrated improved pupil academic achievement for all groups of pupils. Academies must comply with all authorizer and state required assessments outlined in the Educational Goals.
- A description of the methods to be used to monitor the Academy's compliance with applicable law and its performance in meeting its targeted educational objectives. The amendment process. Site changes and amendments to the articles of incorporation must be approved by the Board of Trustees; other amendments require approval by the University President.
- Grounds and procedures for revocation of the contract.
- A description of and address for the physical plant.
- Requirements and procedures for financial audits. Audits must be conducted at least annually by an independent certified public accountant in accordance with generally accepted governmental auditing principles.
- A description of the process and standards for renewal of the contract at the end of the term. **The standards must include increases in academic achievement for all groups of pupils as the most important factor in the decision.**
- Certification signed by an authorized member of the Academy board that the Academy will comply with the contract and applicable law.
- Requirements related to conflict of interest and familial relationships including a prohibition against family relationships between board members and the owners and employees of educational management organizations.
- Requirements that information must be made available to the public and the authorizer by the board and the educational management organization in the same manner as is required for school districts. Certain types of information are specifically enumerated.
- A requirement that the authorizer must review and may disapprove any agreement between the Academy board and the educational management organization before the agreement becomes final and valid. Disapproval may occur if the agreement is contrary to the contract or applicable law.
- The Academy board must demonstrate to the authorizer that its pupil admission and enrollment policy meet certain requirements regarding openness and fairness. A requirement that individuals must be prohibited from being employed or compensated for more than one full-time position.

## Academy Board of Directors

Under the Revised School Code, a charter school is organized as a non-profit corporation that is administered under the direction of a board of directors. Board members are public school officials. Failure on the part of the Board to correct a violation of applicable law may subject the charter school and/or Board members to fines and penalties; may result in the withholding of state school aid funds; or may result in the termination or revocation of the contract.

Academy Board members are nominated by the Academy Board, but are appointed by the University Board of Trustees. The Board of Trustees may appoint individuals who are not nominated by the Academy Board and may decide not to appoint individuals nominated by the Academy Board. Board members may be removed by the Academy Board (see your Academy bylaws) or the University Board. Although a process is not prescribed in the charter contract, Academy Boards should develop a process that leads to the nomination of individuals who will make meaningful contributions to the work of the Board.

The number of Board Members must be a minimum of five and a maximum of nine. The Academy Board can change the number of Board members within this range (check your bylaws), but the change in number of members should be documented through a Board resolution so that a question of the number of members constituting a quorum is easily answered. The length of a term is three years except when a member is appointed to fill an unexpired term due to resignation, removal, or death of a Board member. The other exception is when the Board is initially constituted, members are appointed for one, two and three year staggered terms so that not all board member terms expire in the same year.

Applicants for the Board of Directors must complete an application for membership. The Charter Schools Office will have a background check completed on the Board member applicants. Board members must be U.S. citizens and this will be verified by the Charter Schools Office. At least one Board member must be from the local community. A staff member from the Charter Schools Office will interview the applicant. The recommendation for appointment is made by the Charter Schools Office to the Board of Trustees. After appointment by the University Board, the prospective Board member takes and signs the Oath of Office. The Oath of Office is then sent to the Charter Schools Office. The appointment will designate an expiration date. Reappointment or appointment of a replacement Board member must be made by the expiration date or the ability of the Board to make decisions may be endangered.

Board members agree to participate in board training or professional development. Failure of a Board member to attend and participate in Board meetings or professional development could result in the removal or non-reappointment of a Board member.

On an annual basis, Board members complete a Conflict of Interest Questionnaire and return it to the Charter Schools Office.

Charter School Boards are ultimately accountable for management, performance and legal compliance. Boards are autonomous within the bounds of Michigan law and are public bodies. While the authorizer provides oversight, it is not responsible for the operations of the Academy; the Academy Board is. While operations may be carried out by school leaders who are Board employees, or by an educational management organization contracted by the Academy Board, responsibility for compliance with the contract and applicable law rests with the Academy Board.

## Educational Goals

Authorizing bodies are responsible for monitoring their academy's progress in meeting the Educational Goals specified in the contract. See Section 8 for Educational Goals. LSSU CSO provides an annual Academic Performance Report outlining the degree to which an academy met its Educational Goals. The contract does require, however, for an academy to submit reports of educational outcomes per the LSSU CSO's request. The University Board may consider such reports, assessments, and test results when making a decision to suspend, terminate, or not issue a new contract or revoke a contract. Boards are required to be knowledgeable of Educational Goals as well as discuss academic performance regularly at board meetings and ask pertinent questions to school leaders and EMO's.

## Monitoring Compliance

Authorizers are required to oversee the Academy's compliance with the contract and applicable law. The oversight function includes the following:

- The Academy is required to submit audited financial statements, including auditor's management letters and any exceptions noted by the auditors, to the University Charter Schools Office. The Academy is required to conduct an annual financial audit prepared and reviewed by an independent certified public accountant in accordance with generally accepted governmental auditing principles. The Academy Board is required to provide the CSO a copy of any responses to the auditor's management letter.
- The Academy provides the Charter Schools Office with a copy of the proposed annual budget and a budget hearing notice for the upcoming fiscal year; the Academy Board is responsible for establishing, approving and amending the annual budget in accordance with the Uniform Budgeting and Accounting Act, MCL 141.421 *et seq.*, and for providing all amendments and revisions to the Charter Schools Office following Academy Board approval. The Academy must also post its annual budget and other transparency information on its web site as provided by law.
- The Academy provides the Charter Schools Office minutes of all Academy Board meetings no later than ten (10) days after such meeting.
- The Academy is required to notify the Charter Schools Office of correspondence received from the Department of Education or State Board of Education that requires a written or formal response.
- The Academy must report to the Charter Schools Office and the University Counsel Office any litigation or formal proceedings alleging violation of applicable law or contractual agreement against the Academy, its officers, employees, agents, and/or contractors.
- The Academy must permit review of its records and inspection of its premises at any time by representatives of the University.
- The Academy files a number of required documents and reports by uploading them to Epicenter, formerly the Authorizer Oversight Information System (AOIS). Charter Schools Office staff members review and approve the required documentation and the compliance rate, based on submission and approval, is automatically calculated.
- Personnel files of the Academy are examined three times per year to insure that teachers and administrators are properly credentialed and that documentation is in place.
- The Academy must carry and maintain insurance coverage required by the University's

- self-insurance company (Michigan University Self Insurance Corporation or MUSIC). The Charter Schools Office reviews insurance coverage at least annually.
- The Academy is required to comply with all applicable law (state and federal). Supervisory field officers attend board meetings, visit sites and file reports with the Charter Schools Office.

## **Amending the Contract**

Amendments to the contract that change the location of the physical plant or add or delete additional sites require approval by the University Board of Trustees. Other amendments to the contract may be made with approval of the University President or Charter Schools Office designee. Changes in bylaws or articles of incorporation must be approved by the Charter Schools Office prior to adoption by the Academy Board.

The process for amending the contract begins with an Academy Board resolution requesting the amendment. The Charter Schools Office will provide any necessary forms and guidance for the amendment. If University Board action is required, the request must be made on a timely basis to allow placement of the amendment on the Board's agenda. After approval of the amendment, documentation is provided to the Michigan Department of Education. If an additional site is approved, a building code will be provided by the Michigan Department of Education.

Following required procedures for amending the contract to change the physical site or amending the articles of incorporation is very important. Filing amended articles of incorporation with the state without obtaining prior approval of the Charter Schools Office or violating the site restrictions in the contract are grounds for revocation of the contract.

## **Revocation of the Contract**

The decision of an authorizing body to issue, not issue or reconstitute a contract, or terminate or revoke a contract, is solely within the discretion of the authorizer and is final and not subject to review by a court or state agency. The authorizer is not liable for these actions to the academy, the pupils, the parents or guardians of the pupils, or to any other person.

A change in applicable law that the University determines impairs its rights and obligations under the contract or requires the University Board to make changes in the contract that are not in the best interest of the University may lead the University Board to terminate the contract at the end of the Academy's school fiscal year. A change in applicable law includes the issuance of an order by the Superintendent of Public Instruction placing the Academy under the supervision of the State School Reform/ Redesign Officer or the development of, or changes to, a redesign plan by the Academy.

If the Academy Board has lost its right to occupancy of the physical facilities described in the contract and cannot find another suitable physical facility, then the University Board may terminate the contract as of the last day the Academy has occupancy rights to its existing facility. Prior to termination, the University Board shall work with a school district or another public school, or with a combination of these entities, to facilitate a smooth transition for the affected pupils.

If the Academy is notified by the State that the Academy will be placed in the State School Reform/ Redesign School District, then the University Board may terminate this contract at the end of the current school year.



The contract may also be revoked if, pursuant to due process procedures set forth in the contract, one or more the following has occurred:

- Failure of the Academy to demonstrate improved pupil academic achievement for all groups of pupils or meet the educational goals set forth in the contract.
- Failure of the Academy to comply with all applicable law;
- Failure of the Academy to meet generally accepted public sector accounting principles or demonstrate sound fiscal stewardship;
- The Academy is insolvent, has been adjudged bankrupt, or has operated for one or more school fiscal year(s) with a Fund Balance Deficit;
- The Academy has insufficient enrollment to successfully operate the Academy, or the Academy has lost more than fifty percent (50%) of its student enrollment from the previous school year;
- The Academy defaults in any of the terms, conditions, promises or representations contained in or incorporated into the contract;
- The Academy files amendments to its Articles of Incorporation with the appropriate state agency without first obtaining University approval;
- The University discovers grossly negligent, fraudulent or criminal conduct by the Applicant, the Academy's directors, officers, employees or agents in relation to their performance under the contract;
- The Applicant, the Academy's directors, officers or employees have provided false or misleading information or documentation to the University Board in connection with the University Board's approval of the Application, the issuance of the contract, or the Academy's reporting requirements under the contract or applicable law;
- The Academy violates the site restrictions set forth in the contract or the Academy operates at a site or sites without the prior written authorization of the University Board; or
- The University Board, its trustees, officers, employees, agents or representatives are not included as third party beneficiaries under any Educational Management Agreement entered into by the Academy for purposes of indemnifying such parties.

### **Process and Standards for Renewal of the Contract**

The Charter Schools Office will conduct annual reviews and issue a report to the Academy Board. The Application for Renewal and Renewal Rubrics will be provided prior to the renewal process. The standards for the issuance of a new contract shall include increases in academic achievement for all groups of pupils as measured by assessments as the most important factor of whether to issue or not issue a new contract. The timeline for consideration of whether to issue a new contract, and the decision to consider reauthorization of a contract or to elect not to issue a new contract, is solely within the discretion of the University Board.

### **Agreements with the Management Company**

The Academy Board may enter into a Management Agreement with an Educational Service Provider (ESP) or an employee leasing company to contract out administrative services and educational functions, including employment of personnel. The proposed agreement, or amendments to the agreement, must be submitted to the Charter Schools Office for review prior to execution. The charter contract specifies language that must be included in the ESP Agreement. The Charter Schools Office may disapprove an ESP Agreement that is not in compliance with the charter contract or applicable law.

The Academy Board must ensure compliance with Incompatible Public Offices and Conflict of

Interest statutes. The following are prohibited conflicts of interest:

- An individual simultaneously serving as an Academy Board member and an owner, officer, director, employee or paid consultant of an Educational Service Provider or an employee leasing company that has an ESP agreement with the Academy;
- An individual simultaneously serving as an Academy Board member and an Academy employee.
- An individual simultaneously serving as an Academy Board member and an independent contractor to the Academy;
- An individual simultaneously serving as an Academy Board member and as a member of the governing board of another public school; and
- An individual simultaneously serving as an Academy Board member and a University employee, or paid consultant, as a representative of the University.

Prohibited familial relationships include the following. No Board member may be appointed or reappointed if his or her mother, mother-in-law, father, father-in-law, son, son-in-law, daughter, daughter-in-law, sister, sister-in-law, brother, brother-in-law, spouse or same sex partner

- is employed by the Academy;
- works or is assigned to the Academy; or
- has an ownership, officer, policymaking, managerial, administrative, non-clerical or other significant role with the ESP or employee leasing company.

The ESP agreement must include a provision that information concerning the operation and management of the Academy, specified in the charter contract, be made available to the Academy Board to enable the board to make the information available to the public and the University.

### **Admission Policy**

The Academy must comply with applicable law regarding admission policy and criteria. A reasonable effort to advertise enrollment efforts and an open enrollment period of at least two weeks including some evening and weekend hours are required. The Academy must not discriminate on the basis of academic or athletic ability or disability of a student. Preferences for siblings of currently enrolled and newly enrolled students and children of board and staff members may be allowed. Preferences may also be provided pursuant to a matriculation agreement approved in accordance with the amendment provisions of the contract. If the number of applicants exceeds the number of seats, a lottery process must be provided to determine who is allowed to enroll. The Academy may not charge tuition, but may impose fees and require payment for expenses where such payments are not prohibited by law.

### **University is the Fiscal Agent for the Academy**

The University Board is the fiscal agent for the Academy. The University Board receives state aid payments and transfers them to the Academy; it has no duty to monitor or approve the expenditure of the funds. With Academy Board approval, funds may be transmitted to a third party through an intercept agreement. The University retains 3 percent as an administrative fee as compensation for issuance of the contract and oversight of compliance with the contract and applicable law.

## SECTION 8 EDUCATIONAL GOALS

The Revised School Code requires the application for a charter contract, and the contract, to include Educational Goals (EG) and methods of pupil assessment to be used by the public school academy. Pursuant to the Terms and Conditions of this Contract, the Academy shall demonstrate measurable progress toward the educational goals identified below in the table in this schedule and in accordance with applicable law. The Academy shall pursue the educational goal of preparing students for success in college, work and life. The achievement or measurable progress toward meeting these goals may constitute grounds for the University Board to continue the Contract, suspend the Contract, or revoke the Contract.

Lake Superior University adopted NWEA's 2015 Norms as the benchmark for college and career readiness at the 50<sup>th</sup> percentile. Note that although the 2015 norms are based on the 50<sup>th</sup> percentile, to ensure college readiness, a student must fall within the 61<sup>st</sup>-78<sup>th</sup> percentile for math and between the 59-73<sup>rd</sup> for reading which would equate to a "22" on the ACT. Michigan adopted the SAT as their state college entrance exam in 2017-18 and replaced the ACT. The equivalency to an ACT score of "22" is a SAT score of "1110."

Upon request, the Academy Board shall provide the CSO with a written report, along with supporting data, assessing the Academy's progress toward achieving these goals. The Academy Board shall demonstrate improved pupil academic achievement for all groups of pupils. This report shall also include how the Academy is assessing student literacy and providing the special assistance necessary to help all students bring their reading skills to grade level. For students that fail to score satisfactorily on the Reading portion of the 4<sup>th</sup> or 7<sup>th</sup> grade MSTEP (or successor state assessment), this special assistance must also include a plan for helping these students bring their reading skills to grade level within 12 months.

It is expected that the academy will meet the state of Michigan's accreditation standards and any improvement targets required to be achieved pursuant to state and federal law. The Academy is also expected to remain off the Partnership, Comprehensive Support, and Targeted Support lists as published by the Michigan Department of Education. If the Academy already has school buildings identified on these lists, it is expected to make the progress necessary for them to no longer be identified.

For the most up to date version of Educational Goals please visit the LSSU CSO website:

<https://www.lssu.edu/charter-schools/academic-documents-and-resources/#toggle-id-2>

# SECTION 9 BOARD ASSESSMENT

A number of sources of information are available online and in print. *Charting a Clear Course: A Resource Guide for Building a Successful Partnership between Charter Schools and School Management Organizations*, produced by the National Alliance for Public Charter Schools, October 2005 ([www.publiccharters.org](http://www.publiccharters.org)) is a primary source for evaluation of ESPs. Material for Board self-evaluation is taken from a presentation, *Evaluating Board Performance: A Concrete Roadmap to Dramatically Improve Governance*, by Meetinghouse Solutions at the National Charter School Conference in June 2008 ([www.meetinghousesolutions.com](http://www.meetinghousesolutions.com)).

Throughout the previous eight sections of this manual, you learned about many of the challenges and responsibilities of Boardsmanship. That information included educational terms and laws, Board roles and responsibilities, the importance of good relationships among all parties involved in your academy, school finance details, the importance of meeting the Academy's educational goals for which the Board is ultimately responsible, and the need for each Board member to read and understand the charter contract between your Board and Lake Superior State University.

So, you might ask what is left? Well, one of the most important tasks of an effective Board is to examine how the Academy and you are doing, both collectively and individually. For example, does each Board member prepare for and attend meetings regularly? Is the Board sure that its ESP, if employed, is meeting its contractual agreement to the Board's satisfaction? Do all Board members receive and understand both financial and academic achievement information about the Academy? Are students making measurable progress towards meeting their educational goals? Does the Board have representation from a wide segment of the community, and from various walks of life? Does the Board approve and periodically review Board policies to assist with its governance responsibilities? These and many more questions are the subjects of this section. The answers to the questions you will see in later paragraphs will provide guidance regarding the competence of your Board collectively and its members individually. The challenge will then become one of; so now we know how we are doing, how can we build on that position? The answer to that question could very well spell the fate of the long-term success of your academy.

## **Evaluation of the Educational Service Provider (aka ESP, the management company, educational management organization or EMO) or School Leader**

The Academy Board of Directors is responsible for oversight and evaluation of a number of programs, projects and decisions, but none is more important than assessment of the Educational Service Provider, if one is used, or the School Leader(s) if the Academy is self-managed; and the assessment of the Academy Board itself, and its members.

One of the most important functions of the academy Board is to continue a vision, mission and core values for the Academy. But how will you know if the ESP is moving toward the accomplishment of those statements if you have no measurement tool to assist in that evaluative process. Do you have a rubric against which progress toward the achievement of the ideals expressed in the Board's foundational statements can be measured? If so, great! If not, perhaps such instruments should be created by the Board (perhaps in a facilitated retreat setting) including what will be accepted as evidence of suitable progress toward meeting these philosophical position statements. It has been said that, "What gets measured, gets done." Can you measure progress toward meeting the Board's vision, mission, or core values?

Academy Boards should include in their ESP Agreements requirements a provision that the ESP will meet the Student Learning Outcomes (educational goals) expressed in the Board's charter contract; and that the ESP will assist the Board in meeting its responsibility for compliance with the contract and applicable law while also meeting the reporting and transparency requirements of the authorizer. The Academy Board is responsible to the authorizer to meet these requirements; thus, it is helpful that the ESP Agreement sets forth the Board's expectations for the ESP. The Board must provide for oversight and evaluation of the ESP without micromanaging.

Evaluation is a continuous process rather than a sporadic event. The most important value of an ESP evaluation is that it enables the Board to serve its central purpose: to see that the school achieves what it should. By focusing on school performance, the Board can keep the evaluation process as objective as possible. A fair evaluation of the ESP is based on measurement of the progress made toward meeting criteria established by the Board prior to the evaluation.

Boards should seek to have the least complicated, simplest data that would convince a reasonable person that the performance on each criterion has been disclosed. The Board should get the information at whatever frequency the Board needs to be reasonably assured of acceptable performance. Monitoring is simply the comparison of real data with pre-established criteria set forth by the Board. If there are no pre-established criteria, monitoring cannot take place. Five simple steps for evaluation are

- Determine what is required for Board accountability
- Establish performance criteria
- Establish the method and frequency of monitoring
- Treat monitoring data as judgment rather than data
- View the school's performance as that of the ESP performance

The first step in negotiating the agreement with the ESP is to clarify the relationship between the Academy Board and its responsibility for oversight. Clear understanding of the Board's oversight responsibility, methods and procedures will smooth the relationship between the Academy Board and the management company. Holding the management company accountable also requires the Academy Board to provide the ESP with autonomy and authority. Required language in the ESP Agreement includes the following:

*"Compliance with Academy's Contract. The ESP agrees to perform its duties and responsibilities under this Agreement in a manner that is consistent with the Academy's obligations under the Academy's Contract issued by Lake Superior State University Board of Trustees. The provisions of the Academy's Contract shall supersede any competing or conflicting provisions contained in this Agreement."*

The Academy Board may wish to insert more specific language in the ESP Agreement regarding the accountability expectations of the Academy Board and the responsibility of the Academy Board to oversee the ESP's performance under the agreement. It is fair and appropriate to include specific performance measures and to spell out consequences for non-performance including termination of the ESP Agreement. It is also appropriate for the Academy Board to renegotiate terms with the management company and the authorizer as long as the discussions are supported by clear data. The student populations served and the incoming educational levels may dictate such a reassessment, especially for new academies.

The ESP Agreement may also specify the assessment instrument to be used for student

learning. These should include the assessments required by State law and by the charter contract. Alternatively, the ESP Agreement may rely on a general reference to the instruments required by the contract and applicable law. The ESP Agreement should also specify what role, if any, the following measures may play in evaluating the ESP’s performance:

- Student learning gains or growth over time. This is particularly helpful where students are entering below grade level.
- Achievement levels for students who have been continuously enrolled at the Academy for three or more years (an identified three year cohort), compared to those who have not. Has the Academy made a difference?
- Alternative measures of student learning. Examples might include the arts, second languages, character education, technology, service learning, and college credits earned. If student achievement in these areas is part of the Academy’s mission, methods of assessment of results should be specified and used.
- Other indicators of school performance. This might include variables such as safety, parent satisfaction, high school graduation rates, attendance, student discipline, parental involvement, adequacy of facilities, etc.

The ESP Agreement may also specify reporting requirements for the Academy Board. Frequency and form of reporting may be specified, as well as the Board’s use of external evaluation. The ESP will normally report on operational issues such as curriculum and program developments, activities of students and staff, professional development activities and financial reports. Reports on student achievement and growth are less frequent although the LSSU CSO encourages some type of student achievement report to be included on each regular Board meeting agenda. Reports should be made for all groups of students, i.e., gender, socio-economic status, race, special needs students, etc., not just average performance of the entire student population. Vitally important is the opportunity for board members to ask questions and understand the data provided. External evaluators may be desirable where board members lack the knowledge or understanding to monitor performance and make well-informed judgments.

The following table summarizes performance areas, methods and timelines found in a number of contracts. The letter in the first column represents a contract with a particular management company; the number represents the academy.

### Performance Oversight and Evaluation Provisions in ESP Contracts

Firm	Areas of Evaluation	Methods and Tools	Timeline
A 1	Parent/student satisfaction	A1 Written survey rating school as “Excellent,” “Good,” “Fair,” or “Poor”	Annual – first administered by the end of the school’s 2nd year (by a mutually agreed-upon third party if the board and firm are unable to agree upon the evaluation mechanism)

A 2	Educational program and its fulfillment of the "vision of the charter"	Ongoing external evaluation by mutually chosen evaluator (person or organization); at least 4 visits to school each year, after 2nd year of operation	Evaluator appointed by end of school's 2 <sup>nd</sup> year. Within 2 months, evaluator must submit an interim letter reporting on the school's educational program to the board and the firm. Evaluation continues each year, with annual reports. The letter and subsequent reports rate the school as "Excellent," "Good," "Fair," or "Poor," setting forth findings to support the rating
B 1	Educational performance and progress, in accordance with the criteria and assessments set forth in the charter application	Progress reports	Provided at each regular meeting of the charter school board
B 2	Same as B1	Progress reports	Provided to the board twice a year, and more frequently upon reasonable request
C	Parent satisfaction	Written survey administered by the board, rating the school as "Excellent," "Good," "Satisfactory," "Poor," or "Unacceptable"	Annual
D 1	Academic and educational standing of students	Progress reports	"Periodic" (undefined in contract)
D 2	Progress in attaining redefined student outcomes	Report	Annual
D 3	Same as D2	Visits by board to observe educational processes, review data, and confer with staff	Reasonable opportunity, as determined by mutual agreement
D 4	Same as D2	Independent evaluation(s)	Unspecified
E	Progress in meeting academic goals	Public report/assessment	Annual
F	Program effectiveness	Site visits; observations; interviews; questionnaires to parents, students, and staff	Unscheduled – as desired by board

Other topics that the Board might wish to assess with respect to its ESP include the following:

- Satisfactory progress in meeting the Board’s written strategic plan
- Degree of curriculum alignment with State and/or national requirements as evidenced by student achievement data and curriculum documents
- Establishment of a positive culture through a character education or other programs Counseling and/or dropout prevention services offered
- Instructional design and staff effectiveness in implementing that design Leadership in education innovation, design and programming
- Degree of progress toward the implementation of the Academy’s School Improvement and Technology Plans
- Provision of professional development based on a PD needs assessment, related to the Academy’s SIP or Technology Plan, or based on teacher evaluation data Types and effectiveness of family support services
- Types of program and/or services offered
- Special needs services provided for both gifted students and those needing additional support to achieve minimum proficiency standards
- Effectiveness of communication with all stakeholders
- Degree of input provided to the Board on budget development for the purpose of identifying Board priorities
- Overall fiscal stability and/or viability
- Other areas identified by the Board of Directors

If any of these topics are chosen as a part of the ESP evaluation process, a standard of measurement for each topic should be identified by the Board and shared with the ESP prior to completion of the evaluation instrument.

### **Board Self-Assessment**

The Charter Schools Office seeks responsible governance by the Academy Board and active regular participation by all Academy Board members at each Board meeting. In the contract renewal process, evidence should be provided that will show that the Academy Board is involved in strategic planning; managing school finances; reviewing student academic achievement and growth; and holding educational leaders, or the management company, accountable.

The Open Meetings Act must always be followed and Board members must not have conflicts of interest. The exemplary Board will be regularly involved in a meaningful way in establishing budgetary priorities and reviewing financial statements, audits and budgets. Board members will regularly review educational goals and academic performance of all groups of students. The Board will hold the school leader or ESP accountable for meeting educational and financial goals and compliance with the contract and applicable law. Regular meetings will be held. Complaints and organizational challenges will be handled effectively.

Individual board members will attend meetings, be prepared and participate in productive fashion. Board members will participate in professional development activities. Individual board members who are not contributing in a positive manner will be counseled. If the board member continues to be a non-contributor, the Board will consider non-reappointment or removal. The Board should consider methods of self-evaluation. The following two examples, one for the Board and one for individual board members, are offered for consideration.



**Is Your Charter School Board Effective?  
Take this quiz and see how you do!**

	YES	NO	Don't Know
<b>1. I know the key charter promises we have made to our authorizer and our community.</b>			
<b>2. I know how we measure these charter promises.</b>			
<b>3. We have a job description that details the roles and responsibilities of the full board.</b>			
<b>4. We have individual performance expectations for board members that are written down and hold each board member accountable to these.</b>			
<b>5. Our board consistently demonstrates a clear understanding of the difference between governance and management</b>			
<b>6. The leadership structure at our school allows our School Leader to take an active role in shaping effective governance.</b>			
<b>7. We have a strong partnership with our School Leader that is built on mutual trust and respect.</b>			
<b>8. We have an effective process for evaluating, communicating with and supporting our School Leader.</b>			
<b>9. Our board meetings are always well attended by board members.</b>			
<b>10. We have a system in place to deal with chronic non attending and underperforming board members.</b>			
<b>11. Our organization uses academic achievement data to make decisions and improve results.</b>			
<b>12. Our board has formal tools and measures in place to measure organizational performance.</b>			
<b>13. We have a succession plan for both board and school leadership.</b>			
<b>15. We review financials monthly and every board member has a firm grasp on the school's financial health.</b>			

<b>16. Our board spends most of its time setting the stage/creating the future rather than reacting and responding to immediate needs</b>			
<b>17. Our board conducts an annual performance appraisal of the full board and of individual trustees.</b>			
<b>18. Annually there is 100% board giving to the best of personal ability to the school's fundraising efforts.</b>			
<b>19. Each year the board establishes strategic board level goals that are specific and measurable.</b>			
<b>20. The majority of our board meeting time is focused on strategic issues rather than reporting on past events.</b>			

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Additional “quiz” questions that you might consider in assessing your Board’s effectiveness might include some of the following:

- At a minimum, the Board conducts an annual self-assessment
- The Board has established a process for Board member succession or replacement, and has an active pool of board candidates, and has used this process effectively
- The Board has adopted Board Policies where required by State or Federal law
- The Board rarely cancels a meeting because of lack of a quorum or business
- The Board receives, discusses and understands student achievement reports for each meeting
- The Board receives, discusses and understands financial reports and data for each meeting
- The Board has established a written process for evaluation of the ESP (or School Leader) Board members regularly participate in professional development
- The Board receives and discusses MCRR and transparency requirements
- The Board receives and discusses regular updates on progress toward meeting the School Improvement and Technology Plans
- The Board requests and receives a complete Board packet from its ESP or School Leader at least five days prior to each Board meeting
- The Board bids out audit and legal services at least every three years The Board has received only unqualified audits during its current contract period The Board monitors customer satisfaction at least annually
- The Board provides and maintains facilities appropriate to the programs and services it provides

## Individual Board Member Appraisal

### How effective are you as a Board member?

How does your performance compare to these typical expectations of members of the board? On a scale of 1-5 – with 5 being highest – please type the number that reflects how you rate your own performance compared to each expectation. Please comment where noted. Thank you.

Typical expectations of members of the Board	Your self-evaluation				
<b>1. Demonstrate belief in and actively advocate for the values, mission and vision of the school. Please give an example.</b>	5	4	3	2	1
<b>2. Work cooperatively with fellow board members to fulfill obligations of a director articulated in Board member job description and in these performance expectations. Please give an example.</b>	5	4	3	2	1
<b>3. Act in ways that contribute to the effective operation of the Board of Directors, including but not limited to: focus on what's good for the school not your personal opinion or agenda and support board decisions once made. Please give an example.</b>	5	4	3	2	1
<b>4. Prepare for and regularly attend and participate in board meetings.</b>	5	4	3	2	1
<b>5. Serve on a committee, prepare for and regularly attend and participate in committee meetings.</b>	5	4	3	2	1
<b>6. Participate in additional school activities.</b>	5	4	3	2	1
<b>7. Reach out to diverse constituencies and help identify and cultivate relationships to support the school as donors, volunteers and advocates. Please give an example.</b>	5	4	3	2	1
<b>8. Use your personal and professional contacts and expertise for the benefit of the school. Please give an example.</b>	5	4	3	2	1
<b>9. Inform the school's Board of any potential conflicts of interest that you may have, whether real or perceived, and abide by the decision of the Board related to this situation. Please give an example</b>	5	4	3	2	1

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Some of the foregoing expectations may not be appropriate for the Academy. It is important that

the Board determine how the self-evaluation will be conducted in accordance with the Academy's vision, mission, and core values and in conformity with the charter contract. Other expectations of Board members that you might consider adding would include the following:

- When necessary, ask the difficult questions of the ESP or School Leader to ensure that the Academy is meeting its educational and other goals.
- Insist that the Board adopt a written strategic plan focused on achievement of the Board's vision, mission and core values.
- Be familiar with Board policies and use those documents to provide guidance for Board decisions.
- Understand academic achievement data provided by the ESP and/or School Leader and ask for clarification of areas that are not understood.
- Understand financial reports provided by the ESP and/or School Leader and ask for clarification of areas that are not understood.
- Be a team player; don't act as an individual or speak for the Board of Directors; do not allow yourself to dominate board meetings; encourage other Board members to contribute.
- Be familiar with and follow all State and Federal laws that govern Michigan public education.
- Regularly participate in professional development activities that improve governance skills; keep up to date with developments in public education and legislative initiatives.
- Understand the difference between governance and management; do not attempt to micromanage.
- Ensure compliance with the charter contract and applicable law.
- Insist that Board decisions are aligned with the Academy's foundational documents.

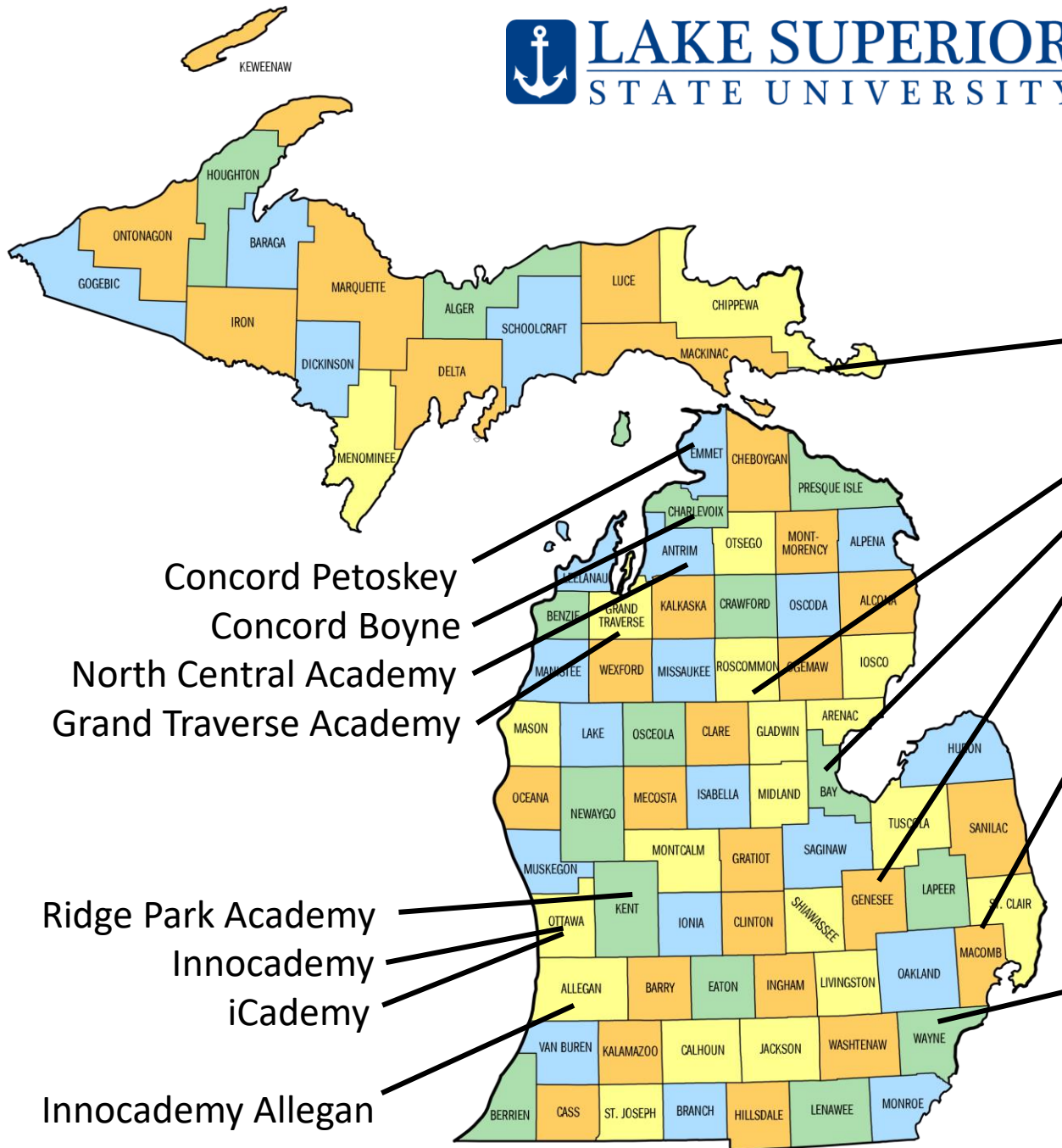
## **Concluding Remarks**

Lake Superior State University appreciates your service as a public school academy board member; however, you must remember that such service is not about you, personally, or even the board as a whole. The focus of such service must remain on the children served by your academy. Renewal of a charter by the authorizer is now dictated to a large extent by the extent to which your students succeed academically. Successful student achievement is your primary responsibility. That is an awesome, but extremely important, task! Thank you for your willingness to commit to that end.

So, there you have it, everything (almost) that you need to know to become an effective board member. While the challenges of boardsmanship might sometimes seem overwhelming, the rewards are exciting and fulfilling as well. Enjoy your time as a representative of the public clothed in enormous, but important, responsibilities.



# LAKE SUPERIOR STATE UNIVERSITY



Detour Arts & Technology

Charlton Heston Academy

Bay City Academy

WAY (Flint)

Maccomb Montessori

WAY (Detroit)

Detroit Service Learning

Regent Park Scholars

Momentum Academy

Advanced Technology

American International

Tipton Academy

Concord Petoskey

Concord Boyne

North Central Academy

Grand Traverse Academy

Ridge Park Academy

Innocademy

iCademy

Innocademy Allegan