Driving student success in New Mexico by supporting both excellent authorizing practices and charter schools that provide innovative, quality education.
A governing board exists to make sure, on behalf of the school’s owners, that all students learn and that nothing illegal, unethical or imprudent is allowed to exist in the school.
The owners of the school, whom you represent, are the taxpayers who have given you the privilege and money to run your school. Every board member is on the board to represent the interests of those taxpayers.

You have promised - in your charter contract - to do two things: educate all of your students and be fiscally accountable.
Aim High!

What is Operational Excellence?
HOW TO STRUCTURE YOUR MEETINGS IN ORDER TO FULFILL YOUR FIDUCIARY RESPONSIBILITIES AND COMPLY WITH THE LAW
Charter School Board Meetings

Your meetings are public forums in which your board of directors evaluates information and asks questions so that you may fulfill your purpose.

More of the important work of your school can be accomplished when you are evaluating the pertinent information and asking appropriate questions.
The First 30 Minutes

“HOW WELL ARE OUR STUDENTS DOING?”
In order to evaluate this, it is important that your board have some understanding of how well your students *should* be doing.

- What have you promised in your Charter Contract?
- What does your Performance Framework indicate?
- How are your students progressing and are all of your students progressing.
Example Questions to ask in the First 30 Minutes

- What percentage of students were reading at or above grade level when the school year began?
- What percentage of students are reading at grade level now?
- How does your performance on state assessments compare to other charter schools in the state?
- What percentage of our students are learning a language other than English?
- What percentage of our students are English Language Learners?
When the board asks “how well are our students doing?” your Head of School should be providing you with outcomes.

The Head of school should **NOT** answer the question by discussing what processes are in place.
Examples of Process Answers

- We’re implementing Saxon Math in grades 1st to 5th
- We’re augmenting our reading program
- We’re adding 300 books to our library
- We’re adding a test prep program
- We’re developing a mentoring program

These are all fine things to be reported to your board but they do not answer the question – “how well are our students doing?”
The Board should never lose focus on the student outcomes.
If you feel you have been given an answer that is process oriented, ask another question that directs the focus back onto outcomes. If the answer refers to a process describing an action taken in the past, redirect and ask what the outcomes of that process have been for the students. If the answer refers to a current process you can ask what outcomes the Head of School expects the students to have and then follow up on those expectations.
The Second 30 Minutes

“IS EVERYTHING OCCURRING APPROPRIATELY?”
The Second 30 Minutes

- Remember, one of the reasons for a governing board to exist is to make sure, on behalf of the school’s owners, that nothing illegal, unethical or imprudent is allowed to exist in the school.

- Illegal
- Unethical
- Imprudent

Christopher N. Ruszkowski
Secretary-Designate of Education
Ensuring that your school is not operationally inappropriate requires governing board level policies and procedures that have clear expectations and a monitoring process that is well defined and implemented consistently.
Evaluations to make in the Second 30 Minutes

- Spending is not exceeding the budget.
- Students are being enrolled lawfully.
- Enrollment is sufficient to operate in the black.
- Your school is not violating any part of your Charter.
- Accounting is done with the appropriate internal controls.
- Vendor selection is appropriate.
- The executive is not using tax payer money to pay for personal expenses.
During this time the board allocates time for public comment. This may be closely monitored by the board chair in order to maintain order, however, it is your duty to listen to the school’s stakeholders. This is also why your board should have policies in place describing how complaints will be addressed.

➢ You listen to public comment, but response to complaints should be put on the agenda for your next meeting.
“HOW IS THE BOARD PERFORMING AND DEVELOPING?”
The board president can ask the board members to read pertinent articles for group discussion.

Have as a regular agenda item: “What do we need to do to improve our governance?

Focus on mastering the concepts and principles that underlie good governance.
Example Questions to ask in the Third 30 Minutes

- When was the last time we reviewed the requirements of our Contract?
- When is our Charter up for renewal?
- Does our board have a development committee? If not, why not?
- Have we created on onboarding procedure/handbook? If not, why not?
- Do we understand the legal obligations of the Open Meetings Act? If not, why not?
- Are our meeting minutes a complete representation of the business we conduct? If not, why not?
WHY IS IT IMPORTANT TO KEEP A DETAILED AND ACCURATE REPORT OF OUR BOARD MEETINGS?
Boards don’t ask for financial statements and hope that they receive them. You direct the head of school to give them to you and if they are not forthcoming, you direct your board attorney to secure the required reports.

There’s no asking involved.

Governance is not about trust – it’s about accountability.
Duty of Care

• A requirement that you, as a governing council member, act toward others and the public with watchfulness, attention, caution and prudence that a reasonable person in the circumstances would. If a person's actions do not meet this standard of care, then the acts are considered negligent, and any damages resulting may be claimed in a lawsuit for negligence.
Devote Your Time

This will require commitment to sacrifice a significant portion of your time.

- The average Governing Body meets at least monthly for at least two hours a meeting. That is at least 24 hours of meeting time a year.
- Schedule time to prepare for your meetings.
- Include time needed to serve on additional committees or projects as well.
- Training hours, both mandatory and optional add a minimum of 8 hours annually (10 your first year).

Just like the students in your school, the more work you put in, the more you can achieve.
Open Meetings Act Summary

- All meetings of a quorum shall be open to the public.
- You may not make decisions, come to agreements, or vote outside of public meetings.
- Any person shall be permitted to attend a meeting.
- Meeting notices *must be posted 72 hours prior* to a meeting.
- Minutes must be taken of any meeting.
- Closed Meetings appropriate in limited circumstances:
  - *Discussions* of individual employee matters such as hiring / firing.
  - *Discussions* of individual students that may involve confidential information.
  - *Discussions* with attorney to obtain legal advice.
- Closed Meetings NOT appropriate:
  - Discussions of complaints made against the school.
  - Discussions of changes in staffing school wide.
Meeting Minutes Include:

- Date of the meeting
- Time the meeting was called to order
- Names of the meeting participants and absentees
- Corrections and amendments to previous meeting minutes
- Whether a quorum is present
- Motions taken or rejected
- Voting—that there was a motion, a second, and the outcome of the vote
- Actions taken or agreed to be taken
- Next steps
- Items to be held over
- New business
- Open discussion or public participation
- Next meeting date and time
- Time of adjournment

How you detail the discussions during a board meeting is as important as making sure to include all of the information in the bullets shown above. For each agenda item, write a short statement of each action taken by the board, along with a brief explanation of the rationale for their decision. If there are extensive arguments, write a succinct summary of the major arguments.

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Meeting Minutes are Official Records

• **Taking good meeting minutes at a board meeting is important.** Board meeting minutes are more than a general accounting of board discussions; they serve as an **official** and **legal** record of the meeting of the Board. Minutes are used in a variety of ways including:
  • Tracking progress
  • Detailing future plans
  • Serve as a reference point
  • Will be reviewed during authorizer site visits.
Meeting Minutes are Official Records

Your meeting minutes should reflect a record of:

✓ motions
✓ votes
✓ abstentions

There are four essential steps involved with recording meeting minutes:

✓ You’ll need to spend time planning before the meeting
✓ take notes during the meeting
✓ write a formal report after the meeting
✓ be responsible for filing and sharing the minutes of each meeting.

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A person who did not attend your meeting should be able to understand what occurred during the meeting by reading the meeting minutes.

New governing board members should be given at least the previous six months of board meeting minutes for review.

Your Authorizer should be able to understand clearly; who was in attendance, if a quorum was present, if the agenda was followed, if the OMA was followed, Who voted on what, etc.

If you are giving someone directions to your house, you don’t leave out information such as street names and your address.
Structure

• **Number of members:** (No Fewer Than 5!)
• **Length of terms:** (Determined by your by laws)
• **Required Officers:** (President, Vice-President, Secretary)
  *Note:* The actual title of each position is not important.

• **Committees**
  - **Required:**
    - Finance Committee
    - Audit Committee
  - **Other possible committees:**
    - Recruitment and nominating
    - Evaluation
    - Governing Body development
    - Executive

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There is way too much to do in the governance of your charter school to be bogged down by an unprepared board member. Make sure that the business of the school can run smoothly and effectively by providing new members with:

- Board Orientation
- Explain the limits of Board authority
- Policies which detail the role and conduct expected of individual members
- Policies for removal of board members who do not comply with your policies
- Policies clarifying appropriate boundaries for board members to observe when interacting with school staff and parents and vice versa.

The most proactive way of creating a highly functioning board is to have a development committee. A prescribed plan of how to recruit and evaluate new board members will be your best tool for ensuring success.

- Develop a list of skills and organizational values that will help you in the governance of your school.
- Assess prospective board members against your list.
If a board member turns in their resignation to your charter school board, the effective date of their resignation is the date noted on the letter. If the member has written in the body of the resignation that their resignation takes place as of a date stated then that is the date the resignation is effective.

**IT IS NOT CONTINGENT ON THE BOARD ACCEPTING IT!**
Sloppy Governance

1. *Dominated* by the founder of the school
2. *Dominated* by the management company
3. Violations of the duties of; care, loyalty, obedience & oversight
4. Lack of internal governing body cohesion
5. Well-intentioned people but lacking capacity
6. Excessive board member turnover
7. Behaving unprofessionally towards the school’s staff
8. Role confusion among parent-board members
9. Individual board members acting outside the scope of their authority

Charter School Board University

Christopher N. Ruszkowski
Secretary-Designate of Education
Child Advocate!

- You have agreed to serve on the governing board of a charter school and that makes you a child advocate!
- We all want the best for our children. Help them reach their fullest potential by ensuring a quality education.

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