

Charter Clarification Presentation



Governance Committee
June 26, 2008



Governance Motion

- Move to adopt the proposed amendments to the MCCPS Charter as detailed in the document titled Proposed Changes for Charter Application (Clarified), as of August 1, 2008 (attached), and to forward them to the Department of Elementary and Secondary Education for approval. The amendments to the Charter will become effective upon the approval of the Board of Education.

- Background and process
- Notable changes
- Two questions to be answered by the Board
- Governance recommendation



Why Change?

- Thirteen years since the original Charter Application was filed.
 - We have remained true to the intent of the original Charter Application, **BUT**
 - There have been many process and legal changes that make it necessary for us to refresh our original application.
- The changes documented here are designed to accomplish two main objectives:
 - To ALIGN the MCCPS Charter and governance structure with changes to state laws and regulations that govern Charter Schools; and
 - To CLARIFY how our organizational, management, and accountability approaches have evolved in line with legal and regulatory changes



Guidance from ESE

- As usual, we are in new territory with ESE
- ESE internal debate about what it means to update a Charter Application
 - One perspective: The original application is an ‘application’ and shouldn’t be changed
 - Another perspective: Real world changes make it necessary to address in application updates and renewals
 - ESE has not decided which way to go yet SO . . .
- “Clarify” – not amend, not update
 - Maintain “Original” language on need, founding coalition, evidence of support, etc.
 - “Clarify” language to reflect changes in governance, accountability, assessment, demographics, etc.S

- Committee has been working since Jan 08 on review of the charter
 - 12 open meetings, 150+ hours of work by the Committee
- Significant School Leadership Team involvement
 - Updated and refreshed nine sections
- Two working versions of document
 - Proposed Changes noting replace/new language/add/delete -- requested format by ESE
 - “Clean” updated version reflecting what the document will read if changes are approved
 - Easier to follow and read, but harder to know what has changed

It has been a marathon, not a sprint



Notable Changes

- Update of Mission Statement
 - Aligns with what we HAVE been using for several years, but that ESE has no record of approving
- Addition of “Faculty” in all updated sections where it previously said “Staff”
 - Now reads “Faculty and staff” to emphasize the role our professional teachers have



Notable Changes

- Updated educationally and operationally focused sections
 - Recruiting and Marketing (Sect 5)
 - Admissions Policy (Sect 6)
 - Educational Program (Sect 10)
 - Student Performance (Sect 11)
 - School Evaluation (Sect 12)
 - Human Resources Information (Sect 13)
 - Code of Conduct (Sect 16)
 - Special Needs Students (Sect 17)
 - Accountability (Sect 19)
- Updated more accurately reflect current practices and do not represent a change in approach or programs
- Addressed primarily by Nina and the School Leadership Team



Notable Changes

- Governance significantly updated to reflect updates to law, regulation and best practices
 - Eliminated Executive Committee
 - No longer called for in By Laws
 - Eliminated Academic Policy, Admissions, and Facilities & Equipment Committees
 - Not used nor appropriate roles for board
 - Can create a facilities or building committee or task force if needed when/if we purchase building
 - Eliminated ‘stakeholder’; spelled out specific constituencies where appropriate.
 - Definition was problematic
 - ‘Stakeholder’ had no voting or decision making responsibilities with Town Meeting eliminated
 - Eliminated Town Meeting style of decision making
 - Not permitted by ESE in current regulations
 - Eliminated reference to staff (beyond Chief Staff Person)
 - Not appropriate for Board to determine or hire staff



Notable Changes

- Governance significantly updated to reflect updates to law, regulation and best practices
 - Updated description of Board
 - Reflect that Board requires 1 teacher & 1 parent
 - Updated powers of the Board to align with regulations and By Laws
 - Identified officers and committees of the Board
 - Chair, Vice Chair, Treasurer, Clerk
 - Finance, Governance, Personnel, Community Relations
 - Updated description of Chief Staff Person
 - Chief Staff Person is the linkage between Governance and Management
 - Board relies on Chief Staff Person to provide leadership to implement vision
 - Included language about how Board stays responsive to the community
 - Acknowledges that Board is accountable to the State
 - Recognizes that the community is integral to the School and Board success, and needs to have venues to interact with the Board

- All or part of 7 sections are “Original” and cannot be edited
 - Original Statement of Need (Sect 3)
 - Profiles of Original Founding Coalition (Sect 7)
 - Original Timetable (Sect 8)
 - Original Evidence of Support (Sect 9)
 - Original Board of Trustees (part of Sect 14)
 - Original Building Option (Sect 15)
 - Original Proposed Funding for 1995 - 1996 (Sect 18)
- Considered “historical” by ESE and part of our original justification for the school.
- We have been specifically instructed not to make any changes to these sections.
- Ignore typos, grammar, and other errors here – they are part of the ‘artifact’ nature of the sections



Decision # 1 for the Board

Do we want a teaching “head of school”?

(Section 13)

A

or

B

Faculty and staff composition goals will be as follows:

- a teaching Chief Staff Person
- two core academic teachers per grade, with each grade consisting of two sections, each of those being as small as financially possible . . .

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- a Chief Staff Person
- two core academic teachers per grade, with each grade consisting of two sections, each of those being as small as financially possible . . .



Decision # 2 for the Board

Do we list all, none or some powers for board that are given in law? (Section 14)

- MGL Chap 71, Sec 89(j) give eight specific powers by law to Charter School Boards of Trustees
- Significant debate in regarding if it is necessary to repeat all, some, or none of these powers in the Charter.
- Committee split 2 -2 on these points
- Copies of 3 proposed versions of language provided
 - Including 'acquiring property', including none, including some



Decision # 2 for the Board

Do we list all, none or some powers for board that are given in law? (Section 14)

- Perspective 1: Include ONLY the power that permits Boards to acquire property
 - It is important that we have the ability to secure a location for the school, by purchase, lease, or other means
 - The state could change the law, removing power to acquire property, but by having it in the Charter, we will reserve the right
- Perspective 2: No need to include any of these powers, but if you include SOME, you should include them ALL
 - They are already provided for in the law, which Charter is subordinate to
 - Including some, but not all, could be interpreted that you are NOT taking the powers that you do not adopt in the Charter

Crossing the Finish Line!





Your Summer Reading List

- November '95 version of Charter application
- “Marked Up” version for submitting to ESE (Delete/Add)
- “Clean” new version (as it will read presuming all changes approved)
- Appendices
- This presentation

- **VOTE:** “The Charter or these By-Laws may be amended at a regular or special meeting by a two-thirds (2/3) vote of all Trustees then in office. . . .” (By Laws, Article X)
 - Requires 8 “Yes” votes if Matt is approved by our final vote
 - Requires 7 “Yes” votes otherwise
- **TIMING:** Must be AT the ESE No later than 5 PM on August 1
 - By Laws requires 15 days review period – Earliest we can vote is July 11. Adherence to By Laws can not be waived
 - Board Policy is 30 day review period for Charter, By Law, and Policy changes – Unless we waive policy, July 26 earliest we can vote.



Governance Recommendation

- **Approval of changes proposed by the Committee**
- **Governance Committee Q&A session week of July 14 – July 18**
 - Provides time to read and absorb materials
 - Attendance is optional BUT this is your opportunity to ask questions
- **Meeting to vote final approval the week of July 28 - July 31**
 - Questions should have been addressed by this point
- **Governance Committee to hand deliver changes to ESE on August 1**