

**Charter School Governance, Accountability & Authority Task Force
"Next Steps" Working Group Report
November 2, 2011**

While the working group met twice, it is important to note that a number of members were not present at the October 26, 2011 meeting, so as with all of our working group reports, the recommendations below are in DRAFT form and are being presented for discussion purposes at the task force meeting.

Area of Discussion	Level of Follow Through for Task Force/Next Steps
BIN ITEMS	
Collective Bargaining	-Would like a separate meeting w/labor chairs, labor, DOE and ATG. Discuss issues of autonomy as it relates to school personnel management.
Configuration and Appointment Process of CSR	<p>Proposed Statutory Changes:</p> <p><u>"§302B-A State public charter school commission; establishment; appointment. (a) There is established the state public charter school commission with statewide chartering jurisdiction and authority. The commission shall be placed within the department of education for administrative purposes only. Notwithstanding section 302B-9 and any law to the contrary, the commission shall be subject to chapter 92.</u></p> <p style="padding-left: 40px;"><u>(b) The mission of the commission shall be to authorize high-quality charter public charter schools throughout the State.</u></p> <p style="padding-left: 40px;"><u>(c) The commission shall consist of nine members to be appointed by the board of education. The board shall appoint members who will be tasked with authorizing public charter schools that serve the unique and diverse needs of public school students. The board shall consider the combination of abilities, breadth of experiences,</u></p>

and characteristics of the commission, including but not limited to reflecting the diversity of the student population, geographical representation, and a broad representation of education-related stakeholders.

(d) Understanding that the role of the commission is to ensure a long-term strategic vision for Hawaii's public charter schools, each nominee to the commission shall meet the following minimum qualifications:

(1) Record of integrity, civic virtue, and high ethical standards. Each nominee shall demonstrate integrity, civic virtue, and high ethical standards and be willing to hold fellow commission members to the same;

(2) Availability for constructive engagement. Each nominee shall commit to being a conscientious and attentive commission member;

(3) Knowledge of best practices. Each nominee shall have an understanding of best practices in charter school educational governance or shall be willing to be trained in such; and

(4) Commitment to education. Each nominee's record should demonstrate a deep and abiding interest in education, and a dedication to the social, academic, and character development of young people through the administration of a high

performing charter school system.

(e) Each nominee to the commission shall ideally meet the following recommended qualifications:

(1) Experience governing complex organizations. Each nominee should possess experience with complex organizations, including but not limited to performance contract management, and a proven ability to function productively within them; and

(2) Collaborative leadership ability. Each nominee should have substantial leadership experience that ideally illustrates the nominee's ability to function among diverse colleagues as an effective team member, with the ability to articulate, understand, and help shape consensus surrounding board policies.

(f) Five members of the commission shall constitute a quorum to conduct business and a concurrence of at least five members shall be necessary to make any action of the commission valid.

(g) Commission members shall serve not more than three consecutive three-year terms, with each term beginning on July 1; provided that the initial terms that commence after June 30, 2012 shall be staggered as follows:

(1) Three members to serve three-year terms;

(2) Three members to serve two-year terms;

(3) Three members to serve one-year terms.

(h) Commission members shall receive no compensation. When commission duties require that a commission member take leave of the members duties as a state employee, the appropriate state department shall allow the commission member to be placed on administrative leave with pay and shall provide substitutes, when necessary, to provide that member's duties. Members shall be reimbursed for necessary travel expenses incurred in the conduct of official commission business.

(i) The commission shall establish operating procedures that shall include conflict of interest procedures for any member whose school of employment or governing board is before the commission.

(j) The commission shall operate with dedicated resources and staff qualified to execute the day-to-day responsibilities of the commission pursuant to this chapter."

Session law language:

"Notwithstanding any law to the contrary, the members of the charter school review panel serving on the day of the effective date of this Act shall serve on the state public charter school commission until the appointment of no fewer than five members to the state public charter school commission pursuant to this Act, at which time all members of the charter school review panel shall discharged from and the members of the state public charter school commission shall begin their service; provided that any vacancy in charter school review panel occurring between the effective date of this Act and the discharge from

	<p>office of all charter school review panel members shall remain vacant until appointed to the state public charter school commission by the board of education pursuant to this Act. "</p>
<p>Configuration and Appointment Process of LSB; Overall Function of LSB</p>	<p>-Ideally, would like to recommend specific changes to the composition of the governing board. Will circulate guidelines used for BOE appointment process. <i>Come back to next meeting with ideas/research. Should we allow vs. require; or create ex-officio status for employees?</i></p> <p>-NACSA</p>
<p>Transition Plans (for schools, CSR/CSAO, DOE)</p>	<p>-ATG Opinion (regarding contract language; phase in)</p> <p>-Follow Up Committee: members strongly vested in accountability (includes School Directors; LSB members; authorizers). Look at converting to a contract; changes in practice; establishment of CSLO. Deal with transitional issues that result from legislative action (ie. CSR & LSB composition) & those transitions can take place now (ie. Performance contract).</p> <p>-Follow Up Committee will be administratively attached to CSR.</p> <p>-Reauthorizations: Recommend that the task force adopt NACSA recommendations to push back reauthorization for a year until performance contracts in place.</p> <p>-Authorizations: Recommend that December 2011 applicants are well aware that the DIP is their charter application and that at the end of the process should they be authorized, there will be an official performance contract between CSR and their LSB.</p>
<p>Model Law & Statutory Definitions</p>	<p>(REPLACE LSB DEFINITION)</p> <p>A "governing board" means the independent board of a public charter school that is party to</p>

	<p>the charter contract with the authorizer that:</p> <p>(1) Is responsible for the financial, organizational and academic viability of the charter school and implementation of the charter;</p> <p>(2) Possesses the independent authority to determine the organization and management of the school, the curriculum, virtual education; and</p> <p>(3) Ensure compliance with applicable federal and state laws; and</p> <p>(4) Has the power to negotiate supplemental collective bargaining agreements with exclusive representatives of their employees.</p>
Other State or County Agencies as Authorizers	-Would be allowed through model law language.
Chapter 92 as it relates to Governing Boards	-Discuss at Task Force Mtg on November 2 nd .
Funding (including transportation)	-Seek a facilitated meeting between legislative money chairs/legislative staff and charter school community.
Facilities Funding	-Seek a facilitated meeting between legislative money chairs/legislative staff, DOE, B&F and charter school community.
Multiple Authorizers (NACSA)	<p>-Put in statute the possibility; benchmarks for rule making; evaluation of existing process with current authorizer.</p> <p>-Include in annual reporting requirements for the BOE their status on rules adoptions for multiple authorizers.</p>
<p>REQUIRED REPORTING:</p> <p>-Data Reporting Uniformity (David Wu)</p> <p>-Separate Financial System</p> <p>-Personnel data</p>	<p><i>Issue: Need to develop and implement a Uniform Education Reporting System, which shall include standards and procedures for collecting fiscal, student, and personnel information.</i></p> <p>"The State BOE shall establish a Uniform</p>

	<p>Education Reporting System that shall include requirements for reporting fiscal, personnel, and student data, by means of electronic transfer of data files from charter schools to the Department. All charter schools shall comply with the requirements of the Uniform Education Reporting System by the beginning of the 2012-13 school year."</p> <p>Recommendation: Request that HCSN facilitate communications with the Department (David Wu) to address this issue and identify what changes need to take place in both practice and policy.</p> <p>Key Stakeholders to be included in communications: David Wu, Business Managers/Fiscal Administrators, Executive Directors</p>
--	--

TASK FORCE ISSUES

<p>Definition of Consultation for use in appointment of Director position; when dealing with SEA/LEA grant applications & proposals</p>	
<p>Reconcile Changes with Overall Existing 302B</p>	
<p>Evaluation of Existing CSAO functions; assignment to other entities under new structure?</p>	
<p>Other NACSA Recommendations: ie, tighten application process.</p>	