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CHARTER SCHOOL GOVERNANCE TRAINING

AGENDA

1. Board governance generally
 - a. Board responsibilities
 - b. Organizational documents
 - c. Policy
 - d. Meetings and minutes
2. Financial responsibilities
3. Open government laws
 - a. Sunshine law
 - b. Public records law
4. Conflicts of interest and ethics



ASSESSMENT

**Section One
Board Governance Generally**

1. The mission of your school is:

- 2. The board’s primary role is to run the day to day operations of the school. True False
- 3. Individual board members have the authority to supervise the principal. True False
- 4. The school principal is responsible for hiring an auditor for the school’s annual audit. True False
- 5. Board members should address employee and parent grievances through a procedure adopted by the board. True False
- 6. The Florida charter school law is the only state statute applicable to charter schools. True False
- 7. In carrying out his or her duties, a board member may rely on information, opinions, reports or statements prepared by persons who are not on the board. True False

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**Section Two
Financial Responsibilities**

1. What is FEFP funding and what does FTE stand for?

2. When/how is FTE calculated?

3. What is Charter Schools Capital Outlay funding and how does a school qualify for it?

4. What is the school’s fiscal year? _____

5. What financial reporting is required by state law?

6. What financial reporting is required by your charter contract?

7. How is the school's revenue determined?

8. When is the school's annual independent audit due?



Section Three
Open Government Laws

Answer yes or no as to whether each situation is a violation of Florida's Sunshine Law:

- | | | |
|--|-----|----|
| 1. The board meets in closed session to discuss a confidential and highly sensitive personnel matter involving the school principal. | Yes | No |
| 2. Two board members each have children in the same class at the school. One board member calls the other and has a discussion about a class project. | Yes | No |
| 3. A board posts notice of its meeting that includes the date and location but fails to include an agenda for the meeting. | Yes | No |
| 4. A member of the public tape records a board meeting without notifying the board members that he or she is doing so. | Yes | No |
| 5. Two board members meet to discuss the appointment of a future board member. | Yes | No |
| 6. Board members meet in an informal workshop to discuss potential school policies without providing public notice. | Yes | No |
| 7. A draft transportation contract is circulated to the board members and each board member is asked to provide comments at the bottom of the agreement. | Yes | No |
| 8. A committee of the board meets privately to interview candidates for the vacant school principal position. | Yes | No |

Answer yes or no as to whether each situation is a violation of Florida's Public Records Law:

- | | | |
|---|-----|----|
| 1. The board secretary tape records the meetings and uses the tapes to draft minutes. After the minutes have been finalized and approved by the board she records over the meeting at the next meeting. | Yes | No |
| 2. A school requires a person requesting a document under the Public Records Law to demonstrate a legitimate interest before the document is disclosed. | Yes | No |

3. A school refuses to respond to a public records request on the basis that the request is overbroad.	Yes	No
4. A school requires requesters to put their public records requests in writing.	Yes	No
5. A school refuses to disclose a public record on the basis that the document is at the home of a board member.	Yes	No
6. A school adopts a policy which provides that all persons making public records requests must wait at least two business days before the school responds.	Yes	No
7. A school routinely keeps public records in accordance with a retention schedule developed by the school's board of directors.	Yes	No



Section Four
Conflicts of Interest and Ethics

Answer yes or no as to whether each situation is permissible:

1. A board member runs a transportation company. He offers to supply school buses at his cost. May the school enter into an agreement with the transportation company?	Yes	No
2. A board member runs a transportation company. He offers to supply school buses at a rate comparable to others in the area. His ownership is fully disclosed, he leaves the meeting during discussion/deliberation and abstains from voting. May the school enter into an agreement with the transportation company?	Yes	No
3. A board member's daughter-in-law has applied to the school for a teaching position. May the principal hire her?	Yes	No
4. That same board member (whose relative works at the school) is asked to vote on giving every employee in the school a \$100 holiday bonus, and the board member participates in the vote.	Yes	No
5. A teacher serves on the school's board of directors.	Yes	No
6. A board member uses the school's sales tax exemption to purchase goods.	Yes	No
7. A board member asks a school teacher to tutor his son after school hours without compensation.	Yes	No
8. Can a board member request an advisory opinion when she has a question about whether there might be a conflict of interest between her public duties and what she wants to do privately?	Yes	No



HANDOUT 1 -SAMPLE BOARD OPERATIONS CALENDAR

<i>Board Activity</i>	<i>Date</i>
Fiscal year begins	July 1 st
Ensure new board members complete background checks and governance training	July
Approve employee agreements and vendor agreements for coming school year	July-August
Submit capital outlay plan to school district	August
Ensure employment history checks of personnel has been conducted (see Sec. 1002.33 (12)(g))	August
Develop fundraising plan	August-September
Review and approve annual independent audit	September
Review finances in light of October FTE survey	November
Review and approve annual accountability report	December
Approve out-of-field teachers, if applicable	January
Issue RFP for auditor, if necessary	February
Review finances in light of February FTE survey	March
Recruit new board members	April-May
Develop budget for next fiscal year	April-May
Conduct board self-evaluation	May
Review by-laws and board policies (including policy establishing ethical conduct for instructional personnel and school administrators – see Sec. 1002.33(12)(g))	May
Evaluate chief executive officer	June
Hold annual meeting/election of directors and officers	June
Ensure auditor has been retained for independent annual audit	June
Finalize and approve annual budget	June
Review student achievement, including FCAT and year-end assessments for kindergarten, grades 1 and 2	June
Ensure all insurance policies required by charter are current	June-July
Fiscal year ends	June 30 th



HANDOUT 2

BYLAWS WORKSHEET

Assess your school's bylaws by noting the section of each topic below. If your bylaws do not contain this section, mark "N" for needed or "N/A" for not applicable.

- Section _____ How and when are notices for board meetings made
- Section _____ How are vacant board seats filled
- Section _____ How/why may a board member be removed
- Section _____ How are conflicts of interest handled
- Section _____ What is the definition of a quorum
- Section _____ How many board members are required
- Section _____ What are the job descriptions for officers
- Section _____ What are the types of board committees and how do they operate
- Section _____ What is the corporation's fiscal year
- Section _____ How may the bylaws be amended
- Section _____ What is the purpose of the corporation
- Section _____ What happens if the corporation is dissolved
- Section _____ When is the annual meeting held



HANDOUT 3

SUGGESTIONS FOR CHARTER SCHOOL POLICIES

1. Governance
 - a. Conflicts of interest
 - b. Authority and responsibilities of board members (board member agreement)
 - c. Meetings generally, including rules for public participation
 - d. Policy adoption

2. Fiscal Management
 - a. Check signing authority
 - b. Execution of contracts
 - c. Annual budget
 - d. Fundraising
 - e. Internal funds account(s)

3. Operations
 - a. Public records policy
 - b. Visitor identification
 - c. Volunteers
 - d. Records retention

4. Employment/Personnel
 - a. Generally covered by Employee Handbook

5. Students
 - a. Generally covered by Student Handbook

6. School-Community Relations
 - a. Media inquiries
 - b. Parent organization
 - c. Use of facilities



HANDOUT 4

DISCUSSION FOR POLICY DEVELOPMENT

1. What topics do the present school policies address?
2. Does the school have financial policies? Do they provide for enough checks and balances?
3. What policy topics should we develop?
 - a. Short-term and long-term needs (are there any immediate problems the school should address?)
 - b. What is the intent of the policy?
 - c. What are some of the problems with this policy?
4. Who should be in charge of proposing new policies to the board?
5. Who should be included in the policy development?
6. What is the time frame to complete the school's policy development?



HANDOUT 5

**ABC CHARTER SCHOOL
MEETING OF THE BOARD OF DIRECTORS
SEPTEMBER 10, 2014
7:00 P.M.**

AGENDA

1. Roll Call
2. Review of Public Notice
3. Approval of Minutes
4. Public Comment on Agenda Items
5. Reports and Discussion
 - (a) Principal's Report
 - (b) Treasurer's Report
 - (c) Committee Reports
6. Action Items
 - (a) Contract with bus company
 - (b) New school uniforms
 - (c) Consideration of public records policy
 - (d) Termination of school principal
7. Board Member Matters
8. Public Comment on Non-Agenda Items
9. Adjournment

HANDOUT 6 - Revenue Estimate Worksheet for ABC Charter School

Based on the 2018-19 FEFP First Calculation

School District: **Palm Beach**

1. 2018-19 FEFP State and Local Funding

Base Student Allocation \$4,204.42 District Cost Differential 1.0430

Program	Number of FTE	Program Cost Factor	Weighted FTE (2) x (3)	2018-19
				Base Funding (WFTE x BSA x DCD)
(1)	(2)	(3)	(4)	(5)
101 Basic K-3		1.108	0.0000	\$ -
111 Basic K-3 with ESE Services		1.108	0.0000	\$ -
102 Basic 4-8		1.000	0.0000	\$ -
112 Basic 4-8 with ESE Services		1.000	0.0000	\$ -
103 Basic 9-12	75.00	1.000	75.0000	\$ 328,891
113 Basic 9-12 with ESE Services	20.00	1.000	20.0000	\$ 87,704
254 ESE Level 4 (Grade Level PK-3)		3.619	0.0000	\$ -
254 ESE Level 4 (Grade Level 4-8)		3.619	0.0000	\$ -
254 ESE Level 4 (Grade Level 9-12)	5.00	3.619	18.0950	\$ 79,350
255 ESE Level 5 (Grade Level PK-3)		5.642	0.0000	\$ -
255 ESE Level 5 (Grade Level 4-8)		5.642	0.0000	\$ -
255 ESE Level 5 (Grade Level 9-12)		5.642	0.0000	\$ -
130 ESOL (Grade Level PK-3)		1.185	0.0000	\$ -
130 ESOL (Grade Level 4-8)		1.185	0.0000	\$ -
130 ESOL (Grade Level 9-12)		1.185	0.0000	\$ -
300 Career Education (Grades 9-12)		1.000	0.0000	\$ -
Totals	100.00		113.0950	\$ 495,945

Letters in Parentheses Refer to Notes at Bottom of Worksheet:

Additional FTE (a)	Number of FTE	2018-19
Advanced Placement		\$ -
International Baccalaureate		\$ -
Advanced International Certificate		\$ -
Industry Certified Career Education		\$ -
Early High School Graduation		\$ -
Small District ESE Supplement		\$ -
Total Additional FTE	0.0000	Additional Base Funds \$ -
Total Funded Weighted FTE	113.0950	Total Base Funding \$ 495,945

Charter schools should contact their school district sponsor regarding eligible FTE. Please note that "Number of FTE" is NOT equivalent to number of students enrolled in these courses or programs. Please refer to footnote (a) below.

2. ESE Guaranteed Allocation:	FTE	Grade Level	Matrix Level	Guarantee Per Student	
				Level	Student
Additional Funding from the ESE		PK-3	251	\$ 1,047	\$ -
Guaranteed Allocation. Enter the FTE from 111,112 and 113 by grade and matrix level. Students who do not have a matrix level should be considered 251. This total should equal all FTE from programs 111, 112 and 113 above.		PK-3	252	\$ 3,380	\$ -
		PK-3	253	\$ 6,896	\$ -
		4-8	251	\$ 1,173	\$ -
		4-8	252	\$ 3,506	\$ -
		4-8	253	\$ 7,023	\$ -
	20.00	9-12	251	\$ 835	\$ 16,700
		9-12	252	\$ 3,168	\$ -
		9-12	253	\$ 6,685	\$ -
Total FTE with ESE Services	20.00			Total ESE Guarantee	\$ 16,700

3A. Divide school's Unweighted FTE (UFTE) total computed in Section 1, cell C27 above by the district's total UFTE to obtain school's UFTE share. Charter School UFTE: 100.00 ÷ District's Total UFTE: 192,600.01
= **0.0519%**

3B. Divide school's Weighted FTE (WFTE) total computed in Section 1, cell E37 above by the district's total WFTE to obtain school's WFTE share. Charter School WFTE: 113.10 ÷ District's Total WFTE: 213,832.92
= **0.0529%**

4. Supplemental Academic Instruction (UFTE share)	(b)	<u>43,274,320</u>	x	0.0519%	\$	<u>22,459</u>
5. Discretionary Millage Compression Allocation .748 Mills (UFTE share)	(b)	<u>0</u>	x	0.0519%	\$	<u>-</u>
6. Digital Classrooms Allocation (UFTE share)	(b)(d)	<u>2,905,629</u>	x	0.0519%	\$	<u>1,508</u>
7. Safe Schools Allocation (UFTE share)	(b)	<u>10,384,575</u>	x	0.0519%	\$	<u>5,390</u>
8. Instructional Materials Allocation (UFTE share)	(b)	<u>15,000,230</u>	x	0.0519%	\$	<u>7,785</u>
Dual Enrollment Instructional Materials Allocation	(e)				\$	<u>-</u>
ESE Applications Allocation:					\$	<u>-</u>

Charter schools should contact their school district sponsor regarding eligibility and distribution of ESE Applications funds.

9. Mental Health Assistance Allocation (UFTE share)	(b)	<u>4,340,504</u>	x	0.0519%	\$	<u>2,253</u>
10. Total Funds Compression Allocation (UFTE share)	(b)	<u>0</u>	x	0.0519%	\$	<u>-</u>
11. Declining Enrollment (WFTE share)	(c)	<u>0</u>	x	0.0529%	\$	<u>-</u>
12. Sparsity Supplement (WFTE share)	(c)	<u>0</u>	x	0.0529%	\$	<u>-</u>
13. Reading Allocation (WFTE share)	(c)	<u>8,853,422</u>	x	0.0529%	\$	<u>4,683</u>
14. Discretionary Local Effort (WFTE share)	(c)	<u>145,289,131</u>	x	0.0529%	\$	<u>76,858</u>
15. Proration to Funds Available (WFTE share)	(c)	<u>0</u>	x	0.0529%	\$	<u>-</u>
16. Discretionary Lottery (WFTE share)	(c)	<u>366,977</u>	x	0.0529%	\$	<u>194</u>

17. Class Size Reduction Funds:

	<u>Weighted FTE (not including Add-On)</u>	<u>X</u>	<u>DCD</u>	<u>X</u>	<u>Allocation factors</u>	
PK - 3	0.0000		1.0430		1,321.39	= <u>0</u>
4-8	0.0000		1.0430		901.32	= <u>0</u>
9-12	113.0950		1.0430		903.50	= <u>106,575</u>
Total *	113.0950				Total Class Size Reduction Funds	\$ 106,575

(*Total FTE should equal total in Section 1, column (4) and should not include any additional FTE from Section 1.)

18. Student Transportation	(f)					
Enter All Adjusted Fundable Riders		<u>100</u>	x	407	\$	<u>40,700</u>
Enter All Adjusted ESE Riders			x	1,434	\$	<u>-</u>

19. Federally Connected Student Supplement

Impact Aid Student Type	Number of Students	Exempt Property Allocation	Impact Aide Student Allocation	Total
Military and Indian Lands		\$0.00	\$0.00	\$ -
Civilians on Federal Lands		\$0.00	\$0.00	\$ -
Students with Disabilities	<u>25</u>		\$0.00	\$ -
Total				\$ -

20. Florida Teachers Classroom Supply Assistance Program	(h)		\$	<u>-</u>
21. Food Service Allocation	(i)		\$	<u>-</u>
Total				\$ 781,050

22. Funding for the purpose of calculating the administrative fee for ESE charter schools. (j)
If you have more than a 75% ESE student population, please place a 1 in the following box: \$ -

NOTES:

- (a) Additional FTE includes FTE earned through Advanced Placement, International Baccalaureate, Advanced International Certificate of Education, Industry Certified Career Education (CAPE), Early High School Graduation and the small district ESE Supplement, pursuant to s. 1011.62(1)(1-p), F.S.
- (b) District allocations multiplied by percentage from item 3A.
- (c) District allocations multiplied by percentage from item 3B.
- (d) The Digital Classroom Allocation is provided pursuant to s. 1011.62(12), F.S.
- (e) School districts are required to pay for instructional materials used for the instruction of public high school students who are earning credit toward high school graduation under the dual enrollment program as provided in s. 1011.62(1)(i), F.S.
- (f) Numbers entered here will be multiplied by the district level transportation funding per rider. "All Adjusted Fundable Riders" should include both basic and ESE Riders. "All Adjusted ESE Riders" should include only ESE Riders.

(g) The Federally Connected Student Supplement provides additional funding for students on federal lands that receive Section 8003 impact aide pursuant to s. 1011.62(13), F.S.

(h) Teacher Classroom Supply Assistance Program allocation pursuant to s. 1012.71, F.S., for certified teachers employed by a public school district or public charter school before September 1 of each year whose full-time or job-share responsibility is the classroom instruction of students in prekindergarten through grade 12, including full-time media specialists and certified school counselors serving students in prekindergarten through grade 12, who are funded through the FEFP.

(e) Funding based on student eligibility and meals provided, if participating in the National School Lunch Program.

(j) Consistent with s. 1002.33(20)(a), F.S., for charter schools with a population of 75% or more ESE students, the administrative fee shall be calculated based on unweighted full-time equivalent students.

Administrative fees:

Administrative fees charged by the school district pursuant to s. 1002.33(20)(a), F.S., shall be calculated based upon 5% of available funds from the FEFP and categorical funding for which charter students may be eligible. To calculate the administrative fee to be withheld for schools with more than 250 students, divide the school population into 250. Multiply that fraction times the funds available, then times 5%.

For high performing charter schools, administrative fees charged by the school district shall be calculated based upon 2% of available funds from the FEFP and categorical funding for which charter students may be eligible. To calculate the administrative fee to be withheld for schools with more than 250 students, divide the school population into 250. Multiply that fraction times the funds available, then times 2%.

Other:

FEFP and categorical funding are recalculated during the year to reflect the revised number of full-time equivalent students reported during the survey periods designated by the Commissioner of Education.

Revenues flow to districts from state sources and from county tax collectors on various distribution schedules.



HANDOUT 7 CHARTER SCHOOLS AND THE SUNSHINE LAW QUESTIONS AND ANSWERS

Question:

What is the Sunshine Law?

Answer:

The Florida Sunshine Law (F.S. §286.011) is a statute that requires that all meetings of public agencies at which official acts are to be taken are declared to be public meetings open to the public at all times, and no resolution, rule or formal action shall be considered binding except as taken or made at such meeting.

Question:

Does the Sunshine Law apply to charter schools?

Answer:

The Sunshine Law is specifically applicable to charter schools under F.S. §1002.33(16)(b)(1).

Question:

What qualifies as a “meeting” under the Sunshine Law?

Answer:

Any gathering of two or more board members where an issue is discussed when it is foreseeable that the issue will come before the board for future action. The meeting can be formal or casual in nature. This can range from formal meetings to workshops to a casual meeting of two board members at lunch.

Question:

Do charter schools have to provide public notice of a meeting?

Answer:

Yes. Charter schools must provide reasonable, prominent notice of all meetings of the board and board committees, including workshops. At a minimum, meeting notices should contain the time and place of the meeting. If available, a meeting notice might include a copy of the agenda or a summary of the subject matters to be discussed.

Question:

May a school hold an emergency meeting?

Answer:

Yes. Emergency sessions should be afforded the most appropriate and effective notice under the circumstances and special meetings should have at least 24 hours reasonable notice to the public.

Question:

Does the Sunshine Law restrict the locations at which board meetings may be held?

Answer:

A school is specifically prohibited from holding a meeting at any facility which discriminates on the basis of sex, age, race, creed, color, origin or economic status, or which unreasonably restrict public access. Public access is critical to fulfilling the requirements of the Sunshine Law. The public must be given a reasonable opportunity to attend a meeting. For example, it would be a violation to hold a meeting in a room too small to accommodate members of the public.

Question:

Does a new charter school have to follow the Sunshine Law before the school opens its doors to students?

Answer:

Yes. The effective date of the charter contract (or the date the charter is granted, whichever date is earlier) triggers the requirement to comply with the Sunshine Law, even though the school may not be open to students.

Question:

Does the Sunshine Law also apply to committees of the board?

Answer:

Yes. Advisory committees created by a charter school board are subject to the Sunshine Law, even though their recommendations are not binding upon the board. A limited exception to the applicability of the Sunshine Law to advisory committees has been recognized for advisory committees established for fact-finding activities only (i.e. strictly information gathering and reporting).

Question:

Does the Sunshine Law apply to a principal who serves as a non-voting, *ex-officio* member of the board?

Answer:

Yes. The Attorney General has stated that although person is appointed as an *ex-officio* member of a board, he or she is involved in the decision making process of the board as a participant in meetings even though he or she serves as a non-voting member. Consequently, in order to broadly construe the Sunshine Law's protective purpose, *ex-officio*, non-voting members are subject to its restrictions.

Question:

May board members communicate through a third party, such as the school principal?

Answer:

No. Board members may not use a third party liaison to communicate. A school principal (assuming the principal is not on the board of directors) may meet with individual board members. However, if the purpose of the meeting is to communicate one board member's position to another or to avoid public discussion, the meetings between the principal and the board member may violate the Sunshine Law.

Question:

May board members communicate with each other about school business through e-mail, so long as the e-mail is disclosed at board meetings?

Answer:

No. E-mail that results in an exchange of board members' comments or responses on subjects requiring board action constitute a meeting subject to the Sunshine Law. Note that a one-way e-mail from one board member to another that does not result in an exchange of comments or responses does not constitute a meeting; however, such e-mail communications are public records.

Question:

May board members attend a social gathering together?

Answer:

Yes, as long as they do not discuss a school issue when it is foreseeable that the issue will come before the board for future action.

Question:

May board members consult with the board's attorney in a private executive session?

Answer:

No. Communications between a board and its attorney are generally not exempt from the Sunshine Law. There is, however, a narrowly construed exception when a school is involved in litigation. The school should consult its attorney before meeting in executive session.

Question:

May a charter school board meet in executive session to discuss a private personnel matter?

Answer:

No. However, a limited exception exists for strategy sessions related to collective bargaining discussions. The school should consult its attorney before meeting in executive session.

Question:

May a person be prohibited from recording a charter school board meeting?

Answer:

No, as long as the recording device is does not disrupt the meeting.

Question:

Does the Sunshine Law permit a board to limit public participation during a public meeting?

Answer:

Yes. The Sunshine Law preserves the right of a person to attend and participate in a public meeting. However, Florida courts have held that boards may adopt reasonable rules limiting the time an individual or group may address the board. The rule should restrict the time for individuals who are speaking rather than the time frame for a particular agenda item. The rules should not be sufficiently restrictive as to effectively prohibit meaningful public participation.

Question:

Is a board required to keep minutes of its meetings?

Answer:

Yes, all minutes of board meeting should be promptly recorded.