



## Short Governance Scenarios

These **short scenarios for training purposes** illustrate and illuminate the key differences between governance, decisionmaking and operations in a traditional public school setting and in a charter school / authorizing setting. These scenarios highlight dilemmas and issues that a district school board faces when setting policy and making decisions for their traditional district schools and how that known framework must change when applied to setting policy and making decisions for the charter schools that they oversee.

### Tools needed:

- Chart paper
- Markers
- Scenarios copied onto paper

### Directions for facilitator:

#### *Part 1*

Start with silent writing time. Ask the participants to write their definition of autonomy vs. accountability. After 7-10 minutes, call the group back together and have a report-out, charting the response on paper at the front of the room.

Variation – if the group is large, break up into three groups and assign one of the following to each group:

- autonomy vs. accountability;
- oversight vs. management of the schools;
- monitoring vs. support

Pass out large chart paper and markers. Let the groups know you will have a report-out at the end of 10 minutes. Have each group brainstorm characteristics and write their definitions in “T chart” form. After 7 to 10 minutes ask the groups to come back together and report out to the larger group, summarizing the differences in their pair.

#### *Part 2*

Pick one scenario and project up on screen. Read through as a group together. Modeling for the group, ask the following questions, soliciting call-and-response from participants:

- What do you think the intention of the authorizer was?
- What problem were they trying to solve? What did they see happening at the school?
- What was potentially positive about the action the authorizer took? What came up short?
- What might have crossed the autonomy line?
- What might be the school’s reaction to the situation?
- What could you see the push-back be?

Determine which of the example scenarios will resonate or fit best with the group you have. Pass out large chart paper and markers. Let the groups know you will have a report-out at the



end of 15 minutes. Assign each group a scenario from the remaining examples. Ask each group to read through the scenario and determine the autonomy / accountability costs associated with the authorizer actions. After 10 to 15 minutes ask the groups to come back together and report out to the larger group, summarizing their scenario and their summary conclusions.

### *Part 3*

Guided group facilitation. After reviewing the scenarios, lead the group in a de-brief, of the costs associated with the autonomy and accountability costs associated with the authorizer actions in the scenarios, using the following questions for guidance ...

- Where is the line in terms of oversight and autonomy and accountability?
- What is ACTUALLY mandated by your State's law?
- Principle and Standards address the line as: "honors the school's autonomy"
- How can you appropriately monitor and not smother?
- What is your "new" definition of autonomy or oversight? Is this different than where you started at the beginning of this activity?

### **Example 1:**

An authorizer conducts a year 3 site visit, and issues a summary school performance report based on the results of the interviews, observations and document review carried out during the site visit. The site visit report states that teachers at the school do not appropriately make available or deliver differentiated instruction to students at the school; citing this as a deficit of the instructional program of the school. The charter of the school and the overall school design, however, do not identify differentiated instruction as a focus of the instructional program or of curricular delivery. The school is KIPP-like in design and highly structured in instructional methodology. At renewal time, student academic performance is significantly higher than that of students in the district and the state – but there is a site visit report (that is a piece of evidence considered at renewal) that cites deficits in the school’s instructional program.

#### Questions for the facilitator:

- Is it up to the authorizer to define what good instruction looks like in the classrooms of the schools it oversees?
- Does it matter if the school is posting high scores?
- Does it matter if the school is not performing academically?
- What should a visiting team be looking for when visiting a school?
- What should a site visit team include in its site visit report?
- What should an authorizer consider as evidence for renewal? Teaching methodology and delivery observed during a site visit?

### **Example 2:**

A charter school is facing some governance “growing pains.” The founding governing Board has outgrown its usefulness in establishing and launching the school; and new Board members are moving in to shepherd the school through its transitional period of growth. The Board is drafting a performance management plan to move it to a sustaining period in the school’s life – but the planning is not smooth. The founding Board members and new Board members are not getting along and are often at odds when attempting to set goals, indicators and targets for the new performance management plan.

The school’s authorizer arrives on site for the school’s year 3 site visit. The site visit team sees and hears the conflict and unrest in the school’s governing Board. The follow-up site visit report contains extensive documentation of the school’s governance “growing pains,” and directly instructs the school to engage in governance training. The chair and secretary of the governing Board have subsequent meetings with the staff in the authorizing office, and the authorizing office staff inform the Board members that the authorizer will be designing and delivering the governance training for the school.

#### Questions for the facilitator:

- Is it up to the authorizer to define or determine training modules for the school?
- If the authorizer directly provides training to the governing Board of the school is this a problem? Why or why not?
- Who is in charge of the school

### **Example 3:**

A charter school is approaching renewal. The school is a high performing school, with strong student academic achievement results, governance, and sound financials over the course of its charter term. The school serves its community well, filling a need for students and families that is not currently met by the traditional district schools in the neighborhood.

In December of the 4<sup>th</sup> year of operation, the governing Board of the school fired the school leader. The teaching staff at the school was very mad and went to the governing Board – but, at the end of discussions, they were unhappy with the answers they received. So the teachers decided to take their unhappiness to the District School Board, who authorized their school. The teaching staff retained a lawyer, and told the staff in the charter schools office and the District School Board that if the charter of the school was renewed, they would walk out of the school.

Staff in the authorizing office decided to hold a public forum to hear the complaints of the teachers. Staff in the authorizing office delayed the renewal decision as they hired a mediator to attempt to work out the differences between the school staff and the governing Board at the school. The teaching staff argued that they had built the school, they had created the student academic achievement results and the value of the charter renewal lay with them, not with the governing Board of the school. During the mediation process, the school governing Board spent over \$130,000 on legal fees.

The District School Board finally reached a renewal recommendation, which contained a mandate for the school to overhaul its operating and financial structure, create a new evaluation process for teachers and staff and address outstanding facility and disability access issues. The school now operates under a new management company and has moved to a new facility.

Questions for the facilitator:

- Who is in charge of the school? The governing Board of the school? The teachers?
- Who holds the charter of the school? The governing Board of the school? The teachers?
- Where are some points in the conflict where better decisions could have been made?
- What of the District School Board's renewal conditions seem fair? Which seem a stretch? Why or why not?

#### **Example 4:**

State Charter School Law states that:

The governing board of a school district that grants a charter for the establishment of a charter school formed and organized pursuant to this section shall be entitled to a single representative on the board of directors of the nonprofit public benefit corporation (Section 47604(b))

The Sunshine District has placed one of its staff on each of the charter school governing Boards of the charter schools that it authorizes and oversees. These staff representatives attend all school governing Board meetings, actively participate in school site governance, give advice, and participate in debate and school governing Board decisionmaking.

Questions for the facilitator:

- What are some benefits from sitting on the Boards of the schools you authorize and oversee?
- What are some challenges you see with sitting on the Boards of the schools you authorize and oversee?
- What are other ways you, as an authorizer, might get information about governance and Board activity from your charter schools?
- Is there a challenge with authorizing staff “actively participating in school site governance” and decisionmaking? What might that be?

### **Example 5:**

The Roma Charter School was awarded a charter to implement an academic program that was focused on an integrated, project based curriculum. Students at the school would be classical scholars, leaving the school with a broad foundation of knowledge that would allow them to succeed in college and beyond. The school founders structured the school day and week around specific student “demonstrations,” modeled after classical Roman techniques of oratory and rhetoric – daily and weekly student-run assemblies that emphasized extemporaneous speaking and speech making.

During year 4 of its charter, the governing Board at Roma Charter School began to realize that the students at the school were not demonstrating the academic success that they had hoped with their school model. Fearing that charter renewal may be sticky, the governing Board decided to proactively make a change, to demonstrate to its authorizer that it was serious about student academic achievement. The governing Board hired a charter management organization (CMO) to revamp the school’s academic program, dismantling the classical focus and instituting a “back to basics” approach to instruction and student discipline. The year 4 state testing results, with the new academic program only 6 months old, showed no improvement.

Roma Charter School entered the charter renewal process in the fall of year 5 of its charter. The renewal site visit team arrived to find a school that looked entirely different than the school that had been documented over the course of the charter term. Their report reflected this information.

The authorizer made a non-renewal recommendation, based on the evidence of mediocre student academic achievement and the fact that the school had changed its academic program, and entered into a management contract without notifying the authorizer.

Questions for the facilitator:

- Did the authorizer make the right renewal decision? Why or why not?
- What could the Roma Charter School have done differently?
- Does it make a difference if a school is implementing a program that is different than what was proposed in its charter?
- Would it have been a different renewal decision if the school had been academically high achieving?
- Does a school need to inform its authorizer if it changes its academic program? What about if it enters into or breaks a contract with a management company? How would schools you authorizer know this?

**Example 6:**

The District Director of Curriculum and Instruction recently concluded an eighteen month review of effective middle school math programs. At the next District School Board meeting, she is bringing forward a recommendation that all middle level grades implement Connected Math, beginning in the 2009-2010 school year. All district middle school teachers will receive Connected Math training over the summer, and the Accountability and Assessment Department will configure its DataDirector data warehouse to track and store student academic achievement results linked to Connected Math's interim assessments. All middle school teachers will receive a \$1000 stipend to use to purchase additional materials for their classrooms to support the implementation of the mandated curriculum.

Questions for the facilitator:

- Does this apply to district charter schools? Why or why not?
- What would be the benefit for offering the option of joining to your charter middle schools?
- Can your district afford to include your charter schools in opportunities like this? Should you?

**Example 7:**

All over your District, empty school buildings stand unused due to declining enrollment. Each year, the District School Board is approached by outside agencies and charter schools with requests to lease and purchase these empty buildings for use. To date, the District has refused to lease or sell the buildings. This school year, the District faces a \$17 million budget deficit.

Questions for the facilitator:

- Should you lease or sell the vacant school buildings?
- To whom? How do you decide?

**Example 8:**

Fifteen years ago, the District Board of Education signed an exclusive rights agreement with Yellow Bus Transportation Company and its sister company, Big Eats Food Service to provide transportation and food services for every school that operates within District geographic boundaries. Last year, the Charter School Association sent a letter to the District's Legal Office on behalf of the 28 charter schools in the District, outlining an argument that charter schools should be exempt from the exclusive rights agreement because as charter schools, they are not district schools. Later that same week, the charter schools severed services from Yellow Bus and Big Eats and contracted with other vendors for transportation and food service. Yellow Bus and Big Eats have filed a lawsuit against the district, citing millions of dollars in lost revenue from the 28 severed contracts.

Questions for the facilitator:

- Do the charter schools have to buy services from Yellow Bus and Big Eats?
- What could have been done on the front-end to possibly head-off this problem?  
(Contract, list of buy-back services)