

## CHARTER SCHOOL BOARDS OF DIRECTORS

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### House Bill 6177

Sponsor: Rep. Mary Valentine

Committee: Education

Complete to 6-9-08

## A SUMMARY OF HOUSE BILL 6177 AS INTRODUCED 5-22-08

The bill would amend the Revised School Code to require that a charter school's board of directors be nominated and elected by the parents and legal guardians of the students enrolled in the school.

Currently under the law, an authorizing body for a public school academy (customarily called a charter school) adopts a resolution to establish the method of selection, length of term, and number of members of the board of directors of each charter school within its jurisdiction. [Under the code, charter school authorizers include the governing bodies of school districts, intermediate school districts, community colleges, or state public universities.] House Bill 6177 would retain this provision but revise it to specify that all of the following would apply to the selection of a board of directors:

- *For charter schools now in operation*, not later than 120 days after the effective date of the bill, the authorizing body would be required to amend its resolution to provide that all members of the board of directors be nominated and elected by the parents (and legal guardians) of the students enrolled in the charter school, and also amend the resolution to prescribe the method of that nomination and election. The authorizing body would then be required to see that an election was conducted to select a new board of directors, and that subsequent elections were conducted in accord with the resolution.
- *For new charter schools*, the resolution would have to provide that all members of the board of directors be nominated and elected by the parents (and legal guardians) of the students, and to prescribe the method of that election. The authorizing body would then be required to ensure that an election was conducted to select a new board to replace the initial board of directors not later than 120 days after the charter school began operation, and that subsequent elections were conducted in accord with the resolution.

Currently under the law, to obtain a contract to organize and operate a public a charter school, one or more people or an entity applies to an authorizing body. The application filed with the authorizer must include identification of the applicant for the contract; a list of the proposed board members; the proposed articles of incorporation, including the name of the school academy, the corporation's purpose, the name of the authorizing body, when the proposed articles would become effective, and other pertinent information; a

copy of the proposed bylaws; documentation required by the authorizing body, including the governance structure, the educational goals, the admission policy, the school calendar and school day schedule, and the age or grade range of students; full descriptions of the staff responsibilities, and of the governance structure; identification of the local and intermediate school districts in which the charter school is located (for those applying for authorization to the boards of school districts, ISDs, or community colleges only); an agreement to follow Michigan laws; an assurance that employees of the charter school will be covered by the collective bargaining agreements that apply to other employees of the school district (for those applying for authorization to the boards of school districts, only); and a description of and address for the proposed physical plant in which the charter school will be located.

House Bill 6177 would retain all of these provisions, but revise two of them. First, the bill specifies that an application to an authorizer include a list of the proposed members of the "initial" board of directors. Then the bill would require that *"this initial board of directors shall serve only until an election of a new board of directors is conducted,* as provided under the board selection provision being amended. Second, currently under the educational goals section of the application, the students' progress must be assessed using at least a Michigan Education Assessment Program (MEAP) test, or an assessment instrument developed under the code for a state endorsed high school diploma. House Bill 6177 would specify, instead, a MEAP test or "the Michigan Merit Examination" developed under the code.

MCL 380.502 and 380.503

#### **FISCAL IMPACT:**

This bill would have no fiscal impact to the state and indeterminate fiscal impact to the public school academies. There may be costs associated with the implementation of the new rules for selecting and voting in new board members.

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