

Across the Board



*A Family's Guide to
Understanding
Charter School Boards
in New Orleans*

August 2019

Introduction

Nationally, New Orleans' public education system has become known for its unique governance model that is comprised almost exclusively of charter schools, rather than schools run directly by the local Orleans Parish School Board (OPSB -- The OPSB has recently rebranded themselves as NOLA Public Schools. For the purpose of reference, however, we refer to them as OPSB in this report). One key feature is that in addition to the OPSB, schools also have charter boards that help with everyday operations and management. Each charter school or Charter Management Organization (an organization which operates multiple charter schools and is abbreviated as CMO hereafter) must have a board. Unlike the seven members of the OPSB, the members of charter boards are not publicly elected. Instead, some are chosen initially by the school leader(s), parents, or other founding members when the school opens, and then, subsequent members are chosen by the existing board members.

In researching and chronicling New Orleans' public education system, we have learned that this added layer of oversight and governance can lead to public confusion around the duties and responsibilities of the OPSB compared to charter boards.

This report aims to clarify some of those responsibilities and provide information on the role of charter boards to families and other stakeholders in the city's public education system. It does not intend to serve as a comprehensive review of state law and OPSB policy on charter boards. Rather, it focuses mainly on common questions and the most relevant issues for parents, guardians, and families.

The report includes:

- A breakdown of charter boards' responsibilities.
- Recommendations on how to help the public better understand charter boards.
- A descriptive overview of charter board members.
- A Q&A addressing frequent questions about charter boards.

We also encourage you to submit any questions you might have about charter boards to us at CowenInfo@tulane.edu and we'll do our best to answer them.

There are currently... **38**

charter boards playing a role in the governance of OPSB schools.

What do charter boards do?

Perhaps the most defining feature of New Orleans' charter-based model of K-12 public education is the school-level autonomy granted to school leaders, educators, and charter operators. In most traditional, district-run public education models, a central staff of administrators makes decisions for all schools in the district (or specific geographic area), including but not limited to staffing, finances, operations, and curriculum.

In New Orleans, those decisions are made at the school or CMO level. Charter boards are meant to provide oversight and guidance to schools and CMOs as they make these decisions. However, this can also lead to confusion, as it means schools are overseen both by charter boards and the elected members of the OPSB. Charter boards have different responsibilities than the school board, Superintendent, or staff of the OPSB. The chart below aims to clarify some of the responsibilities of charter boards.

Charter Boards DO...

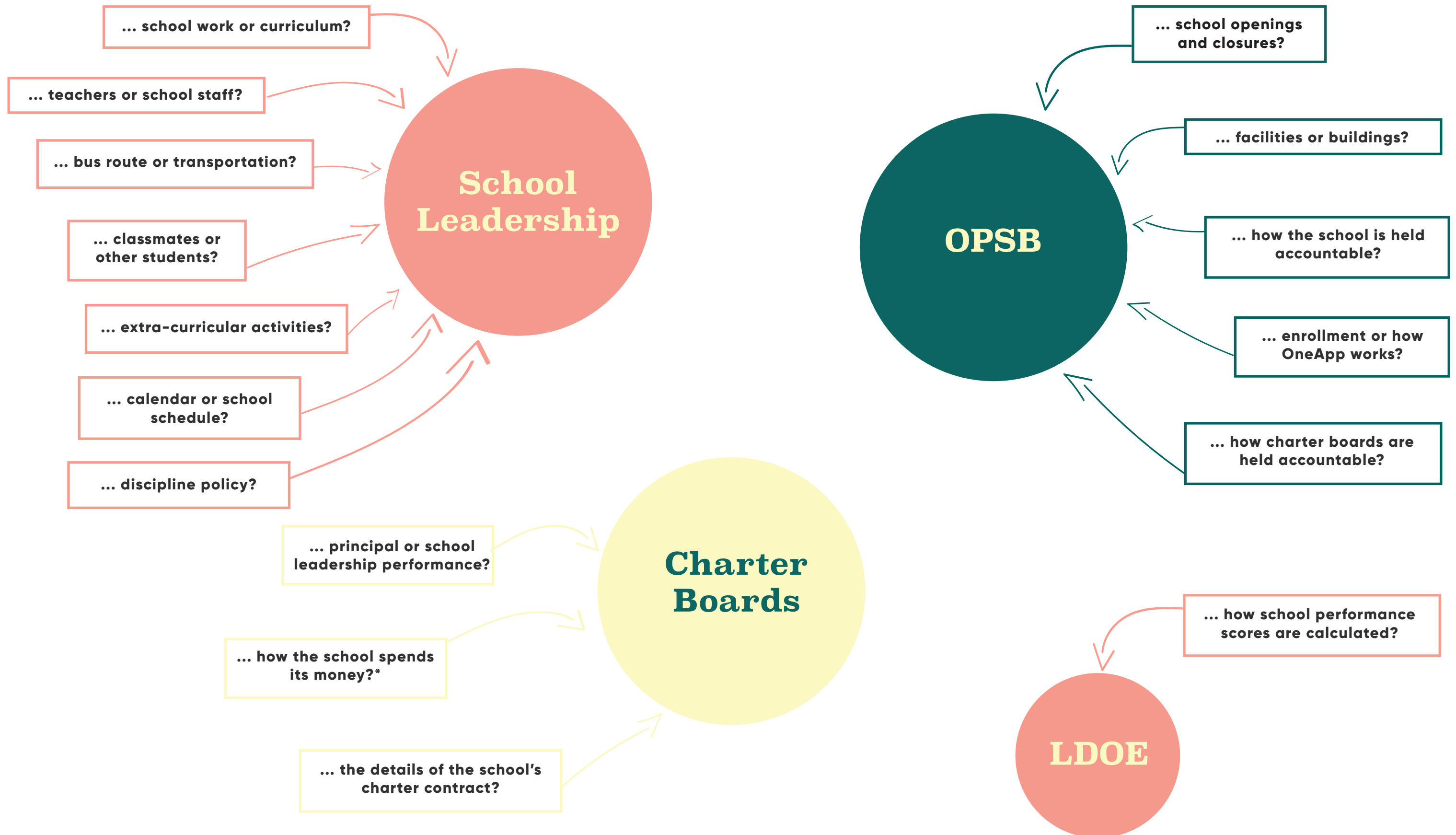
- Hire and evaluate charter school or CMO leaders based on progress towards goals.
- Provide oversight of school or CMO finances – this includes being able to borrow money and incur debt on behalf of the school or CMO.
- Ensure annual audits of school or CMO finances are conducted and submitted accurately.
- Create and edit by-laws to govern the board, which:
 - Set the term lengths of their own board members.
 - Set the number of members of the charter board.
 - Determine the process for the selection of board members.
- Ensure the board complies with relevant state and local laws regarding public transparency, charter board membership (such as having a parent representative on the board), frequency of meetings, and posting of agendas in advance of meetings and minutes after meetings have occurred.

Charter Boards DON'T...

- Authorize or approve the opening of new charter schools.
- Decide which schools operate in Orleans Parish.
- Close low-performing schools.
- Set overall policies that all charter schools in Orleans Parish must abide by (for example: accountability measures and transportation regulations).
- Typically hire and fire school staff, from teachers to administrators, though there is nothing in state law or local policy to prevent boards from doing so if they so choose.
- Typically provide feedback or guidance on the education curriculum adopted or used by the school or CMO, though there is nothing in state law or local policy to prevent boards from doing so if they so choose.

Have a question or concern?

Find out who is in charge of...



* Note: School leaders also have significant say over allocation of school funds, but charter boards are responsible for ensuring annual audits are conducted.

Mapping Charter Boards

A Guide to Understanding the Charter Boards that Oversee New Orleans' Schools

Charter Boards of OPSB Schools for 2019-2020

| | | | | | | |
|---|---|--|---|---|--|--|
| Advocates for Academic Excellence in Education <i>Benjamin Franklin High School</i> | Advocates for Arts-Based Education <i>Lusher Charter School (elementary and middle/high school)</i> | Advocates for Innovative Schools <i>Robert Russa Moton Charter School</i> | Advocates for Science & Mathematics Education Inc. <i>New Orleans Charter Science & Math High School</i> | Algiers Charter School Association <i>Landry Walker High School Martin Berhman Charter School</i> | ARISE Schools <i>ARISE Academy Mildred Osborne Charter School</i> | Better Choice Foundation <i>Mary D. Coghill Elementary School</i> |
| Bricolage Academy <i>Bricolage Academy</i> | Choice Foundation, Inc. <i>Esperanza Charter School Lafayette Academy Charter</i> | The Citizens' Committee for Education <i>Homer A. Plessy Community School</i> | Collegiate Academies <i>Abramson Sci Academy G.W. Carver High School Livingston Collegiate Academy Opportunities Academy Rosenwald Collegiate Academy</i> | Community Leaders Advocating Student Success, Inc <i>Fannie C. Williams Charter School</i> | The Council for Quality Education <i>Lake Forest Elementary Charter School</i> | Crescent City Schools <i>Akili Academy of New Orleans Harriet Tubman Charter School Paul Habans Charter School</i> |
| Dryades YMCA <i>James M. Singleton Charter School</i> | Educators for Quality Alternatives <i>The NET Charter H.S.: Central City The NET Charter H.S.: Gentilly</i> | The Einstein Group, Inc. <i>Einstein Charter High School Einstein Charter Middle School Einstein C.S. at Sherwood Forest Einstein C.S. at Village de L'est</i> | Elan Academy, Inc. <i>Elan Academy Charter School</i> | ENCORE Learning <i>ENCORE Academy</i> | FirstLine Schools <i>FirstLine Arthur Ashe FirstLine Langston Hughes FirstLine Live Oak Academy FirstLine Phillis Wheatley FirstLine Samuel J. Green</i> | Foundation Preparatory, Inc. <i>Foundation Preparatory Charter School</i> |
| French and Montessori Education, Inc. <i>Audubon Gentilly Audubon Uptown</i> | Friends of King Schools <i>Dr. ML King Jr. Charter School (Elem/Middle & High) Joseph A. Craig Charter School</i> | Hynes Charter School Corp. <i>Edward Hynes Charter School Edward Hynes Charter School - UNO</i> | IDEA Public Schools New Orleans <i>IDEA: Oscar Dunn</i> | InspireNOLA Charter Schools <i>Alice M. Harte Charter School A. H. Wilson Charter School Dwight D. Eisenhower Academy Edna Karr High School E. McMain Secondary School McDonogh #35 College Prep. H.S. McDonogh #42 Elementary C.S.</i> | Institute for Academic Excellence <i>Sophie B. Wright Learning Academy</i> | KIPP New Orleans Schools <i>KIPP Believe KIPP Booker T. Washington H.S. KIPP Central City KIPP East Community KIPP Leadership KIPP Morial KIPP Renaissance</i> |
| Legacy of Excellence, Inc. <i>Benjamin Franklin Elementary School</i> | Living School Charter <i>Living School</i> | Morris Jeff Community School <i>Morris Jeff Community School</i> | New Beginnings Schools Foundation <i>JFK High School at Lake Area Pierre A. Capdau Charter School</i> | New Orleans College Prep <i>Lawrence D. Crocker College Prep Walter L. Cohen College Prep</i> | ReNEW-Reinventing Education Schools <i>ReNEW Accelerated H.S. ReNEW D. T. Aaron Academy ReNEW Schaumburg Elem. ReNEW SciTech Academy</i> | Rooted School <i>Rooted School</i> |
| | | Significant Educators, Inc <i>Mary McLeod Bethune Elem. School of Lit. & Tech.</i> | Success Preparatory Academy <i>Success Preparatory Academy at Thurgood Marshall</i> | Warren Easton Charter High School Foundation <i>Warren Easton Charter High School</i> | Note: This chart only shows schools authorized and overseen by the OPSB. It does not include schools that operate in Orleans Parish that are overseen by BESE or the state legislature, or those that are directly run by the OPSB. | |

Q&A on charter boards

What is the difference between the Orleans Parish School Board (OPSB) and the board of an individual charter school or Charter Management Organization (CMO)?

In New Orleans and Louisiana, charter schools have two levels of oversight – a charter board that directly oversees the leadership, administration, operations, and financing of the school, and an authorizer that approves the school's initial application to open and then ensures the school remains in compliance with local and state requirements. For most charter schools in Orleans Parish, the OPSB is the authorizer, meaning that the OPSB has the power to give a non-profit organization its charter to open and operate a school. This means a charter board can exist even if it does not have a school that has been approved to open. State and local law require all charters to have boards that oversee the school and its leadership directly.

Are charter school board members elected by the public?

No. While the OPSB has seven publicly elected members, individual charter school boards are not publicly elected. The OPSB members are elected by the public based on geographic districts in the city. The State Board of Education (BESE) is also composed of democratically elected members. However, charter board members are not elected by the public – they are selected or elected based on the criteria for membership set down in their charter board by-laws. Each school can set its own terms for board membership and decide whether an election by the other board members is necessary when adding new members.

How many members do charter boards have?

It depends on the school. OPSB policy requires charter boards to have at least seven members, but there is no limit on the number of members boards can have, unless dictated by the school or charter management organization. Generally, schools have between seven and 15 members on their boards.

Are board members selected based on certain criteria?

Yes, but policies about the criteria of board demographics are quite broad. OPSB policy states that a charter school's "board members shall represent a diverse set of professional skills and practical work experience in areas such as education, public/nonprofit and/or for-profit administration or operations, community development, finance, and law." Yet, there is no further requirement for how many people possessing these skills must sit on each board or what determines these qualifications. Additionally, beginning in the 2019–2020 school year, according to LA R.S. 17:3991(A)(iv), most charters in New Orleans will also be required to have a board that is "representative of the community in which the charter school is located by race and gender to ensure diversity."

Are there parents or guardians on charter boards?

Yes. Both OPSB policy and state law require that at least one member of a board is a parent or guardian representative. However, in the cases of charter boards for CMOs with multiple schools, this representative only must be a parent or legal guardian of any student in the same CMO, not necessarily a particular school. Additionally, the parent representative role can be filled by a parent or guardian of a former student or graduate.

Do all charter board members have to live in New Orleans?

No. OPSB policy and state law require that at least 60% of a board's members must reside in Orleans Parish.

What other requirements must board members follow?

To join a board, candidates must undergo a criminal background check. They must also file a financial statement in compliance with state law within 90 days of becoming a member of a board. Only one member of a family can serve on the same board, and board members must avoid and disclose any potential conflicts of interest.

What conflicts of interest must board members be sure to avoid?

Board members must comply with the Louisiana Code of Governmental Ethics. This is an extensive code of conduct that attempts to ensure that no public official, or a member of his/her immediate family, benefits financially or in another material way from the official's public service.

Are board members paid by the school?

No. OPSB policy forbids board members from receiving any compensation except for reimbursements incurred while completing their "duties" for the board. The policy does not define what expenses qualify for reimbursement.

Is anyone prohibited from being a board member?

Yes. OPSB policy prohibits OPSB employees, employees of the school or CMO, and current elected officials, as well as elected officials who have left office within the past year, from serving as charter school board members.

Do board members have set terms?

That is up to the school's individual charter. OPSB policy and state law do not specify the length of individual board terms or how many terms a member can serve.

How frequently must boards meet?

There are no requirements for the frequency of meetings. It is up to the individual boards to decide how often they meet. However, charter boards must comply with all state sunshine laws for public meetings. That includes the posting of agendas 24 hours in advance of a meeting and the posting of meeting minutes in a reasonable amount of time (the OPSB recommends within 10 days) after the meeting. The OPSB tracks when every board meets and attends at least one meeting each year to ensure compliance with these sunshine law provisions.

* Note: State statutes and OPSB policies referenced in this section include: BESE Bulletin 126 2905, La. Rev. Stat. Ann. §42:2.2, La. Rev. Stat. Ann. §24:513, La. Rev. Stat. Ann. §42:1115, La. Rev. Stat. Ann. §42:1124.3, La. Rev. Stat. Ann. §17:3991, and OPSB Policy HA.

Charter Board Members

According to new OPSB policy, charter boards in New Orleans must publicly list their members on their website. Some, but not all, schools and CMOs list the professions of their members. Using this as a starting point, at the end of 2018, we put together a descriptive summary of charter board members in the city, including gender and industry when available. This is a point in time summary of board membership and does not reflect board membership for schools in 2019–2020. We are not currently able to provide any information on the race, age, or other demographic characteristics of board members as this data is not publicly available in an aggregated or centralized way. Please see the methodology for a detailed explanation of our approach.

Recommendations

The availability of public information about charter board members in the city has improved over the past two years. Working with the OPSB, school websites are now listing the names of board members and, in some cases, greater details about the backgrounds of their members.

However, there is no single centralized website or location for a parent or member of the public to find board information on any school he/she is interested in. Therefore, in an effort to make it easier for the public to find information on charter board members, we recommend a central website or a dedicated section of the site for all schools overseen by the OPSB, featuring:

- » an up-to-date calendar of all board meetings for every charter board in the city;
- » a downloadable list of the by-laws for every charter board in the city;
- » a listing of the members of every charter board in the city that includes board members' occupation, employer, length of time on the board, place of residency, whether they are a parental representative, and other relevant information;
- » the contact information the chair of every board.

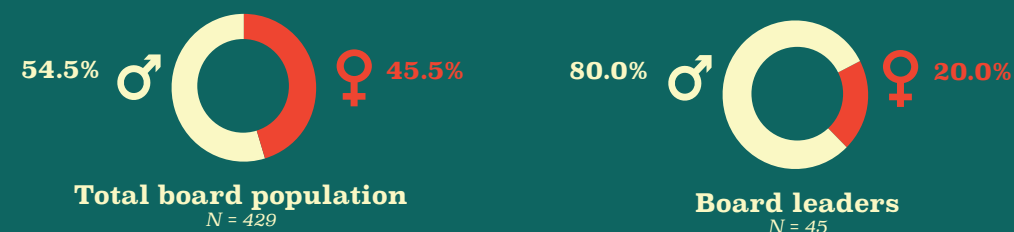
State law and local policy do not currently require schools to make contact information or more detailed information about the identities of charter board members publicly available, but we believe doing so would help to improve public understanding of who sits on charter boards in the city, as well as the ability of the parents, family members, and the public to interact with charter board members.

Who sits on charter boards?

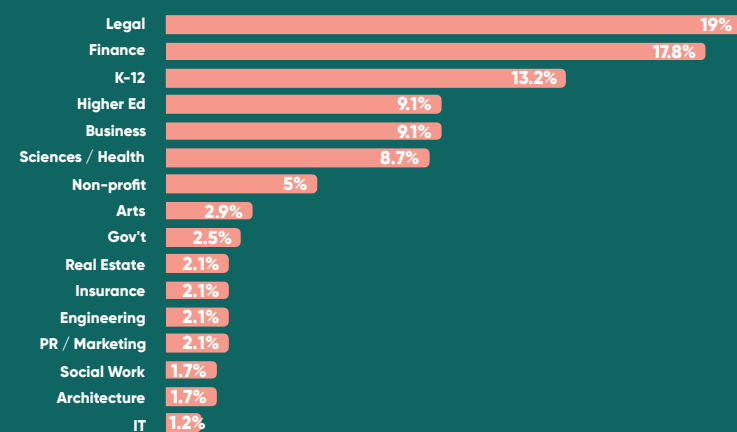
We have very little information on charter board members, apart from what is voluntarily disclosed on schools' websites. Here's what we do know.

1. They are often overseen by men.

There are more men than women on charter boards but the overall difference isn't great. However, women are starkly underrepresented among board presidents and chairs.



2. Board members have a range of professional backgrounds, with law and finance being the most common.



3. Existing data on the racial composition of board members is anecdotal and incomplete.

There is no centralized data on the racial composition of charter school boards in New Orleans, nor is that information made publicly available on schools' websites. While this information is important, it is not included in this report because we were unable to compile or obtain valid data.

Methodology



There is no comprehensive, centralized dataset on New Orleans charter board members. All data in this report was gathered manually from school and CMO websites in November and December of 2018 and reviewed by OPSB staff. It is likely that board membership since that time has changed.

During our review, we found that of the 38 charter boards in the city overseen by the OSPB, as well as the additional school boards overseen by BESE and the state legislature, all but two had published the names of board members on their sites. The gender of board members was gathered from biographies using self-reported gender pronouns. When provided, employment information was gathered. Among boards with published information about their members, 28 provided employment information and/or biographies on their board members. As a result, of the 429 charter board members in New Orleans, we were able to gather employment information for 250. Again, charter boards are not legally required to make employment information about their members publicly available.