An Inside Look: Understanding Governing Boards of Texas Public Charter Schools

BY TIMOTHY MATTISON, Ph.D.

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The Role of Public Charter School Boards of Directors

About 1,300 experienced professionals serve on the governing boards of Texas public charter schools, volunteering their time and talent so that students are well-positioned to succeed. Their experience enriches the way that public charter schools - designed to be creative and flexible - operate each day.

Public charter school boards of directors in Texas oversee school operations for over **365,000 students** and manage over **\$3 billion** in taxpayer revenue across the state every year. This role requires an understanding of not only school operations, but school finance and governance laws and regulations in order to meet the high standards for academic and financial accountability set by the Texas State Legislature, the Texas Commissioner of Education, and the federal government.

As a charter school board member, I get to see the bigger picture and help guide the organization towards our shared vision. As volunteers, we are invested in the school and its focus on developing relationships with students, families, teachers and staff. Seeing decisions we made at the board level come to life as they are implemented at the school and classroom levels, things that might be considered innovative in another school, but at Legacy are just 'the way we do things' is what makes this work so rewarding."

KATRINA MARTINEZ, Board Member,

Public Charter School Boards are Accountable to Taxpayers

Charter schools are public schools designed to put the needs of students first and they face tough accountability standards to ensure they deliver on that promise. The nonprofit volunteer board governance system in Texas is one reason why Texas public charter schools educate 6% of the state's public schools students, but represent 67% of the state's top-rated school districts. In fact in Texas, the accountability standards are among the strictest in the nation.

- Texas has strict standards for those who may serve on a public charter school board. These standards are far stricter than those governing who may serve on an ISD board.
- Texas public charter school board members receive no compensation for their service and cannot have a financial stake in a management company.
- Texas public charter school boards are held just as accountable, and must be just as transparent, as those in traditional public school districts. As 501(c)3 nonprofit organizations, public charter schools and their boards must also comply with additional IRS accountability guidelines.
- Texas public charter school board members receive training to ensure they understand state law.
- Texas public charter school boards are separate from the boards of management organizations.
- Texas public charter school board members who breach their duty or commit a crime can be removed with relative ease, whereas ISDs and the State have virtually no authority or ability to remove ISD trustees who have breached their duty.
- Texas public charter school board members are directly accountable to the TEA and Attorney General and can be held individually and personally liable for breach of duty. There is no similar mechanism for ISD trustees.







On this chart, the inner circle shows what accountability standards apply to both public charter schools and ISDs. The next two circles show areas where similar measures apply, but the rules for charters are stricter. Finally, the outer circle shows what accountability measures are totally unique to charter schools.

SCHOOL BOARD ACCOUNTABILITY

Public Charter Schools vs. Traditional Districts

Specific prohibition STRICTER RULES FOR CHARTERS against superintendents SIMILAR hiring their spouse or General children; TEA can enforce prohibition of IDENTICAL violations by public nepotism for charter schools district and Board members cannot be school-level More training is compensated for their work employees required for new board members at public charter Board members must schools (12 hours vs. 4 hours disclose conflicts of interest Training for ISDs); Charter school requirement for board members must Boards must follow open new board meetings and public information complete 6 additional hours of members laws in the Government Code training each year while serving; Board members Charter board members are Private contractors cannot are screened by Board required by TEA to track and make decisions for boards TEA to ensure they members are ineligible submit records of their have the skills to to serve if they commit training oversee finance, an offense in Penal governance, and Code Section More offenses, educational 43.02(b) across multiple legal codes, can **Board members** operations. There disqualify charter board members must disclose TEA can take is no similar vetting from service – and these allowable business over a board for for ISD boards additional offenses include those transactions with mismanagement related to children's safety; The their district education commissioner can remove charter board members The education – but not ISD board members **TEA** commissioner must - who commit a crime reviews charter reject applicants to school contracts and purchases open new charter TEA can reconstitute and can take action if the agency schools if their board a charter school board for believes they aren't in the public members aren't any violation of the school's interest; TEA can initiate audits properly skilled. ISDs charter - even a minor one. for any transaction the agency can expand and open The agency appoints a considers to not be in the new schools without conservator to an ISD board only best interest of students. any such review. after gross mismanagement for No such mechanism many years exists for ISDs **Board members** can be held RULES ONLY FOR CHARTERS individually and personally liable for The education breach of duty. commissioner can Public charter schools request the attorney general file must comply with IRS suit on behalf of the state against a requirements for non-profit management company. There is no organizations, which include similar oversight for private additional restrictions, sanctions, companies that contract





and disclosure requirements

beyond Texas state law.



with ISDs.