

CHARTER SCHOOL GOVERNING BOARD MEMBER

“TEST YOUR KNOWLEDGE” WORKSHEET

Circle the question number if you know the answer.

1. What is the process to change the school calendar once the board has approved it?
2. How are students assessed to ensure they are meeting the Colorado Basic Literacy Act (CBLA) requirements?
3. Are charter schools accredited through their authorizer or the state?
4. May parent volunteers working at a charter school help file student academic records or medical records, or in any way have access to student records?
5. Must all charter school teachers be licensed in order to meet the definition of Highly Qualified according to federal law?
6. Does an employee remediation plan invalidate an at-will agreement?
7. If a charter school student wishes to participate in a neighboring public school’s athletic team (not offered by the charter school), may he/she?
8. How does the governing board place a Letter of Reprimand in an administrator’s personnel file?
9. Can charter schools expel students the same as the school district?
10. Regardless of whether a charter school or authorizer provides Special Education services for the charter school, whose responsibility is to ensure compliance with Section 504 of the Rehabilitation Act of 1990?
11. May charter schools publish a school directory with home addresses and phone numbers?
12. May a charter school governing board use email to discuss school business in between regular meetings?
13. Can the governing board go into Executive Session to address problems that have arisen between themselves?
14. May charter schools give their own diploma to graduating seniors?
15. May charter schools require parent volunteer hours?
16. Does a charter school governing board have to adhere to the same Open Meetings laws as “public bodies”?
17. Who “holds” the charter? Is it the governing board or the parents of students currently enrolled in the charter school?

18. My school’s authorizer said they would handle compliance with the Financial Transparency Act for us, is that OK?
19. We waived the competitive bid law [C.R.S. 22-32-109(1)(b)] so our school doesn’t have to get bids from vendors, right?
20. Our school district wants to run a mill levy and bond question on the next ballot, so they want us to help promote it with our parents. If we do, does that mean they need to share some of the money with our charter school?

“TEST YOUR KNOWLEDGE” ANSWERS

1. Once the charter school governing board has adopted the school calendar, and published it, the majority of the board must vote to amend it. The change must be published at least 30 days prior to the date that will be changed. In no event can the calendar drop below the minimum number of hours required. [C.R.S. 22-32-109 (1)(II)(B)]
2. Students in grades Kindergarten through third grade must be assessed annually using a state-approved literacy assessment. [See <http://www.cde.state.co.us/coloradoliteracy/cbla/index.htm>] Students not proficient in reading by the third grade cannot be advanced to a fourth grade reading class. Students who are not proficient in Reading must be put on an Individualized Literacy Plan (ILP).
3. School districts will accredit charter schools the same as the rest of their public schools. Charter school governing board members should obtain a copy of the school district’s accreditation plan, which was approved by the state. The same criteria detailed in the school district’s accreditation plan, will be used for individual school accreditation.
4. No. FERPA dictates who may have access to student records. Only persons with a “legitimate educational interest” can access confidential student records. <http://www2.ed.gov/policy/gen/guid/fpco/ferpa/index.html>
5. No. Charter schools that have waived the Teacher Licensure law [C.R.S. 22-63-201] may demonstrate that teachers are Highly Qualified based on course work hours and by passing a PLACE or Praxis II exam. http://www.cde.state.co.us/FedPrograms/dl/tii_a_hqt_cohqhandbook.pdf (p.13)
6. Yes. Employers should not have a mandatory progressive discipline policy, which requires that certain disciplinary steps be taken before termination. If there is such a policy, there is the implication, and an expectation, that the employer can only terminate, if and only if, it follows every step of the progressive discipline. Employee evaluation forms, board policies, at-will agreements and all documentation related to employment should always explicitly note that there is at-will employment at the charter school. <http://www.cde.state.co.us/cdechart/guidebook/gov/index.htm>

7. Yes; if the charter school does not offer that sport. Keep in mind that the student may be subject to up to 150% of the fee normally charged for that sport. [C.R.S. 22-32.-116.5]
8. A Letter of Reprimand must be approved by a majority of the governing board. The administrator in question must sign the letter as confirmation that he/she received a copy of it (signature does not imply approval with the contents of the document).
9. Yes, but only if the school has been granted that authority in their charter contract. Some school districts want to retain that expulsion authority because then the student's expulsion would be from all school district schools, not just the charter school. If the charter school has the authority, it should also have a delegation waiver of C.R.S. 22-33-106. The waiver would in no way change the statutory grounds for expelling a student, or the student's rights.
10. Public charter schools are required to comply with Section 504 since they are a public school. Section 504 prohibits discrimination based on disability. As the charter authorizer, the school district is ultimately responsible for compliance. For more information, see the Colorado Charter Schools Special Education Guidebook at:
<http://www.cde.state.co.us/cdechart/download/SpecialEdGuidebook.pdf>
11. Yes. A charter school may publish a school directory containing names, addresses and contact information for parents and students, so long as parents and students are given an opportunity to "opt out" of the publication.
12. Yes. However, when three or more board members discuss school business, the meeting must be properly noticed. Emails may also be subject to an Open Records request, which means any individual wishing to obtain a copy of those emails may do so.
<http://www.cde.state.co.us/cdechart/guidebook/gov/pdf/OpenMtgsRecordsMemo.pdf>
13. No. Laws pertaining to Executive Session are limited and do not provide for discussing interpersonal relationship issues amongst board members. The reason for entering into Executive Session and the statutory citation authorizing the Executive Session must be cited by the Board (on the agenda and in the motion) prior to entering Executive Session.
<http://www.cde.state.co.us/cdechart/guidebook/gov/pdf/OpenMtgsRecordsMemo.pdf> (p.3)
14. Check the charter contract. If the school district has approved the charter applicant's proposed course descriptions, graduation requirements and approves the charter school's granting diplomas, then the charter school may issue its own diploma. However, the school district may require the official school district diploma, but with the charter school's name on it.
15. No. Charter schools can encourage parents to volunteer a suggested number of hours, but the requirement cannot be mandated. Article IX, Section 2 of the State Constitution stipulates that all residents of the state, between the ages of 6 and 21 years of age, be educated without cost.
16. Yes. The charter school is considered a "local public body." Although most charter schools have filed Articles of Incorporation, whether or not that has occurred does not affect the charter school's status as a local public body.
<http://www.cde.state.co.us/cdechart/guidebook/gov/pdf/OpenMtgsRecordsMemo.pdf>
17. The answer to who "holds" the charter lies in the school's bylaws. In essence, the charter is granted to the school as a corporation with an existence apart from the Board and the parents. However, the bylaws and/or Articles of Incorporation will state who members of the

corporation are. This could be the governing board or it could be parents of currently enrolled students. The members must have an annual meeting and have the authority to change the bylaws or significantly change the charter school.

18. No. Each public school in the state is responsible for compliance with the Financial Transparency Act. Information may be accessed on the district's server, but it should be linked from the charter school's website.
<http://www.cde.state.co.us/cdechart/guidebook/fin/finact.htm>
19. No. Having the waiver delegates the responsibility for compliance to the charter school board instead of the authorizer board. The charter school cannot waive other competitive bid or financial laws and is required to be in compliance.
20. It depends on what the ballot question says. The district does not have an obligation to include a charter school in their mill levy or bond ballot questions; they're only required to discuss it with their charter school/s. [C.R.S. 22-30.5-112.3] If the ballot question does not explicitly state the charter school/s participation with a specific dollar amount, the charter school is probably not included. The money that's raised can only be used for purposes stated in the ballot question/s.