



Idaho Department
of Education

Bylaws, Charter, and Performance Certificate

Documents to Know While Serving on a
Charter Board

Reference: *Governing for Greatness* by Brian L. Carpenter



As a charter board, you should be familiar with the following documents:

1. The Bylaws
2. The Charter
3. The Performance Certificate



Bylaws:



As a non-profit organization, your charter's bylaws act as guiding principles to how you function as a board. The bylaws are an “operating manual” of sorts that direct board procedures, and appointment of board members (and how each member fills a role).

Did you know?

- The bylaws were established before your charter was approved
- Associated with the non-profit element of being a charter
- The bylaws even determine how often the board will meet
- The bylaws are the boss of you 😊
- They can be amended...with authorizer notification

Bylaws help the board regulate itself.

Bylaws include information on:

1. How many members may be on the board
2. How board members are elected, appointed and removed
3. Whether various board committees will exist
4. What constitutes a quorum
5. How frequently the board will meet

Significantly deviating from the bylaws could lead to charter revocation. Be sure your board attorney periodically reviews the bylaws!



What should be included in the bylaws?

- Article I. The name of the organization
- Article II. The purpose of the organization
- Article III. Members
- Article IV. Officers (most often “Board of Directors”)
- Article V. Meetings, including the Annual Meeting date
- Article VI. The executive committee (most often “Officers and Duties”)
- Article VII. Committees
- Article VIII. Parliamentary authority
- Article IX. Amendment of bylaws.

This list is in *Governing for Greatness* by Brian L. Carpenter (page 9)

What shouldn't be included in the bylaws?

- ❑ Bylaws should not give instructions about management or other aspects of operations.
Remember! A board's role is to *govern*, not *manage*.
- ❑ Bylaws don't necessarily have to contain lists of statutes the board will follow (i.e., open meetings); the board will obey the law, and this isn't dependent on what the bylaws say.

The Charter:

If you were a part of the founding board, you are very familiar with this document.

- The charter outlines the school's mission, financial plans, facilities plans, and educational model, and more!
- It is why you exist
- It is a binding document that should guide the charter governing board
- Changes to the charter require collaboration with, and approval from, your authorizer

Do you know your mission?

One of the most important statements in the charter is your school's **mission statement**.

Yes, the educational model is important; the financial plan is vital, but the **mission statement** is the heartbeat!

Every decision you make as a board should support this mission.

Do you know when your charter expires? If not, it would be worth your time to find out.

Scenarios:

1. You have a very adamant group of parents that want more STEM options offered in your high school. You are an arts-focused charter school. What should the board do?
2. A new member of your board has extensive background in the arts and would like to create an expensive dance program. You are a STEM-focused charter school. What should the board do?
3. There are two viable options to spend discretionary funds on this year:
a) a new floor for the gym b) remodeling a science lab. What should one of the first steps be in making this decision?

Answer: For each of these scenarios, the board should ask which option best supports the mission of the charter.

Performance Certificate:

- The performance certificate is an agreement between the authorizing board and the charter school board only.
- It outlines the various financial and academic goals that must be met by the charter school.
- This document gets into the details, percentages, and other specifics of conditions that must be met in order for the charter to meet renewal conditions.

Performance Certificate (cont.):

- In Idaho, it is renewed every 3 (if pilot), 6, or 12 years, depending on where you are in the renewal cycle.
- You are expected to become familiar with this document as the measures noted within determine the school's ability to stay open.

Three common characteristics found in high performing charter schools are:

1. School wide culture of student success
2. Capable and experienced chief executives
3. Ability to attract and retain qualified teachers

Performance Certificate: Closing

Look through the [Idaho Public Charter School Commission's](#) performance framework.

Don't forget to check your charter's performance certificate for renewal conditions!

In Conclusion:

Charter schools are free public schools given permission from an authorizer to operate. They must follow state and federal laws governing schools, AND they are also responsible for following and meeting the expectations of the **bylaws**, **charter**, and **performance certificate**.



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Thank you!

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