

## Rationale for Amendment to Bylaws Article ii, Section 2.01

Employee participation on the Board has always been problematic, requiring the recusal of employee members on a number of important discussions and decisions. This has diluted the authority of the Board in these instances. The inclusion of employees as Board members is a holdover from the initial charter school boards, which were composed of representatives of various stakeholder groups. The existing Section 2.01(a) of the Bylaws provides that no more than thirty percent of Governing Board members may be employees of the school. The conclusion of the term of last representative employee position on June 30, 2021, presents an opportunity to resolve this problem.

There is an inherent conflict of interest for employee members of the Board because every employee has a substantial interest in the decisions and actions of the Board and is substantially affected by any such actions (see Bylaws Section 2.03, Conflict of Interest).

Lines of authority and responsibility for decision making are unclear when those under the leadership and direction of the administration are simultaneously governing the administration.

Henceforth, self-nominated employee members of the Board would find themselves in the difficult position of being expected by their peers to “represent” their employee group, whereas in fact they would not be elected representatives and could speak only for themselves. Concerns, questions or recommendations of school employees--teachers, staff or custodians—may be more effectively brought to the attention of the Board through representatives or individuals from those groups. A formal process for submitting such matters to the Board could be established.

For these reasons the effectiveness of the Board will be enhanced by the proposed amendment.