A Study of New Jersey Charter School Board of Trustees Perceptions Regarding Charter Schools Legislations' Effect on Leadership Behavior

Peter J. Righi
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A STUDY OF NEW JERSEY CHARTER SCHOOL BOARD OF TRUSTEES' PERCEPTIONS REGARDING CHARTER SCHOOLS LEGISLATIONS' EFFECT ON LEADERSHIP BEHAVIOR

by

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Submitted in partial fulfillment of the requirements for the degree of Doctor of Education
Seton Hall University 2003
ABSTRACT

A STUDY OF NEW JERSEY CHARTER SCHOOL
BOARD OF TRUSTEES’ PERCEPTIONS REGARDING
CHARTER SCHOOLS LEGISLATIONS’ EFFECT ON LEADERSHIP BEHAVIOR

Peter J. Righi
Seton Hall University
November, 2003

The purpose of this study was to determine if New Jersey Charter School Board of Trustee members perceive governmental regulations as a help or hindrance on their ability to lead. Additionally, the study sought to determine if there was congruence between what charter school literature purports should occur with what actually takes place in New Jersey. Focus groups of Charter School Trustees were assembled as the subjects of this study.

The first research question in this study was, “What are the perceptions of Charter School Trustees about how governmental regulations impact the degree to which they can lead their schools?” The results of the data analysis showed that Charter School Trustees believe State regulations have a negative impact on their ability to lead. Furthermore, Trustees believe the Charter Law is not being acted upon as originally intended and that New Jersey regulations prevent them from engaging their time in leadership behaviors.

The second research question in this study was, “What congruence exists between the perceptions of what Trustees believe their role to be with what they
perceive is actually being performed?" The results of the data analysis showed that Trustees believe they are not spending enough time on leadership activities due to time spent on adhering to governmental regulations.

The third research question in this study was, "What congruence exists between the literature on Charter School governance and the perceptions of New Jersey Charter School Trustees about their actual system of governance?" The results of the data analysis revealed Trustees perceive a disconnect in what the literature states should occur and what actually exists.

This study was limited to only the eleven original charter schools in New Jersey. Data was descriptive of respondents only, and cannot be generalized to the hypothetical population of all Boards of Trustees in New Jersey.
Acknowledgement

This dissertation is dedicated, with love, to my wife, Dawn, and my children, Daniel, Elizabeth, Emily and Peter. Without their patience, love, hard work, and understanding this work would not have been completed.

My sincerest gratitude to my mentor, Dr. Anthony Colella, and my committee members, Dr. James Caulfield, Dr. Richard Marasco, and Dr. William George for their support and the opportunity they gave me to achieve.

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Chapter I
Introduction

Americans are concerned about their public schools. When asked about their confidence in public schools, 40 percent said they were "somewhat dissatisfied" while 21 percent stated they were "completely dissatisfied" (Gallup Organization, 2002).

Since the publication in 1983 of "A Nation at Risk," a study conducted by the National Commission on Excellence in Education, serious questions have been raised about the value of a public school education in the United States. The report proclaimed the "ideal of academic excellence as the primary goal of schooling seems to be fading across the board in America" (National Commission on Education, 1983, p. 2). American public school children received criticism for "not studying the right subjects, not working hard enough, and not learning enough. Their schools suffered from slack and uneven standards" (Smitt, 2000, p. 14).


The challenges faced by American education have become increasingly more complex. Schools are now called upon to address social concerns once reserved primarily for the home. In addition, the number and magnitude of societal issues and concerns have grown to an alarming number. Our society has increasingly turned to the schools to address these growing demands.
Although indicators demonstrate our schools are not nearly as bad as suggested in "A Nation at Risk," legitimate concerns about our public schools do exist. Public confidence in our nation's public schools has declined since the 1970's (Gallup Organization, 2002).

While concerns are great, it appears that Americans are quite willing to pay for an investment in educational improvement. Seventy-six percent of those surveyed believe the federal government should increase spending for education (Gallup Organization, 2002). Gallup Poll information is presented in Figure 1 and Tables 1 and 2.

Since Americans expect to get what they pay for, it is understood they expect improvements in public education commensurate to their investment. With public confidence in American public schools low, people are increasingly looking toward innovative ways to educate their children. The charter school movement is one such reform that has gained momentum due to its early success, results-oriented accountability, and visionary leadership.

The charter school reform movement is a response to the public's growing concerns with its educational system. It offers parents an alternative to traditional public schools for their children. "Creating different school programs and offering parents choices among them makes sense because there is no one best school for every child" (O'Neill, 1996, p. 7). Offering people choices in educational opportunities supports innovation and accountability.

Charter schools are results driven. Conceptually, charter schools exchange accountability for specific results while the state grants a waiver of the rules and
Figure 1. Confidence in public schools has declined since the 1970s.
Table 1  Satisfaction with Quality of Education Grades in K-12

Question: Overall, how satisfied are you with the quality of education students receive in grades kindergarten through grade twelve in the U.S. today – would you say completely satisfied, somewhat satisfied, somewhat dissatisfied or completely dissatisfied?

<table>
<thead>
<tr>
<th>Level of Satisfaction</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Completely satisfied</td>
<td>7%</td>
</tr>
<tr>
<td>Somewhat satisfied</td>
<td>29%</td>
</tr>
<tr>
<td>Somewhat dissatisfied</td>
<td>40%</td>
</tr>
<tr>
<td>Completely dissatisfied</td>
<td>21%</td>
</tr>
<tr>
<td>No opinion</td>
<td>3%</td>
</tr>
</tbody>
</table>

Sample: 1,019 Adults
Methodology: Telephone interview Conducted August 24-27, 2000
Source: Gallup Organization, 2002
Table 2  Federal Funding – The Public’s Perception

Question: If you were making up the budget for the federal government this year, would you increase spending for,... decrease spending, or keep spending the same for this?

<table>
<thead>
<tr>
<th>Budget Item</th>
<th>Increase</th>
<th>Decrease</th>
<th>Keep the same</th>
<th>Don't Know</th>
</tr>
</thead>
<tbody>
<tr>
<td>Education</td>
<td>76%</td>
<td>5%</td>
<td>18%</td>
<td>1%</td>
</tr>
<tr>
<td>Health Care</td>
<td>71%</td>
<td>4%</td>
<td>23%</td>
<td>2%</td>
</tr>
<tr>
<td>Medicare</td>
<td>70%</td>
<td>2%</td>
<td>26%</td>
<td>2%</td>
</tr>
<tr>
<td>Veterans benefits and services</td>
<td>58%</td>
<td>3%</td>
<td>34%</td>
<td>5%</td>
</tr>
<tr>
<td>Research on AIDS</td>
<td>55%</td>
<td>6%</td>
<td>36%</td>
<td>3%</td>
</tr>
<tr>
<td>Combating crime</td>
<td>55%</td>
<td>5%</td>
<td>37%</td>
<td>3%</td>
</tr>
<tr>
<td>Energy</td>
<td>52%</td>
<td>9%</td>
<td>35%</td>
<td>4%</td>
</tr>
<tr>
<td>Environmental protection</td>
<td>48%</td>
<td>9%</td>
<td>40%</td>
<td>3%</td>
</tr>
<tr>
<td>Military defense</td>
<td>47%</td>
<td>11%</td>
<td>40%</td>
<td>2%</td>
</tr>
<tr>
<td>Agriculture</td>
<td>46%</td>
<td>8%</td>
<td>42%</td>
<td>4%</td>
</tr>
<tr>
<td>Housing and aid to cities</td>
<td>42%</td>
<td>12%</td>
<td>42%</td>
<td>4%</td>
</tr>
<tr>
<td>Scientific research</td>
<td>41%</td>
<td>10%</td>
<td>46%</td>
<td>3%</td>
</tr>
<tr>
<td>Transportation</td>
<td>30%</td>
<td>12%</td>
<td>52%</td>
<td>6%</td>
</tr>
<tr>
<td>Military and economic assistance to U.S. allies and needy Third World countries</td>
<td>17%</td>
<td>31%</td>
<td>48%</td>
<td>4%</td>
</tr>
<tr>
<td>The State Department and American Embassies</td>
<td>11%</td>
<td>26%</td>
<td>55%</td>
<td>8%</td>
</tr>
</tbody>
</table>

Sample: 1,202 Adults
Methodology: Telephone interview conducted April 18-22, 2001
Note: Asked of half the sample
Source: Gallup organization, 2002
regulations governing public schools (Nathan, 1996, p. 1). In practice, however, charter laws vary from state to state.

New Jersey Charter School Movement

In 1995, New Jersey became the nation’s twentieth state to enact legislation enabling the existence of charter schools. Within a year after the Charter School Program Act of 1995 (L 1995, C 426, N.J.S.A. 18A: 36A) was signed into law, 13 schools were established. “The charter concept is simple but powerful: Sound school choices can be provided to families under the umbrella of public education without micromanagement by government bureaucracies” (Manno, Finn, Bierlein & Vanourek, 1997, p. 2).

The Center for Educational Reform (as cited in Allen, 2002), a national, independent, non-profit advocacy group founded in 1993, ranks the states from having strong laws or “laws that foster the development of numerous and genuinely independent charter schools” (p. 1) to weak laws or laws that “only provide infertile ground for advancing charter schools’ growth” (p. 1). New Jersey’s charter school law is strong, but suffered two setbacks prior to its adoption. The New Jersey Educational Association (NJEA), the state’s teachers’ union, applied pressure on the legislature.

The NJEA succeeded in getting lawmakers to make concessions that (a) requires collective bargaining in any existing school that converts, and (b) prohibits private firms from making any profit if they operate a charter school, although they can contract to manage schools.
Despite the concessions, New Jersey’s charter school law is ranked the 17th strongest of the nation’s 40 charter laws by the Center for Educational Reform (Center for Educational Reform, 2003).

One of the major characteristics of charter schools is to reduce regulations in exchange for accountability. As such, charter school governing boards, or boards of trustees, can serve as visionary educational leaders of the schools they serve. “Charter schools are independently governed by the trustees of a non-profit corporation. Charter school leaders have the freedom to hire the most qualified teachers, to reduce class sizes, to lengthen the school year and day, to control their budget, and to build a community of accountability” (MacInnes, 2001, p. 7). Currently, there are fifty-six charter schools operating in New Jersey serving over 12,000 children (Center for Educational Reform, 2003).

Statement of the Problem

Present structures of school governance are under attack. To criticize governing boards is not new. In writing about corporate boards, Drucker (1974) stated, “there is one thing all boards have in common, regardless of their legal position. They do not function” (p. 628).

Much of the current literature on school boards is similar in nature. Blame has been placed upon school boards for the ineffectiveness of school reform. School boards, mired in bureaucratic regulations, are failing to serve as educational leaders in efforts designed to improve our schools. “The nation’s school boards, as presently constituted and empowered, are at the very root of the problem” (Edwards, 2000, p. 20).

Rosenberger (1997) found that effective performance as a board member is “hindered by personal, social, organizational and political factors” (p. 2). Board members must possess a clear understanding of their role. Without this clear
understanding of their role along with an activity-based school board agenda, board members micromanage and do not lead (Rosenberger, 1997, p. 5).

Although there are differences among states, the most common way to become a board member is through the electoral process. Electing school board members has been criticized as establishing boards that do not represent their communities due to the serious lack of voter turnout for school board elections. In addition, questions are raised about the political agenda of our elected officials. This personal agenda may outweigh the agenda of what's best for one's students.

More and more legislation has been enacted that restricts local boards on policy matters. The Twentieth Century Fund Task Force (as cited in Danzberger, 1992)) reported, “State governments have gradually expanded their control over local schools in terms of both programs and personnel” (p. 13).

Charter schools, on the other hand, are governed by boards of trustees whose members are appointed. Usually trustee members are among the founders of the charter school. Board of trustee members are held to the same training requirements as are their traditional public school board members. In New Jersey, training requirements and guidelines are set by the New Jersey School Boards Association.

Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards. “The genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced – the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement” (Manno et al., 1997, p. 3). Another way of viewing charter schools versus
traditional public schools is that charters have foregone the rules and regulations in order to concentrate on results. Freed from the bureaucratic requirements burdening traditional public school boards of education, boards of trustees are asked to focus their attention on functioning “as an effective, future-focused leadership team” (Martinelli, 2000, p. 124).

The literature on charter schools calls for reduced governmental regulations. The easing of legislature burdens will enable governing boards to lead in more visionary ways. Charter proponents in New Jersey, however, claim that legislative restrictions still exist and that charter school regulations in New Jersey do not go far enough in changing the way board members behave.

Therefore, it is important to determine how charter school boards of trustees perceive government regulations’ effect upon their ability to lead their schools. It is also important to understand the perceptions of trustees related to governmental regulations in order to determine if they perceive legislation as helping them to lead their schools more effectively and more efficiently. This information will help determine if charter school legislation in New Jersey goes far enough in changing the way board of trustees lead their schools and if similar deregulation should be considered for all boards of public education.

Statement of Purpose

In its report, “Facing the Challenge: The Report of the Twentieth Century Fund Task Force on School Governance, Danzberger (1992) calls for the need to put school governance on the priority list of national concerns. Furthermore, the report emphatically calls for “fundamental changes in the structure and operation of the institutions of local educational governance.” While a separate local school governance
body may well be the best choice, the role and responsibilities should be thoroughly redefined" (p. 3). In an article written by one member of the task force, Wagner (1992) concludes that "America's local school boards have lost sight of their role in policy making" (p. 228).

In our efforts to reform schools, local boards of education are often perceived as being barriers rather than leaders to school improvement. People become board members to improve education for our students; however, "the system is often bogged down in administrivia such as approving athletic schedules. Administrative leadership is often wasted and no one even seems to know what it is they should lead about (Carver, 1991 p. 6). Many believe, as Carver does, that unless something is done to restructure school governance, wide-reaching efforts to truly reform and improve schools will fail.

The charter school movement has been seen as a successful means of school reform and charter school proponents cite several characteristics of the movement as beneficial. One feature of the current charter school movement is to "reduce the burden of regulations on a few schools" (Hill, 1995, p. xi). Many argue, however, that this is not enough. These "systematic reforms try to 'align' the different parts of public education via mandated goals, tests, curriculum frameworks, and teacher certification methods, but do nothing to eliminate the political and contractual constraints that create fragmented unresponsive schools" (Hill, 1995, p. xi).

In addition to reducing restricting regulations, the charter school movement refocuses the leadership role of its governing boards. Emphasis is placed on board of trustee members to be visionary thinkers and planners. In fact, the first of three main points concerning governance of charter schools in the Center for Education Reform's
literature is, "The board must set the direction and define the leadership roles. This
vision must be clear from the beginning" (Center of Education Reform, 2000).

This study seeks to provide data to determine if New Jersey charter school board
of trustee members perceive governmental regulations as a help or hindrance on their
ability to lead their schools. This study also seeks to determine the types of behaviors
trustees engage in when acting as Board members. This study will not provide
information on sweeping national reforms. Analysis of information gathered in this study
will, however, provide necessary information on how New Jersey charter school board
of trustees behave in a purported setting of reduced governmental regulations.
Information from this study will also provide board of trustees' perceptions as to whether
or not governmental regulations have been reduced enough to enable them to
effectively lead their districts.

Research Questions

This study will investigate the ways in which charter school board of trustee
members behave. Specifically, this research is intended to address the following
questions:

1. What congruence exists between the perceptions of what trustees believe
their role to be with what they perceive is actually being performed?

2. What congruence exists between the literature on charter school governance
and the perceptions of New Jersey charter school trustees about their actual system of
school governance?

3. What are the perceptions of charter school trustees about how governmental
regulations impact the degree to which they can lead their schools?
Limitations of the Study

This study is limited to 11 original charter schools in New Jersey. It is assumed that trustees will answer accurately and not answer interview questions as they think is expected. The data analysis is descriptive of respondents only and cannot be generalized to the hypothetical population of all boards of trustees in New Jersey. Finally, findings do not imply causation.

Definition of Terms

The following words and terms used in this study shall have the following meanings.

*Charter school*. The New Jersey Department of Education defines a charter school as a public school that operates independently of the district board of education under a charter granted by the commissioner. A charter school is a free, public school of choice or an alternative to a traditional public school (New Jersey Department of Education, 2002).

*Traditional public school*. Schools established by statute and funded by local and state tax dollars. Schools are located in each local community or regional area.

*Boards of education*. According to New Jersey School Boards Association (NJBSA), boards of education are empowered by the state of New Jersey to govern the public schools at the local level. Their powers are derived from the legislature and not from the people of their community.

*Boards of Trustees*. According to NJ State Code 18A: 36A-14, “The board of trustees of a charter school shall have the authority to decide matters related to the operations of the school including budgeting, curriculum, and operating procedures,

Trustee. A member of a Board of Trustees while acting in that official capacity.
Chapter II
THE REVIEW OF THE RELATED LITERATURE

The literature review begins with a brief snapshot of the educational reform movement and its relationship to school governance. A more detailed discussion of school governance in general follows. Next, an overview of the charter school concept and its growing appeal as a reform movement is discussed. Then, the charter school movements in Arizona and Kansas are presented to compare those reform movements to the charter school movement in New Jersey. Included in the review is the issue of governance and its relationship to supporting the charter school reform movement. The chapter concludes with an overview of the eleven original charter schools in operation in New Jersey since 1966 and their current status (see Appendix A).

School Reform

School reform is a topic that has concerned Americans for a long time. Long before October 4, 1957, questions were raised about our public educational system. The day the Soviet Union successfully launched the world’s first artificial satellite, however, officially dates America’s commitment to the US-USSR space race. America’s fears of losing the space race turned everyone’s attention to its public schools. Demands were placed on the schools to save society from Russian scientists (Schlechty, 1990).

Historically, there has been no shortage of publications criticizing public education. In response to critics, a variety of school reform and restructuring efforts have been started yielding only isolated success stories.
In the early 1980's, nearly all school-aged children were enrolled in schools with more than 71% of 17-year-olds graduating from high school. Despite these statistics, however, then President Ronald Reagan launched a campaign to reform America's educational system. "Our educational system is in the grips of a crisis caused by low standards, lack of purpose, and a failure to strive for excellence. Our agenda is to restore quality to education by increasing competition and by strengthening parental choice and local control" (Mondale & Patton, 2001, p. 184). At the same time, "A Nation at Risk" (National Commission on Excellence in Ed., 1983) claimed that our survival as a nation depended on education reform.

Competition was not new to American education. New York City, in an effort to improve its underachieving schools, had begun to experiment with competition as a means to reform its schools. "Injecting competition into America's urban school systems was the strategy behind an experiment already underway in East Harlem, New York (Mondale & Patton, 2001, p. 188). In 10 years, East Harlem went from its last place ranking to outperforming half of the city's school districts. Although principal Deborah Meir (1995) believes in public education, she advocates choice. "Giving up on public schooling as our accepted norm would mean leaving our nation's children in the hands of unknown babysitters with unknown agendas. I think choice offers us the opportunity to rethink what we mean by a public institution and stop thinking of public institutions as dull, boring, mediocre buildings that house bureaucrats. Instead think of them as lively, coherent places that represent the very best and most excellent standards" (p. 8).
One of the most hotly debated forms of school choice is the voucher program. Vouchers permit students to use public school funds to pay for private schools. It is believed that competition from private schools will force public schools to improve.

Critics of voucher programs argue that they siphon off critical resources from public education. In addition, critics argue that vouchers discriminate against those students who are harder to educate. "We could end up with vouchers that would allow systems to cater to people on the basis of class (Anderson, 1988, p. 86).

Proponents of voucher systems, however, point to numerous success stories indicating positive effects on student participants' academic achievement, as well as their leading to school improvement of neighboring public schools (Amis, 2002; Benefield, 2001; Miller, 1990; Peterson, 1999).

Home schooling is yet another movement of school choice that has been gaining popularity. In 2000, an estimated 2.5% of the nation's children were being home schooled (Mondale & Patton, 2001, p. 199).

Still another alternative to public education beginning in 1992 in Baltimore is private management of public schools. "In 1992, the city of Baltimore hired a private company, Education Alternatives Inc., or EAI, to manage nine of its public schools" (Mondale & Patton, 2001, p. 201).

Of course charter schools, beginning with Minnesota legislation in 1991, began yet another reform movement that sometimes combines privatization within the public sector. "Proponents argue that charter schools offer more flexibility than other public schools, in part because most are accountable directly to the state, rather than to city or school bureaucracies" (Mondale & Patton, 2001, p. 204).
Truly effective schools do exist. Each reform movement has documented individual schools that have performed quite well. The issue of school improvement and reform is not that we cannot identify effective schools. The main concern is our inability throughout the years to replicate the success of isolated, successful schools. We have been unable to transfer what we have learned has worked in one school or set of schools to improve other schools. Then Governor of Arkansas, Clinton (as cited in Hill, 1995) stated, "One of the most continually frustrating things I ever faced as governor of Arkansas was realizing that virtually every challenge in American education has been met successfully by somebody somewhere, (but) the problem is that we have never found an effective way to help replicate success" (p. 13).

Why haven't years of efforts at school reform produced significant results? Why, after years of work, millions of dollars, reform after reform, and a wealth of school improvement literature haven't schools changed much? Sizer (1984) criticized the public schools for changing little over the years. However, "America's public educational system is vast, and it was not designed to change quickly" (Hill, Pierce, & Guthrie, 1997, p. 184). There is general agreement that change is occurring much more quickly than a decade ago. There is also general agreement that systemic change is occurring too slowly. "The fact that there are hundreds of benchmarks worth emulating doesn't mean they are being emulated at anywhere near a rapid enough rate" (Peters, 1997, p. 2).

School Governance

Researchers have purported an inherent problem in the way school systems are governed. Traditional forms of school governance prevent change. "Unless new and
better governance arrangements can be developed, the decade-long effort to reform American public education is doomed to failure” (Hill, 1995, p. ix).

Historically, public schools of today were “born in the mid-nineteenth century” with what its founders called the common school (Kaestle, 1983, p. 11). “Common schools were funded by local property taxes, charged no tuition, were open to all white children, were governed by local school committees, and were subject to a modest amount of state regulation” (Mondale & Patton, 2001, p. 11).

Public education continued to take hold and in the early 1900s the public school “was one of the most treasured public institutions in the United States” (Ravitch, 1983, p. 64). Schools were governed by local boards that “made all important decisions about personnel and curriculum” (Mondale & Patton, 2001, p. 64). These boards were made up of appointed members often numbering from 50 to 100 members. By 1930, reformers had “converted most school boards into smaller, businesslike operations with modern managerial practices divorced from partisan politics” (Cuban, 1993, p. 34). “Moreover, school reformers had adopted the corporate model of efficient school governance. They moved from large, politically appointed school boards and untrained administrators to small, elected boards filled with business and civic-minded laypersons who hired professionally trained experts to run their schools” (Cuban, 1993, pg. 35).

Today, school boards are the major component of local school governance across the United States. School boards are founded on the belief that citizens should control the policies that determine how the children in its communities are educated.
The historic roots of school boards date back to the town meetings in New England settlements in the 1600's. Town officials made decisions about running the local schools. Later on, local school committees were designated to perform that task. “Early committees were responsible for finding a suitable building for the school, finding an adult who could read and write to be the schoolmaster, providing food and clothing for the schoolmaster, and providing learning materials for the students” (New England Archivists, 2002)

These early school committees performed many of the same functions as do modern school boards. Several times a year the committee members visited the schools and had students perform recitations of their studies. Committees also determined rules of conduct and textbook/supply purchases.

The concept of school committees developed into present-day school boards, an entirely American concept (New England Archives, 2002). Today there are about 15,000 local school boards in the United States (NJSBA, 2001).

In New Jersey, school boards originated in the nineteenth century and were reformed in the twentieth. “In 1914, the New Jersey Legislature approved Chapter 129 which provided enabling legislation for the formation of an organization of boards of education” (NJSBA, 2002).

New Jersey has defined the role of local school boards; “The role of a board of education is not to run the schools, but to see that they are well run. To accomplish this a board makes policies” (NJSBA, 2002, p. 2).

Legislators, however, continue to impede local school boards by placing upon them increased demands and regulations. Houle (1989) states, “many a school board
member has wondered whether it is possible to get through a single meeting without becoming an outlaw" (p. 48).

The Twentieth Century Fund Task Force on School Governance (as cited in Danzberger, 1992) recommends states "repeal all current laws and regulations specifying the duties, functions, selections, and role of school boards" (p. 9). The Task Force further recommends boards be given the authority to formulate policies at the local level.

School Boards are the official governing body of public schools in America today. However, school governance is singled out as the largest hindrance to school reform. "The nation’s school boards, as presently constituted and empowered are at the very root of the problem" (Edwards, 2000, p. 20). The current school governance structure actually prevents systemic change and replication of best practices.

"Studies of American public education reveal three kinds of evidence to support the proposition that current governance arrangements mitigate against school quality: the difficulty of reproducing tested, effective innovations; inability to focus resources on schools in trouble; and tolerance for consistent failure. Any of these alone is cause for concern. Combines, they are a condemnation of current governance arrangements" (Hill, 1995, p.13).

"Despite the long history of school boards and despite the important responsibility they bear for governing the education of our nation’s children, little statistical information has been available on these public bodies” (NJSBA, 2002, p. 3). No conclusive research exists making a connection between governance structures and school improvement. Agreement exists, however, that most board members do not
behave consistent to their intended roles. "The gap between what is and what could be has resulted in widespread disappointment. Instead of innovators, local boards are perceived as barriers to school reform" (Rosenberger, 1997, p. 2). There is a disconnect between how school boards and their individual members should act according to the literature with the way in which they actually behave.

School Boards are at the top of a school or school district's organizational chart. As such, these governing boards have authority for all of the functions of the organization. Accountability for everything occurring in schools also lies with the school board.

Governing boards then have a great responsibility. They are ultimately responsible and accountable for everything that takes place in an organization. Carver (1997) questions whether a board's challenges may be too great since they "have not been vessels of exemplary efficiency in the best of situations" (p. 7). Much has been written about the ineffectiveness of governing boards. In 1984, then CEO of ITT (as cited in Geneen, 1989) wrote, "Among the boards of directors of Fortune 500 companies, I estimate that 95 percent are not fully doing what they are legally, morally, and ethically supposed to do. And they couldn't even if they wanted to" (p. 28). And, in writing of corporate boards, Drucker (1974) states, "there is one thing all boards have in common, regardless of their legal position. They do not function. The decline of the board is a universal phenomenon of this century" (p. 42).

To further complicate the problem of governing boards' ineffectiveness is the surprisingly scarcity of research related to their performance. "Though possessed of ultimate organizational power, the governing board is under-studied and under-
developed. Here we confront a flagrant irony in management literature: where opportunity for leadership is greatest, job design for leadership is poorest” (Carver, 1997, p. 8).

Public schools were organized so an elected governing board, boards of education, could make decisions about educational policy and practice (Hill, Pierce, Guthrie, 1997, p. 32). Today, however, school boards are being criticized for everything from micromanaging to giving up their authority and accountability. John Carver (1997) lists six common flaws (see Table 3) of governing boards. Although, says Carver, boards may avoid some of these six conditions “rarely does any one board avoid them all.” (p. 9.)

A review of the literature specific to school governing boards supports Carver’s assertion of the ineffectiveness of governing boards. Hill and Bonan (1991) call for a fundamental change in the roles of school board members. “Overseers must de-emphasize micromanagement of schools by rules and policy in favor of unobtrusive oversight of the schools’ use of discretion” (p. 38).

Often times, boards are too far removed from the problem and, as such, should allow the decision to be made at a level closer to the problem. “As school systems have become ever larger, their centers of control – school boards and central offices – have become ever more remote and distant for clients and employees” (Hill, Pierce & Guthrie, 1997, p. 31).
<table>
<thead>
<tr>
<th>Flaw</th>
<th>Abbreviated Explanation</th>
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<tbody>
<tr>
<td>Time on the trivial</td>
<td><strong>Items of trivial scope or import receive disproportional attention compared with matters of greater scope or importance.</strong></td>
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<td>Short-term bias</td>
<td><strong>The “time horizon” about which a board should make decisions is more distant at the governing level than anywhere else in the organization. Yet we find boards dealing mainly with the near term and, even more dysfunctional, with the past.</strong></td>
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<tr>
<td>Reactive stance</td>
<td><strong>Boards consistently find themselves reacting to staff initiatives rather than acting proactively.</strong></td>
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<tr>
<td>Reviewing, rehashing, redoing</td>
<td>Some boards spend most of their time going over what their staffs have already done. Reviewing, rehashing, and redoing staff work – no matter how well accomplished – does not constitute leadership.</td>
</tr>
<tr>
<td>Leaky accountability</td>
<td><strong>Boards often allow accountability to “leak” around the chief executive. Having established a CEO position, the board members continue to relate in their official capacities with other staff, either giving them directions or judging their performance.</strong></td>
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<tr>
<td>Flaw</td>
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<tr>
<td>Diffuse authority</td>
<td>It is rare to find a board-executive partnership wherein each party's authority has been clarified. A vast gray area exists. When a matter lies in this uncertain area, the safe executive response is to take it to the board. Instead of using this opportunity to clarify to whom the decision belongs, the board simply approves or disapproves. The event has been settled, but authority remains as unclear as it was before.</td>
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History of New Jersey School Governance

Dating back to 1975, New Jersey's Constitution guaranteed "that regardless of residency, its children will receive a 'thorough and efficient' education" (New Jersey Department of Education, 2002).

The New Jersey legislature in 1914 approved Chapter 129. This legislation "provided enabling legislation for the formation of an organization of boards of education which would 'investigate such subjects relating to education in its various branches as it may think proper, and ... encourage and aid all movements for the improvement of the educational affairs of New Jersey" (New Jersey School Boards Association, 2002).

Over time, New Jersey's educational system of local control has grown to approximately 600 independent school districts. In 1976, New Jersey School Boards Association (NJSBA) developed a 5-year plan to meet the needs of the local boards. Since that time, the State Board has developed long-range plans about every 5 years; the most recent of which was effective from July 1, 1997 to June 30, 2002. In September, 2002, the State Board developed a new long-range plan for the next 3 years. This plan is in effect until 2005.

At present over six hundred local boards govern New Jersey's individual school districts. Each local board of education must function within the limits set down by the State Board of Education, as well as Federal Regulations.

The NJSBA provides direction to the local boards of education as to their primary functions (see Appendix B). NJSBA also provides general and specific information and training manuals and programs for new board members of local districts. State
regulations mandate training for all school board members and charter school trustees. NJBSA is the organization that provides board members their formal training.

As part of its training program for new school board members, the NJBSA and the National School Boards Association (NSBA) provide four guidelines concerning the major responsibilities of board members. A handout given to new board members by NJBSA states that school board members should serve as:

- Local educational leaders in establishing a program of quality instruction;
- School “visionaries” responsible for determining the direction of the school system;
- Local policymakers who develop, monitor, and evaluate the policies which guide the operation of the school system; and
- Spokespersons and interpreters who serve as a communications link between the community and the school system (NJBSA, 2002).

Schlechty (1991) advises board members to “recognize that the continuity of purpose, vision, and structure depends on the board’s ability to maintain a steady course despite changes in superintendents and even changes in the membership of the board” (p. 12). Schlechty further states that boards must be accountable for results having to do with “establishing conditions for designing and sustaining a leadership system that will, over time, drive the school district toward excellence” (Schlechty, 1997, p. 12). School boards should turn their attention away from special interest groups and avoidance of disturbances with the schools and should “display the same passion for achievement that most systems already demonstrate for student safety” (Hill et al., 1997, p. 48).
The Charter School Movement

The Minnesota legislature in 1991 passed the nation’s first charter school law permitting the creation of new public schools. A charter school is a public school that has received a charter by the state to operate. A charter is a legal agreement, or license that is good for a designated period of time (Nathan, 1996, p. 1).

According to The Center for Educational Reform (CER, 2003), “Charter schools are independent public schools, designed and operated by educators, parents, community leaders, educational entrepreneurs and others” (p. 1).

Unlike traditional public schools, charter schools are freed from bureaucratic regulations and operate with a great deal of autonomy. “The charter concept is simple but powerful: Sound school choices can be provided to families under the umbrella of public education without micromanagement by government bureaucracies” (Manno, Finn, Rieglein, Vanourek, 1997, p. 2).

In exchange for more autonomy, charter schools are held accountable for student achievement. Each school must write into its charter measurable student-learning outcomes for which it is accountable. Schools not meeting these outcomes lose their charters. “Charter schools must and do operate lawfully and responsibly, with the highest regard for equity and excellence. If they fail to deliver, they are closed” (CER, 2002).

Charter schools differ from school to school, however, there are several characteristics that they share. According to a study done by the Rosenblum Brigham Associates for the Massachusetts Department of Education (1998), charter schools share the common features of: having a unifying focus, a staff who believe in the
school's focus, a sense of community, a stronger, healthier bond existing among stakeholders, and a liberation from bureaucratic restrictions (Massachusetts Dept. of Ed., 1998, pp 6-7).

A similarity among charter schools exists in relation to their size. Charter schools tend to be "smaller in size with a median enrollment of approximately 150 students compared to a median enrollment of approximately 500 students in traditional public schools" (Ochino, 2001, p. 10).

"Charter schools can be created by parents, teachers, nonprofits, or, occasionally, for-profit companies. They typically have three- to five-year charters—that is, performance contracts—with the government organizations that authorize them: local school boards, city councils, county boards, state boards of education, or, in some states, even colleges and universities. They are schools of choice, and their public funding normally comes with the students who choose them, from the district the students leave. To succeed, they must attract—and keep—enough students to finance their operations" (Osborne, 1999, p. 2).

Growing Interest in Charter School Concept

Nationally, the charter school reform is one of the fastest growing. Since the Minnesota legislation, charter schools have begun to flourish. In the 2002-03 school year there were over 2,600 charter schools in operation in thirty-six states and the District of Columbia according to CER (2003).

Hargreaves (1999) believes that specialist schools, charter schools are included in this term, will grow exponentially in years to come. Charter schools possess the characteristics necessary to become schools for the future demands of our society.
“There are some factors built into many specialist schools that encourage innovation in patterns of working in the school and in styles of teaching and learning, making it more flexible and able to adjust to the changing demands that will shape educational institutions in the next century” (p. 49).

The numbers indicate a growing interest in charter schools. According to the most recent annual report published by the U.S. Department of Education, 70% of charter schools have waiting lists.

Charter School Movement in Arizona

In June, 1994, Arizona became the 10th state to enact legislation providing for the operation of charter schools. At that time Arizona’s law was the most broad reaching, allowing for 25 new charter schools per year and exempting them from “all federal, state and local regulations except those pertaining to health, safety, civil rights, insurance and children with disabilities” (CER, 2003).

Amended in 2001, Arizona’s charter school legislation is ranked the strongest of the nation’s charter laws by The Center for Educational Reform (CER, 2003). Many reasons exist for this number one ranking. Among them is the way in which Arizona charter schools can apply for financing in the form of loans from the proceeds of bond sales (CER, 2003). Arizona has also created a special State Board for Charter Schools.

Arizona’s charter school legislation is summarized as follows:

Charter schools are public schools. They can’t be religious schools and they can’t discriminate in enrollment, employment or any other operations.

Charter schools can’t charge tuition.
Charter schools can include any grades, K-12.
Charter schools must provide special education services to students who need them.
Charter schools can't restrict enrollment based on the place of residence of a student's family, unless they are sponsored by a school district; in this case, district residents have first priority for enrollment.
Charter schools are funded primarily by the state, according to their enrollment. In general, they do not receive capital funds for facilities. They are entitled to federal categorical funding like Title I and special education funds for eligible students, as well as other grants.
Charter schools are not required to hire certificated teachers.
(Toumani, 2002, p. 1)

Some early evidence indicates Arizona's charter schools are successful. "Surveys show that, compared with teachers in district schools, charter teachers have more collegial relations with colleagues and parents, and have far more power over curriculum" (Maranto & Milliman, 1999, p. 2). In addition, initial reports of standardized test results are showing consistent improvement in many of Arizona's charter schools (CER, 2003).

Charter School Movement in Kansas

According to The Center of Educational Reform (2003), Kansas has the second weakest charter school legislation in the country. Adopted in February 1994, Kansas' charter school legislation makes no exemptions from state or local laws, regulations or
policies, except those specifically requested in the particular school’s original charter (CER, 2003).

The Kansas Department of Education (2002) praises its charter schools as having significant potential benefits that “empower and encourage Kansas learners, their families, educational professionals, business and industry, and the community. Innovative practices that emerge from local initiatives will potentially result in higher academic expectations for our students.”

Despite these encouraging expectations from the state’s Department of Education, Kansas’ charter school legislation permits no more than fifteen charter schools to operate in any school year. Kansas’ legislation also provides for very little autonomy from the local governing board, “ultimate control over charter schools remain with the local school district” (CER, 2003).

Charter School Movement in New Jersey


The New Jersey Administrative Code, Charter Schools (N.J.A.C.6A:11) contains the specific provisions necessary to apply for a charter (see Appendix D)

Charter school legislation in New Jersey was passed despite much opposition from local school districts and the state teachers’ association (NJEA). Thirteen charters were granted in that first year by the New Jersey State Board of Education. In the 2001-02 school year the number of charter schools operating in New Jersey was 56,
serving 13,652 students. Eleven of New Jersey's original 13 charter schools had their charters renewed for an additional 5 years (CER, 2003).

The charter school movement in New Jersey began in order to provide competition for traditional public schools, through which the traditional public schools would be forced to seek ways in which to improve. "Charter schools hold forth a variety of different possibilities with the greatest promise being that of the creation of a new kind of publicly funded school, one that breaks the traditional mold in an effort to help children achieve at higher levels. The introduction of charter schools is not just part of an isolated reform effort, but is one promising strategy in the broader effort to bring significant improvements in student achievement" (Klagholz, 1997, p. 1).

The prevailing belief was that charter schools provided competition to local districts. This competition would, in turn, make the local districts seek to find ways in which to improve. This belief was reiterated in October, 2001, by then Commissioner of Education, Vito A. Gagliardi. In his evaluation report for New Jersey's charter schools submitted to the Governor, Legislature, and State Board of Education, the report (NJ Dept. of Ed., 2001) states that:

students in charter schools, as a whole, are making substantial progress in some areas of the statewide assessment, and in those areas charter schools are outperforming their comparable districts of residence; charter schools, on average, have lower class sizes, lower student-faculty ratios, lower student mobility rates, longer school days and academic years, greater instructional time, and higher faculty attendance rates than their districts of residence; and parental and student demand for and satisfaction with charter schools are all extremely high. There are
approximately 11,300 students attending 51 charter schools in New Jersey, and there are more than 5100 students on waiting lists. (¶ 3)

Amidst this early optimism, strong opposition to charter school growth and funding exists. The New Jersey Education Association (NJEA) supports legislation that would slow the growth of charter schools and cut funding of charters.

Local school boards have sued to stop charter schools in order to preserve resources that are distributed to charter schools. On June 8, 2000, a ruling by the New Jersey Supreme Court upheld the right for charter schools to exist and placed the responsibility on the office of the New Jersey Commissioner of Education (NJSBA, 2002). The NJBSA is among those groups trying to change current law concerning charter schools.

Many feel that charter schools receive an unfair advantage over traditional public schools. In his study of New Jersey superintendents’ perceptions of charter schools, Ochino (2001) found that many public school superintendents felt charter schools had such advantages over their traditional public school counterparts (p. 100).

Conversely, however, in his evaluation report on charters given to Acting Governor Donald T. DiFrancesco, on October 1, 2001, Commissioner of Education, Vito A. Gagliardi, emphasizes charter school legislation does not provide enough relief from governmental regulations. One specific recommendation of this report calls for amending “the Charter School Program Act to eliminate the section that requires that a ‘charter school shall operate in accordance with … the provisions of law and regulation which govern public schools.’ Charter schools should be required to operate in accordance
with appropriate mandates but they must be freed from those mandates that interfere with the Legislative intent – to provide a greater level of autonomy in exchange for increased accountability (i.e., increased student performance results)” (New Jersey Department of Education, 2001, ¶28).

Summary
Charter school appeal is still on the rise. Charter school legislation provides a tradeoff of fewer bureaucratic requirements for accountability for student achievement. This relationship has been referred to as “old-fashioned horse-trading: swapping rules and regulations for results” (Manno et al., 1997, p. 3).

The Center for Educational Reform (CER 2003) reports a 41% increase of charter schools in the 2 year period of 1998 to 2000. In the 2001-02 school year, 56 charter schools opened their doors to 13,652 school children.

Although there exists a shortage of studies on charter school success, there is evidence that parents and students are quite satisfied with their charter school experience. Other recently published research about charter schools indicates they are working well in educating their students.

Charter schools offer parents an alternative for their children, as well as the chance to take a more active role in their children’s education. Charter schools also encourage the entire school community to focus on a shared, clearly articulated vision.

Charter schools also enjoy more autonomy than do traditional public schools and their boards of trustees are viewed more as visionary leaders of the school. There are different views, depending on who is asked, as to whether charter schools operating in New Jersey are freed enough from bureaucratic requirements. This freedom from
bureaucratic requirements could permit boards of trustees the freedom to act as visionary leaders of education.

This study examines the leadership behaviors of charter school board of trustees. This study will also examine their perceptions of New Jersey’s legislative regulations and if they believe those statutes enable them to lead their schools more effectively.
Chapter III

METHODOLOGY

The purpose of this study is to determine if boards of trustees perceive New Jersey charter school legislative regulations as statutes that enable them to lead their schools more effectively.

A second question to be answered is whether these perceptions are consistent with what the literature, cited in Chapter II, states about charter school regulations. In other words, is there congruence between what charter school literature states should happen to what the New Jersey trustees perceive is actually occurring?

Design

This study utilized qualitative research methods to collect data reflecting charter school trustees’ perceptions of legislative regulations’ effect on their leadership ability.

Qualitative research enables researchers to study social and cultural phenomena. The goal of qualitative research is to understand a particular phenomenon through the perceptions of the participants in their social and institutional context (Kaplan & Maxwell, 1994, p. 43).

To gain this understanding, qualitative researchers must deal with many complexities. Qualitative researchers must immerse themselves in their research so they can truly understand their subjects’ perspectives. “To know a rose by its Latin name and yet to miss its fragrance, is to miss much of the rose’s meaning” (Eisner, 1991, p. 9).

To a great extent, what the researcher seeks to find through his investigation of the existing problem will determine the type of research utilized. In addition, the researcher’s assumptions of the construction of the world affect the research method
used, as well as the purpose of the research and the role the researcher plays in the research (Firestone, 1987, p. 19).

In determining between quantitative and qualitative study the researcher must first decide what is important about the study and how best to gather the data. Babbie (1999) makes the distinction between quantitative and qualitative research simply stating, "the distinction between quantitative and qualitative data in social research is the distinction between numerical and non-numerical data (p. 23). While quantification "often makes our observations more explicit... qualitative data seem richer in meaning (Babbie, 1999, p. 24).

Glesne and Peshkin (1992) explain the distinction between quantitative and qualitative research as:

Quantitative researchers seek explanations and predictions that will generalize to other persons and places. Careful sampling strategies and experimental designs are aspects of quantitative methods aimed at producing generalizable results. In quantitative research, the researcher's role is to observe and measure, and care is taken to keep the researcher from contaminating" the data through personal involvement with the research subjects. Researcher "objectivity" is of utmost concern.

Meanwhile, since qualitative researchers deal with multiple, socially constructed realities or "qualities" that are complex and indivisible into discrete variables, they regard their research task as coming to understand and interpret how the various participants in a social setting construct the world around them. To make their interpretations, the researchers must gain access to the multiple perspectives of the
participants. Their study designs, therefore, generally focus on in-depth, long-term interaction with relevant people in one or several sites. The researcher becomes the main research instrument as he or she observes, asks questions, and interacts with research participants. The concern with researcher objectivity is replaced by a focus on the impact of subjectivity on the research process. (p. 6).

Some researchers describe qualitative research as non-empirical since they view qualitative research as neither experimental nor quantitative. Qualitative research is empirical, however, since

"the term empirical has nothing to do with numbers or manipulation of variables. Rather, it refers to whether or not phenomena are capable of being found in the real world and assessed by means of the senses. Since qualitative and ethnographic research are pre-eminently concerned with observation and recording real-world phenomena, they clearly are empirical." (LeComte & Preissle, 1993, p. 31).

Researchers involved in qualitative study must take care not to let their own bias enter into their work. Always, the researcher engaged in qualitative research must take care to be cognizant of his personal views and not to assume they are more valid than other views (Babbie, 1999, p. 63). Qualitative researchers must attempt to study the data objectively while transcending their own biases. "For one thing, qualitative studies are not impressionistic essays made after a quick visit to a setting" (Bogdan & Biklen, 1996, p. 33).

Qualitative research collects data that requires time for the researcher to process. The data generated from qualitative research, however, is powerful. Miles and Huberman (1994) cite several strengths in qualitative research data. Those strengths are:
It focuses on naturally occurring, ordinary events in natural settings so that we
have a strong handle on what "real life" is like.

It is rich and holistic, with strong potential for revealing complexity.

It emphasizes people's "lived experience" which makes it well suited for
locating meanings people place on events, processes, and structures of their
lives. (p. 10)

Examples of qualitative research methods include action research, ethnography
and case study research. Sources of data collection can include “observation and
participant observation fieldwork, interviews and questionnaires, documents, and texts,
and the researcher’s impressions and observations” (Myers, 1997, p. 2). Research
questions flow naturally from the research problem and should “describe relationship
sought or tested, facts discovered, proved, or disproved, and constructs or concepts
generated” (LeComte & Preissle, 1993, p. 37).

The qualitative research methodology used to collect data for this study was
focus group interviews. LeComte and Preissle (1993) call interviews “a conversation,
aboard a systematic one” (p. 160). Interviews have advantages over other
methodologies such as questionnaires, “because researchers guide the revelation of
information: through elicitation and personal interaction, the investigator is better able to
obtain data addressing the questions asked in the study” (LeComte & Preissle, 1993,
p. 166).

Focus group interviews are an effective methodology for data collection. "Focus
groups not only give access to reports on a wide range of topics that may not be
observable but also ensure that the data will be directly targeted to the researcher’s
interests' (Morgan, 1997, p. 13). In addition, focus groups "have an almost magical 'synergy' that makes them superior to individual interviews" (Morgan, 1997, p. 13).

By their nature, the participants in the focus group interviews interact with one another. This interaction is both a strength and a weakness. The value in this interaction relies on the notion that the contributions "participants make among each other's experiences and opinions are a valuable source of insight into complex behaviors and motivations" (Morgan, 1997, p. 15). Conversely, this can be a weakness too, since the influence of the group can influence the data produced. When taken together, however, focus groups are considered a stronger source of data collection than participant observation and individual interviewing (Morgan, 1997, p. 15).

Krueger (1998) cites five advantages of focus groups:

1. The technique is a socially oriented research method capturing real-life data in a social environment.

2. It has flexibility

3. It has high face validity

4. It has speedy results; and

5. It is low in cost. (p. 47)

Research Sample

Charter school board of trustee members were selected as the subjects of this study. Trustees are directly responsible for setting a vision, establishing policy, and leading their schools. As such, trustees are directly influenced by legislative regulations. These regulations either restrict or enable them in the performance of their
work. Trustees, then, are in an optimum position to understand the underlying
dynamics and relationship between legislative regulations and their work.

The study sample was drawn from the original 11 charter schools still operating
in New Jersey. In existence since 1997, these charter schools possess the longest
history of any in New Jersey. Of these 11 schools, 5 were selected at random.
Research was conducted at the first 3 of the schools selected. Research would
continue at the 4th, then 5th school or until saturation had been met.

"The rule of thumb is, 3 or 4 focus groups with any one type of participant. Once you
have conducted these, determine if you have reached saturation. Saturation is a
term used to describe the point when you have heard the range of ideas and aren't
getting new information. If you were still getting new information after 3 or 4 groups,
you would conduct more groups" (Krueger & Casey, p. 26).

Limitations inherent in this study indicate the findings may not be generalized to
other charter school trustees.

Research Procedures

Five charter school directors were sent letters (see Appendix E) inviting them to
participate in this study. After the school directors granted permission, letters of
solicitation were sent to trustees of each participating school (see Appendix F).
Informed consent forms were also sent to trustee members (see Appendix G).

Techniques for Collection of Data

The purpose of this study was to determine if boards of trustees perceive New
Jersey charter school legislative regulations as statutes that enable them to lead their
schools more effectively. The researcher conducted three focus group interviews with
three separate boards of trustees. Qualitative research was conducted utilizing the focus group interview. Focus group interviews should be considered when one is looking for a range of ideas or feelings that people have about something, want ideas to emerge from the group, and want to uncover factors that influence opinions (Krueger & Casey, 2000, p. 24).

The dynamics created by focus group interviews lead to richer more revealing data. Morgan (1997) argues that self-contained focus groups reveal aspects of experiences and perspectives that would not be accessible without group interaction.

Development of Focus Group Interview Instrument

The interview instrument used in this study was developed by the researcher after careful review of the literature and informal field research through the use of informants. Informants are important to researchers wanting to know about informal social networks. “When field research involves the researcher’s attempt to understand some social setting,...much of that understanding will come from a collaboration with some members of the group being studied” (Babbie, 1999, p. 175).

The literature review of governing boards strongly emphasizes the need for them to behave more as visionary leaders. Charter school legislation underscores this need and purports that charters should be relieved from much of the burdens resulting from legislative regulations. This deregulation would, in turn, create better conditions for boards to behave as visionary leaders.

Focus group interview questions were developed for the purpose of gaining insight of trustees’ perceptions of their own behavior and the degree to which they feel they are acting as leaders. In addition, questions are intended to reveal trustees’
perceptions of New Jersey's charter school regulations impact on their ability to lead their schools effectively.

Focus group questions were designed to engage participants on the pertinent topics of study. Questions are organized and sequenced with specific purposes in mind. While opening questions get participants feeling relaxed and connected, introductory questions begin the actual topics to be studied. Transition questions are designed to move seamlessly into the key questions which focus on the areas of central concern of the study. Lastly, concluding questions help determine where emphasis should be placed and provide closure to the discussion (Krueger, 1998, p. 22). “A key feature of focus group research is that not all questions are equal. Some questions are trivial and exist only as a prelude to a more important question” (Krueger, 1998, p. 2).

The nine major questions developed for the focus group interviews were preceded by a scripted description of what was to occur and was designed to put the subjects at ease.

Focus Interview Questions

Question 1. Although there’s not a lot of research, much has been written about the role of a governing board. What do you think the function of your board should be?

Question 2. From my attending many board meetings, I am pretty familiar with the multitude of tasks in which a board engages. Let us start from the premise that much of our work in education, mine as a principal and yours as board members, can be put into one of three categories: The first category we’ll label “Maintenance Tasks.” These are significant regular, ordinary, routine tasks that you have to accomplish in your position. The second category we’ll call “Problem Solving Actions.” These are the
actions we take to react and take corrective and/or restorative action. The third category we’ll call “Leadership.” These are the innovation, improvements, goals, and objectives that bring about change in the organization.

Using these three categories, what percentage of your behavior as a board do you think fits into or best fills in the 100%?

Question 3. Looking back at what you wrote was the function of a board (question #1), how are your board’s behaviors consistent with what you wrote?
Inconsistent?

Question 4. What, if anything, interferes with this board acting more as a leadership body?

Question 5. If you could change one thing to improve how you functioned as leaders, what would it be?

Question 6. The literature about charter schools strongly advocates reducing governmental regulations. Instead of strict adherence to regulations, charters are accountability or results-driven...

Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards. In fact, I’d like to hear your reaction to a quote from the charter school literature...“The genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced – the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement” (Manno et al., 1997, p.3). Another way of viewing charter schools versus traditional
public schools is that charters have foregone the rules and regulations in order to concentrate on results." What is your reaction to this?

Question 7. How have NJ Charter regulations permitted you to lead more effectively?

Question 8. Do you have any advantages over traditional public boards of education? (Relate to legislative advantages).

Question 9. What would you do with NJ Charter regulations that would both hold you accountable and optimize your ability as a leadership board?

These major questions focused the study and helped to set the boundaries of the study. The questions dictate the territory that the study will and will not enter. Miles and Huberman (1994) state, There is a focus, or "heart" of the study, and a somewhat indeterminate boundary defines the edge of the case: what will not be studied" (p.15).

Reliability and Validity

Reliability refers to the consistency of an instrument or question receiving the same results or answer. "Reliability refers to the extent to which studies can be replicated" (LeCompte & Preissle, 1993, p. 332). Assuming the researcher is utilizing the same methods to collect data; the data will be the same and lead to the same results.

Qualitative studies present inherent problems when claiming reliability. "Compared to the stringently controlled designs of laboratory experiments or to the regulated procedures of field experiments, most qualitative designs baffle attempts at replication" (LeCompte & Preissle, 1993, p. 332). Qualitative research occurs in natural settings and deals with humans as part of one's measurement procedure, making
replication only an approximation. “The underlying issue here is whether the process of the study is consistent, reasonably stable over time and across researchers and methods” (Miles & Huberman, 1994, p. 278).

Procedures and methods of this study were carefully planned according to the literature governing focus group interviews and qualitative research methods. The following steps were taken to establish reliability:

Research questions were studied and approved by a Jury of Experts.

The findings of the study demonstrate consistency among other sources of data (informants).

The primary researcher and the assistant moderator arrived at congruent conclusions.

Coding and transcription checks were made and found to be consistent.

Colleagues were contacted and their informal reviews were consistent with the study.

In addition, samples were carefully chosen to represent the group studied. Focus groups were kept relatively small, between three and four persons each, so that the context of the discussion could be more specific and in-depth. “Qualitative researchers usually work with small samples of people, nested in their context and studied in-depth” (Miles & Huberman, 1994, p. 27). Furthermore, Miles and Huberman (1994) note that “qualitative samples tend to be purposive, rather than random (p. 247). Validity is associated with accuracy. In comparing reliability with validity, it might be helpful to think of a broken thermometer which is 100% reliable but not very valid (Miles & Huberman, 1994, p. 278).
"Validity is the extent to which scientific findings are correct" (LeCompte & Preissle, 1993, p. 323). Distinction is made between internal and external validity. "Internal validity is the extent to which scientific observations and measurements are authentic representations of some reality. External validity is the degree to which such representations may be compared legitimately across groups" (LeCompte & Preissle, 1993, p. 323).

A jury of experts established construct validity. Construct validity refers to the extent to which different groups arrive at the same understanding of what is being asked. The credibility of a qualitative study relies heavily upon issues of construct validity (LeCompte & Preissle, 1993).

Internal validity begs the question, 'Do the findings of the study make sense?' Warner (1991) references a study’s validity when the events and settings studied are uncontinued and unchanged by the researcher’s presence and actions.

Treatment of Data

Transcriptions of the tape-recorded focus group interviews provided the data for this study. A coding system identifying the subjects by randomly assigned code numbers was utilized to ensure accurate data recording and subject anonymity. Each response was examined for patterns, common ideas, consistencies and exceptions, and inconsistencies.

For the purpose of this study, data was analyzed to search and identify patterns, consistencies, and inconsistencies in the actual words recorded from the focus group interviews. Other data mailed to the researcher from subjects served to reinforce this analysis. “Data analysis involves organizing what you have seen, heard, and read so
that you can make sense of what you have learned. Working with the data, you create explanations, pose hypotheses, develop theories, and link your story to other stories” (Glesne & Peshin, 1992, p. 127).

The expectation was that the analysis of the data would serve as answers to the research questions, as well as lead toward recommendations for further study. Chapter IV presents the research findings, an analysis of those findings and a summary of them relative to the research questions.

Summary

In this chapter, the instrumentation method utilized to gather data was presented. The methods for the selection of the research sample, research procedures and the techniques for the collection of data were discussed. Chapter IV of this study provides a presentation and summary of the findings.
Chapter IV

PRESENTATION OF FINDINGS

Introduction

The purpose of this study is to determine if members of charter school governing boards perceive New Jersey Charter School legislative regulations as statutes that enable them to lead their schools more effectively. A second purpose is to determine if New Jersey Charter School legislation goes far enough in providing governing boards the freedom to effectively lead their schools, and if similar deregulation should be considered for all public school boards of education.

This chapter will discuss the nature of the study, the presentation of the data in the form of the actual transcribed interview sessions, and the chapter's summary.

Nature of the Study

Charter school board of trustee members were selected as the subjects of this study. All subjects were current board members of a charter school in operation in New Jersey. As of March, 2003, there are 54 charter schools in operation in New Jersey; among those, 11 have been in operation since the State passed legislation in 1997 permitting charter schools. From these 11 original charter schools still in operation, 3 have been randomly selected to be studied. The three charter school directors were notified, giving permission for the researcher to contact the members of each of their governing boards.

The members of each of the charter school governing boards were solicited to volunteer to participate in this study. All participants were asked a series of questions in a focus group interview. A total of nine major questions were asked. Three specific
areas of charter school governance were examined. Each of these three areas were examined through a specific set of focus group interview questions. The first set of questions examined the trustees' perceptions of what their role should be and compared it to their perception of what they actually do. The second set of questions sought to discover trustees' perceptions of factors that interfere with their ability to act as educational leaders. This set of questions also sought their perceptions on how to improve the situation. The next set of questions sought to discover trustees' perceptions on how State regulations impact their ability to govern and lead their schools. The final questions sought trustees' suggestions on how to improve the current regulations related to school governance.

Presentation of the Data

Three separate focus group interviews were conducted with charter school board of trustee members. Each focus group interview was held prior to a regularly scheduled board meeting at the school in which the board members served. Plans were made to conduct further focus group interviews if necessary; however, after three interview sessions it became apparent that theoretical saturation had been met. "In focus group research, the rule of thumb has been to conduct three or four focus groups with a particular audience and then decide if additional groups (or cases) should be added to the study" (Krueger & Casey, 2000, p. 206).

Background Information

The 3 charter school boards were selected from the 11 original charter schools operating in New Jersey.
A focus group discussion was conducted with each of the three school boards. Focus groups ranged in size from three to five participants. Focus group discussions were conducted utilizing a prior-announced question route (see Appendix H).

At the start of each focus group discussion, the researcher read from a script explaining in detail the process of the group discussion. (see Appendix I). The researcher also disclosed to each focus group, the rules for ensuring a smooth discussion, such as one person speaking at a time, and not mentioning any names of students or personnel. The question route was followed with the researcher guiding and probing the discussion at times in order to elicit additional information. “Probing early in the discussion can be beneficial, sending a signal of the amount of detail sought by the moderator. It’s a wise strategy to probe early in the focus group on a topic central to the study” (Krueger, 1998, p. 46).

In presenting the data gathered from the focus group discussions, care was taken to protect each school’s anonymity. A general description of the 3 schools studied is provided. In order to maintain anonymity of the schools studied, a very general description of each school is provided.

School 1 is an urban school serving middle-level to high school-level students. The school’s student population is between 225 and 300 students.

School 2 is an urban school serving elementary-level to middle-level students. The school’s student population is between 300 and 400 students.

School 3 is an urban school serving middle-level students. The school’s student population is between 125 and 200 students.
Focus Group Interviews

Governing Board 1.

This focus group consisted of 4 trustee members who are coded as respondents 1 through 4. No other responses came through the alternative method which was to respond, in writing, through the mail.

Question 1. The role of the governing board.

Moderator: Although there's not a lot of research, much has been written about the role of a governing board. What do you think the function of your board should be?

Respondent 1: Let me make one amendment because it is a very, very critical point. When I was on Wall Street, I was in a partnership. Now, when I became a general partner, one of my wise guy friends said, "Welcome to the world of unlimited liability." And I barely knew what he was talking about, but I did learn as to what it was. But, the partnership modality, which is a word I probably didn't even know at that time, turns out to be the one that resonated in my head. It is something that moved the calendar forward to the time that we were discussing the formation of our charter school. We very much took the attitude that there was going to be a sharing of responsibilities and a sharing of power in the way we looked at it so the conventional definition of a board, I guess, would be that it picks the manager and gets the heck out of the way. Next, a board must make sure the financials are credible and good. And third, make
sure all the rules and regulations are being followed. Obviously the mission statement gets folded into everything. I mean it just permeates everything you do. And I know that when we had what I would call "soft issues" to discuss, it was very frequent that we would go back and ask ourselves what are the first principles. You know, what are we doing this for?

Respondent 2: First and foremost we are the one's responsible. The buck stops here, so to speak. We must make sure all the rules and regulations are followed. Prior to that though, I should say we are responsible for setting the policy. There's a great deal of collaboration between the Board and our administrators, and that's the way it should be. After policy is written, then the administration should figure out how to proceed.

I agree with [Respondent 1] when he says this is a team effort; we do talk with our administrators often; and not about mundane trivial things, but about how we educate our kids. I think we are so successful because we have such great administrators and a board that shares the responsibility of leading with them.

Respondent 3: Certainly, I agree with what has been said so far, but I think one of the keys is that we deal with issues concerning the education of our children. Our meetings are more of a discussion than a formal board meeting and, in that discussion, we talk about what's happening with our children's education.
Needless to say, we must keep the fiscals in mind and make sure everything's in proper order in that department. But aside from that and the team atmosphere of our board and administrators; keeping children in mind is top priority.

**Moderator:** What do you think [Respondent 4]?

**Respondent 4:** What else can I say? I agree that we are unique in the way we talk things over with our administrators, I think [Respondent 1] put it best when he said we're partners in this thing. I also think we're responsible for these kids' education and must constantly find ways to do it better and not get complacent about it. We have a mission statement and policies that we must make sure are being followed.

**Moderator:** You go back to the mission statement?

**Respondent 1:** Right, you go back to the mission—you go back to looking at these kids out here, and I don't claim to know these kids the way I know the kids in the program that I led directly in another town, but it is a small enough school that these kids are known to multiple adults, and everybody knows that they are trying to get them into higher education. Linda Brown, up at the Pioneer Charter School organization in Boston says, "If it ain't about academics, it ain't about anything." And, so that's the non-grammatical bottom line. Your question folds into the composition of the board as well because it is clear that different boards are structured differently for
different reasons. We had the advantage of having three self-starters, so to speak, on the same page and I don’t want to put myself as an equal in a because that wouldn’t be the case. But, in terms of facilitating what the other two founding fathers and I would discuss, early on, was how we were going to go about putting together a board. We decided early on that we would regard a board seat as having great value. Therefore, it would not be given away lightly. These clearly is a thought process out there that you put together a board and give a seat to every single constituency that is ever going to have anything to do with you, and so there are schools that start with a board of 16 on their way to 25, and a semi-analogy in New York City especially, but even so it is even here as well, there are big non-profit organizations that will create big boards, but the work is done by committee, the material is sent around, everything is set up so that the board meetings, per se, are not that interesting. Another analogy that comes to mind are typical board of education meetings, whereas they are nauseatingly full of minuitia – if you could tell what direction about educating kids at the end of a typical board meeting, you’d be lucky.

Respondent 3: That’s right. We’re very fortunate to have the three founders of the school still here with us. We take this board thing seriously and we deal with kids not minuitia.

Respondent 2: Typical board meetings deal with minuitia.
Moderator: Will your board meeting that I'm going to attend tonight be a typical board meeting? Will your meeting be filled with minutiae, in your opinion?

Respondent 2: No, no, no. I'm referring to the traditional school district.

Respondent 1: No, I would make that distinction between the charter school and the traditional school. And you will see that, even though I wear the hat of chairman, it's not a chairman-led board meeting in the sense that you might be familiar with it. OK, where you have the dominant sort of chairman or chairwoman who is out front for either fundraising purposes or political purposes someplace or for whatever reasons, but, that's not the way we do it here. It's a very collaborative effort. The number of words spoken by the chairperson here will be a small number compared with the three school leaders. In order to close the loop and get back to the composition idea, we knew from the beginning that we wanted to have two parent reps on the board as full-fledged members. They are totally, freely elected, by the parent group— the board has absolutely no role in that. They have only 1-year terms because they have annual elections. We've had only 5 trustees plus the 2 parent reps; so we've had 7 trustees right from the get go.

Respondent 4: And every one of those seats is a privilege.

Moderator: And you are an original board member, I understand.
Respondent 4: Right, right. Exactly. Basically, our turnover is a parent rep and
that's not even every year - they can serve consecutive terms.

Question 2: Self-perception of their action as board members.

Moderator: Getting back to board meetings; from my attending many board
meetings, I am pretty familiar with the multitude of tasks in which a
board engages. Let's start from the premise that much of our work
in education, mine as principal and yours as board members, can
be put into one of three categories: The first category we'll label
"Maintenance Tasks" - these are significant regular, ordinary,
routine tasks that you have to accomplish in your position. The
second category we'll call "Problem Solving Actions" - these are
the actions we take to read and take corrective and/or restorative
action. The third category we'll call "Leadership" - these are the
innovation, improvements, goals, and objectives that bring about
change in the organization.

At this time, I am providing you with a simple chart so you can think
about the percentages (see Figure 2). Using these 3 categories,
what percentage of your behavior, as a board, do you think fits into
or best fills in the 100%?

Respondent 1: Well, we've been particularly fortunate in having very strong
leadership. Leadership which has also been able to promote,
develop, and retain other leaders. OK.
Figure 2. Chart of percentages.

<table>
<thead>
<tr>
<th>Maintenance</th>
<th>Problem Solving</th>
<th>Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>? %</td>
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I’m sorry, I don’t understand.

With such strong administrators, problems don’t usually come our way, so I’d say we do very little in the way of problem solving.

And the adherence so the combination of educational mission and financial discipline that has been there from day one has meant that we haven’t had what some people have which is educational excellence... Whoops... budget out of whack. Or great looking numbers on the dollar signs and no numbers on the test signs, OK the test scores. So we’ve really kept the problem area down dramatically. I was just taking out the agenda for tonight, just to give you a flavor of it, and when you talk about your categories -- these are our categories which are totally typical for a board meeting: Parent Involvement Report, Update on the Educational Program, Personnel, Facility, Financial Report which is all the things you expect in there, and then some miscellaneous items.

So, it’s... you know it’s not...

You’re not approving schedules for the soccer team?

God forbid we ever approve a schedule for the soccer team - if that ever came in front of the board, we’d die OK, but the single most comparable approval to that, which I understand is of the traditional system, would be the check register.

And by law you really have to approve the check register.
Respondent 4: Exactly, exactly... but the financial is set up with adherence to 132 lines or whatever the number is that we have to do. But it is a very readable document and we've been using it consistently. We've grown a lot since we've started, we've had a fair number on the facility side — those are always challenges, but they haven't been problems.

Respondent 2: The reality of it is over the year's worth of meetings, and we meet once a month except in July when we're off from school, we may have had one or two problems brought to us.

Respondent 1: And the irony is, not be sensitive about the ill-formed criticisms that are aimed at charters, like we take only the best kids. Our average kid in 5th grade is coming in like a 3rd grader. OK, in terms of their preparedness, so if that's taking the cream of the crop — I don't want to see the alternative. Anyway, I didn't really put percentages on there... because it's really almost impossible. I mean you would hope that you would almost never be devoting a lot of time discussing the mission because that would be like saying you are either off track, or want to change the mission, or someone didn't understand it.

Moderator: If I pressed all of you to answer?

Respondent 3: I think, for me the percentages are: maintenance 20%, problem solving 10%, and leadership 70%. Those are rough estimates, though.
Moderator: And everyone else, if you’re pressed to answer?

Respondent 2: I tend to agree with #3 but maybe maintenance is 30%, problem solving 10%, and leadership 60%.

Respondent 1: I'd have to go with 5% problem solving equation, then 10% maintenance and, the rest, what's that, 85% leadership.

Respondent 4: I would agree with #3 in that 20% maintenance, 10% problem solving and 70% leadership.

Question 3. Congruence of what is and what should be.

Moderator: Looking back at what you said was the function of a board [Question 1], how are your board's behaviors consistent with what you wrote? [Respondent 4?]

Respondent 4: I think they're very consistent. I think we do what we should be doing for kids.

Respondent 3: I agree; I think we're right on track.

Respondent 2: Maybe we can lose a few of the maintenance percentage points, but we are held to procedures.

Respondent 1: I certainly think we're on board here. The collaboration is great as you'll see tonight.

Moderator: What do you mean, Respondent 2, when you say you're "held to procedures?"

Respondent 2: Well, Roberts Rules and the other things we have to do to, you know, to keep procedurally correctness.

Moderator: Like what?
Question 4. Perceptions of factors that interfere with board leadership behaviors.

Moderator: What, if anything, interferes with the board acting more as a leadership body?

Respondent 3: What drives me crazy is the way we have to do certain things because we’re lumped in with everyone else. For instance, next year we must hire a business administrator; not because anything’s ever been out of order but because everyone else has to. I guess when some school messes up, it makes it hard for us all.

Respondent 1: Yeah, that’s certainly a pet peeve of mine.

Respondent 2: And the facilities; we constantly fundraise to make ends meet and people say we have an advantage.

Respondent 4: The way the law was intended as written isn’t the way it is carried out. Charters were supposed to show they were accountable; that’s the way our charter is written but no one seems to want to put aside the bureaucratic red tape.

Question 5. Perception needed changes to improve board leadership behaviors.

Moderator: If you could change one thing to improve how you functioned as leaders, what would it be?
Respondent 2: That's easy for me. For me it's go back to the intention of the charter law and I've spoken to its writer. Hold us accountable for our charter and let the rest be.

Respondent 1: Here, Here, I second that.

Respondent 3: I agree!

Question 6. Perception of congruence between charter literature and New Jersey regulations.

Moderator: The literature about charter schools strongly advocates reducing governmental regulations. Instead of strict adherence to regulations, charters are accountability or results-based... Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards.

In fact, I'd like to hear your reaction to a quote from the charter school literature: "The genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced — the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement" (Manno, et al., 1997, p.3). Another way of viewing charter schools versus traditional public schools is that charters have foregone the rules and regulations in order to concentrate on results.
Respondent 1: It becomes less true every year. But it's the right equation, like most things in life, it's a matter of degree. Clearly there is pressure year in and year out - what they call regression to the mean, regression to the norm, I'm not aware that the manual that Gan Law Books publishes every year on 18A gets any smaller, but charter schools are not that big a percentage, so we don't have anything to do with it but inevitably when a charter school does not do well, OK, there is a knee-jerk reaction... it's either a knee-jerk reaction which is, "See, I told you we shouldn't have charter schools" which, amazingly, is uttered by people who are leading traditional urban schools in particular that would be totally shattered if the same thing was applied, but hypocrisy is not new. And the other reaction is, "Maybe we should have more rules." OK. The charter isn't doing well - we need more rules. OK? Now, out there is the world of educational improvement in general there are many, many smart people devoting a lot of time to training new leaders. I mean there are half a dozen different programs that are out there trying to get across the idea that charter schools are hilariously difficult. I mean, being a principal of a regular school is hilariously difficult. But when you're trying to start one up, there is usually a whole skill set that is usually missing in that person. Year in and year out we wind up having to pay more attention to more regulations than was true in year one. But the basic sort of semi-free market theory ci
we won’t quibble so much about how you make the cake, but we want to know that the cake is good. I think this whole concept has really gotten lost over the years.

Respondent 4: We’re subject to the same rules and regulations obviously, but they don’t tend to be doing so much to us. We are very successful even with all of the rules and regulations. I mean regulations are all about process—they’re not about outcome. You could have the worst school in the world and be following the regs perfectly.

Respondent 2: I think we follow the regs OK. I mean we obviously do what we have to do—it’s just that the subject of whether or not we’re doing that has not been a big part of board dialogue. We haven’t had a situation where the State came in and said, “Whoops, we didn’t follow regulation 42XYZ and we’re screwed for this reason and therefore what are we going to do about it.”

Respondent 1: We were required, we, meaning the board, are required to go to a training given by the New Jersey School Boards Association, and I went with our two parent reps. I probably could have been grandfathered, but…I went into it. I checked in and, when I was checking in, the person in charge said, “Oh, you are the best charter school” and I said, “Thank you” and I didn’t say, “Can I leave now?” In any other business, this is not a business obviously, but in any other endeavor…so, it was a cafeteria where we were supposed to sit for six hours and the chairs were the
hardest chairs, I mean Chock Full O' Nuts would have been proud of them...you know the old theory of Chock Full O' Nuts...get them out of there is 15 minutes. So, I wasn't the only one standing in the back for it but it took probably an hour and then it finally just hit me - I think the person in charge in her opening said a third of the attendees were charter schools, but after about an hour it hit me - the whole mindset was that of a big, traditional system where the board had existed for 122 years and they were going out to find Peter to be their principal, OK, and later the parent reps were saying to me, "What's the relevance of this?" You know what I mean? And just as a comical thing, the last speaker of the day happened to be the lobbyist for the NJEA but there was something wrong with the microphone or the PowerPoint system, so he had to truncate it - we all finally said, "Thank God for anti-technology or whatever" because that would have been like adding insult to injury but the closest thing, I mean there is always a take away from every meeting - and for 6 hours you should have more than one take away, but the take away I had, and this is on my to-do list, is to actually just sit down with the board members, not in a meeting, not following all the other rules, but just to say, "What do you think about what we're doing?" OK, you know, "Have we gotten complacent?"

**Moderator:** So you took from that workshop to stop periodically and take stock?
Respondent 3: Yeah, just say, we've been doing it in this way -- it's working, I'm not an advocate, you know there are some people who advocate breaking something when it's working. You know just to test it, so to speak. No. It's hard enough getting something to work. If it ain't broke, don't fix it.

Question 7. Perception of any regulations that improve board leadership.

Moderator: How have New Jersey Charter regulations permitted you to lead more effectively?

Respondent 3: The regs don't help us at all. I believe, as was said earlier, that the charter law was intended to free us from rules and regs, except safety of course, but we haven't seen one piece of legislation truly help us at the board level.

Respondent 4: I'd have to agree that the State hasn't helped our cause one bit but, then again, I don't know if they should. I'd rather be successful playing the game by the same rules, that way no one can say we have an advantage over them and that's the only way we're successful.

Respondent 1: The reduction of governmental regulations is a myth that exists. So we're supposed to be freed from legislative regulations and, then, if we're successful it's the legislators that take the credit for the creation of this great concept. And, if we fail, it must be us not being able to do our job of educating kids. Sure, a reduction in
regulations is an advantage but it doesn’t exist, except in the folklore of charter schools.

Respondent 4: Every year the State adds another regulation, another hoop we must jump through. They say we can apply for an exception or a waiver, and we have — but we haven’t been granted any exceptions.

Question 8. Perceived legislative advantages over traditional public schools.

Moderator: Do you have any advantages over traditional public boards of education?

Respondent 1: I wish they’d give me a list of all those advantages. What’s the advantage? Is there an advantage to us being fiscally responsible since 1997 and being forced to hire a business administrator? Come on. Our advantages over other schools have nothing to do with State regulations.

Respondent 3: I’d like to pick up on that point. I think we do have some advantages over traditional public schools. For instance, our children can move anywhere within the city and still attend school here. That keeps our mobility rate relatively low and our children benefit; they don’t have to change schools again and again.

Respondent 4: And we can attract teachers who want to be here and they work hard for our kids. Our school year is longer and our school day is longer and that’s got to help.
Respondent 2: Our size is a major benefit. I don’t know if typical urban schools can be as small as us. It helps when you know everybody by name and when you know the parents and they know you.

Question 9. How would trustees re-write regulations to improve their ability to lead their schools?

Moderator: What would you do with New Jersey Charter regulations that would both hold you accountable and optimize your ability to behave as a leadership board?

Respondent 4: I would change the one-size fits all mentality. If we’re a school than we must jump through every hoop a school jumps through. Not to beat a dead horse, but the business administrator thing is a case in point. How about the regs saying, “If you’re doing well educating kids then you can keep on doing what you’re doing.”

Respondent 1: I think it’s death by a thousand cuts. You know, rather than one machete to the heart.

Moderator: Can you elaborate on that?

Respondent 1: You know...I can’t think of a particular reg or two or three that really just, you know, hits you. It’s easy to talk about some silly reg, when we had 100 kids we were supposed to have a full-time nurse, I mean, come on. What is the probability in a typical day...and all that stuff, but that’s trivial OK in the broad scheme of things. We have a regulation now in terms of a business administrator — does that make sense. Yes, it’s mistaking the position for the talent so
to speak. If you already demonstrate you have the talent to do it, what difference does the label make? So, you can go on with those, but if I understand your question correctly, we're not talking about the way the law is written OK, we're talking about the regs. Obviously we're getting screwed as far as the facilities funding is...And that is huge.

Respondent 2: I would write the regs for health and safety and then have a "catch-all" that goes back to the theory behind all of this stuff. If we're doing our job, if we prove to you that we're accountable - then leave us alone.

Respondent 3: I couldn't agree more. We would all benefit from a results-oriented framework and stop treating us all the same. We're certainly a lot different than your school for instance.

**Governing Board 2**

This focus group consisted of two board members. One other response came through the alternative method which was to respond, in writing, through the mail.

**Question 1.** The role of the governing board.

**Moderator:** Although there's not a lot of research, much has been written about the role of a governing board. What do you think the function of your board should be?

**Respondent 1:** Well, oversight, setting a policy, giving direction-vision for the future. I think that we have been fortunate here because I think our board understands its role. I know in some charters schools there is
a difficulty with the board members trying to be the administration, and we’re lucky here that we do not really have that problem. Basically, that would be it in a nutshell.

Respondent 2: And I would agree. Obviously, oversight. Not being the administrator. Let the administrator administrate and then we oversee. But we need to set policy and make sure we’re following the policies and the vision of the school.

Question 2. Self-perception of their action as board members.

Moderator: Getting to board meetings, from my attending many board meetings, I am pretty familiar with the multitude of tasks in which a board engages. Let’s start from the premise that much of our work in education, mine as principal and yours as board members, can be put into one of three categories: The first category we’ll label “Maintenance Tasks” — these are significant regular, ordinary, routine tasks that you have to accomplish in your position. The second category we’ll call “Problem Solving Actions” — these are the actions we take to react and take corrective and/or restorative action. The third category we’ll call “Leadership” — these are the innovation, improvements, goals, and objectives that bring about change in the organization.

At this time, I am providing you with a simple chart so you can think about the percentages. (see Figure 2).
Using these three categories, what percentage of your behavior, as a board, do you think fits into or best fits in the 100%?

Respondent 1: Yes, it is a tough one. I would say that maintenance would take up the greatest percentage of the time that we spend together as a board. Just the day-to-day, paying the bills, hiring the staff, approving curriculum – those kinds of things, because there are so many of them. Probably percentage I would have to say 60%. I wish it were less. I mean I wish it were a smaller percentage but I think honestly, that's what it is.

Respondent 2: I'd have to agree with that. Sixty percent of our time is spent doing routine kinds of things. These are things that are always on the agenda for the meeting. Things like approving the check register, the bills, hiring new teachers, approving field trips. I don't know if it's a coincidence, but I thought 60% as soon as you asked the question. Now, when you take the problem-solving, that would be low. I think it is a low percentage because we really do not get too many problems to solve. I would say 10% of or time is devoted to problem solving.

Respondent 1: Not many problems are brought to our level. The administrators, especially our principal, solve most of them. The school runs very smoothly, so I would agree that 10% would be the maximum amount of time we spend on problem solving.
Moderator: So, I guess you’re left with 30% of your actions are leadership behaviors.

Respondent 1: I agree with that.

Respondent 2: So do I.

**Question 3.** Congruence of what is and what should be.

Moderator: Looking back at what you wrote was the function of a board (Question 1), how are your board’s behaviors consistent with what you wrote?

Respondent 1: I think we’d all agree that we should be doing more leadership and less maintenance but that’s the way it is. I don’t know if there is a way around all of the little routine things you have to do as a board or as an administrator. So we do them and wish we had more time to do other things.

Respondent 2: We’re kind of lucky that we have a principal that can lead the building. We meet every month and go through our agenda pretty fast but there’s not much time left for anything else. I guess most of our leadership was when we were starting the school, now we’ve turned over that part to the administration.

**Question 4.** Perceptions of factors that interfere with board leadership behaviors.

Moderator: What, if anything, interferes with the board acting more as a leadership body?
Respondent 2: Time. There isn't enough of it; the Board meets monthly, we try to be conscious of the board members' time because it is a volunteer board, as all school boards are. Or school is very innovative to begin with and so we spent, probably as a board, a year in planning the school before it even opened. Many of our board members have been with us from the beginning and so the innovative part came at the beginning. But we do find that things don't work sometimes and we make changes. We're growing every year. We started with a kindergarten and 1st grade in '97 and we've added a grade each year. So now we're dealing with older kids, different kinds of subject matter, different needs. The building itself was a big part of what's been going on the last couple of years because we moved in here two years ago from a much smaller facility. So, fundraising and that kind of thing. That says it pretty much.

Moderator: Other than time interfering, can you think of anything else that interferes with taking on a higher percentage of leadership activities?

Respondent 2: No, not really. It's just like I said, after you're done with all the routine agenda items, there's not much time left.

Respondent 1: I'd have to say money, or lack of it interferes with us acting more as leaders. Money is always an issue. I think the topic of your dissertation interests me a great deal because, as the board secretary, I'm the one who gets saddled with most of these
regulations they say don't exist. You know, "charter schools are exempt from..." And I haven't met a rule I'm exempt from yet. And that's the truth. If you look at our agenda tonight, we have, I think, 33 different items on there and probably three-quarters of them are approving things that the state says we have to do. There is so much regulation, so much paperwork, so much time spent on things that I don't think we probably have to be doing. My newest pet peeve is this new business administrator thing. That's a killer for charter schools. It's going to eat up another $90,000-120,000, probably. We're asking for a waiver because we've been in business now going on seven years without a certified business administrator and we've never had any problems.

Respondent 2: We have an evaluation every single year which comes out perfectly fine, but they're still making us hire a certified business administrator.

Respondent 1: Like I said, we'll ask for a waiver because we don't have problems but we're going to ask—they'll probably say "no" because that's the way they are.

Question 5. Perceptions of needed change(s) to improve board leadership.

Moderator: If you could change one thing to improve how you functioned as leaders, what would it be?

Respondent 1: I think I'd go back to the time and money issues again. If the State would just let up and let us educate kids and show them that we do
it quite well, we'd all be better off and we'd all have a lot more time and money to do things even better.

Respondent 2: It would be nice to go through a board meeting talking about educating kids rather than approving bill lists. If the State would go back to how the charter law was intended and stop making us do things because we all have to do them. That would help.

Question 6. Perception of congruence between charter literature and New Jersey regulations.

Moderator: The literature about charter schools strongly advocates reducing governmental regulations. Instead of strict adherence to regulations, charters are accountability or results-based. Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards.

In fact, I'd like to hear your reaction to a quote from the charter school literature: “The genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced – the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement” (Manno et al., 1997, p.3). Another way of viewing charter schools versus traditional public schools is that charters have foregone the rules and regulations in order to concentrate on results.
Respondent 1: The thing is, that's how we thought it was supposed to be and that's what it says and I've had conversations with the people who wrote the law in New Jersey and that's what they meant it to be. But, then they put it in the hands of the Department of Education and they don't know how to do that -- and that's the biggest problem. Then there's the Union forces...always plugging away at trying to get rid of us, but the D.G.E. more so than the Union, I think, because they can't get beyond what it says in the rule book. And we do have to be accountable and we do have an assessment program and our kids are tested every year. We went further than we had to, to make sure that was in place and that's the basis of everything here, you know..."Success is job 1," like Ford says. The scores. If they're not there, there's a problem.

Respondent 2: Teachers have to be accountable for those things, too.

Respondent 1: Our teachers also get a bonus if their kids meet the goals...

Respondent 2: So here we are back at the beginning. The charter law says we'll hold you accountable for student success and, in exchange, we'll release you from some of the regulations, some of those maintenance tasks you talked about. But when it comes right down to it, we hold our end of the bargain but do not get any relief from the State.

Question 7. Perception of any regulations that improve board leadership.
Moderator: How have New Jersey Charter regulations permitted you to lead more effectively?

Respondent 2: Yeah (sarcastically). (Laughter)

Respondent 1: They're choking us.

Respondent 2: You get two votes on that one.

Question 8. Perceived legislative advantages over traditional public schools.

Moderator: Do you have any advantages over traditional public boards of education?

Respondent 1: Well, parent choice. Parents are here because they choose our school. They sit and listen to us, me especially. Every year we have our intake and do the outreach for parents for the board and I tell the parents what they are getting themselves into. Things that could be considered negative -- we're a year-round school. Some parents wouldn't want that. It's a longer day. It's mandatory for their kids to be here in the summer. That it's mandatory for them to participate.

Respondent 2: Our after-school program is a big advantage. Now, other schools could probably have this too, but we just do it with a commitment from our parents. Our parents are interested in what's going on and that's a big plus over the public schools. We insist our parents are involved in their child's education. When they enroll their child they sign a commitment to attend our monthly meetings. We make it interesting anyway. As the season go, we have
concerts with the kids and we have guest speakers, we have in-class participation, we go and actually have math lessons and reading lessons. We open up their book and listen to what the teacher says so this way when the kid comes home and says, "I have this" we know exactly what they are doing. I do this twice a year because we went to school back in the '80s, well me, and I think I'm one of the oldest parents, I think it's great. Sometimes, he'll come home and have trigonometry and I'll be like, "Wait a second, I graduated a long time ago and haven't used that in a long time." So they do, they give us lessons. I think it's fabulous. And we do have a lot of parents who are bi-lingual and don't understand a lot and I think it does help more...it helps those parents most – than the parents who've gone to school here, maybe not so much in this county, but somewhere in this State.

Moderator:  Now, I'm going to go back over this because it's important to see the advantages you two perceive: Parental Choice – I wrote, 'They ask to be here.'

Respondent 1:  Right.

Moderator:  And that's a lottery – a blind lottery?

Respondent 1:  Yes, there is a lottery.

Moderator:  And, you have a waiting list?

Respondent 1:  Yes, we do.

Respondent 2:  Probably over 500.
Moderator: I think I heard you say that if they're not involved, you go to their home and knock on the door.

Respondent 1: Absolutely.

Moderator: Is there any other advantage you have over traditional public schools?

Respondent 2: Our after-school program is a big advantage. And, our uniforms, our students must wear a uniform, is a big advantage. There's less peer pressure on kids who don't have a Jordache or whatever.

Respondent 1: Well, I think uniforms affect the whole culture of the school. Also, our size is a distinct advantage. We are small; even though each year we add a grade level, we are still a small school. Everybody knows everybody. The parents know each other. The teachers know all the kids. When we are complete, next year we're adding 7th and 8th the following, there will be 450 students, which isn't a small school, but it isn't a huge school. I think that one of the big advantages we have compared to other schools in any other district, in Newark at least, and I guess it's the same in other districts is that our district of residence is the City of Newark, so when children come here they can come from anywhere in Newark, but they can live anywhere in Newark and we have a very low mobility rate because of that. The kids can stay at our school – and our neighborhood schools around here, their mobility rate runs about 40%, so that's a killer for a school.
Moderator: One other follow-up. Someone mentioned the culture of the school. Do you see that as some kind of advantage?

Respondent 1: Oh, absolutely. We start every day with a morning exercise, everybody in the school gathers to do the patriotic songs, the Pledge of Allegiance, and we have student speakers every day. A lot of parents come in and watch their children perform, the chorus sings, the principal gives a morning message. You know, start the day off. And, we have created this school with a vision, a purpose in mind and we stick to it — everyone knows the mission.

Respondent 2: I can recite it and I take it very seriously.

Respondent 1: I think everybody knows it. I think the kids know why they are here, and the parents. I guess public schools produce the same things we do. In that regard, I don't know why they know. There isn't anything that says you can't; but it may be a little radical that we tell parents that we're going to come and knock on your door. There isn't any reason why they couldn't do that in a public school.

Respondent 2: And one of the greatest things is our staff. I think our staff would do pretty much anything we asked as long as it was related to our mission.

Respondent 1: We have like an unwritten motto here: "We do what needs to be done to get the job done." That's basically our motto here. We are small, we don't have a large administrative staff, we have no central office, so whatever gets done here has to be done by the few
people that run the school and everybody has to pitch in, everybody wears a few hats. It’s necessary and we’re lucky we have good teachers who want to be here. They work a longer day, a longer year. They aren’t badly paid. They make a little bit more than the Newark District teachers make, but they aren’t compensated for the extra time in the sense that they aren’t paid for an extra month. They are making a little bit more, but they aren’t here because of the money. None of them came here because they want to work at this school to get rich.

Respondent 2: It’s a distinct advantage that the teachers selected us and we selected the teachers. Absolutely, because the teachers are so selective, as the parents are. People who are here are here because they want to be here. And that works for everyone.

Respondent 1: And some people have come and haven’t fit in and they’ve gone their separate ways. We’ve even had a couple of kids who’ve come and it really wasn’t what they thought it would and they left, but not too many. This is our school family. In fact, we run into each other at the grocery store, like, you know, because we’re here together all the time, so it is like a big family.

Question 9: How would trustees re-write regulations to improve their ability to lead their schools?
Moderator: What would you do with New Jersey Charter regulations that would both hold you accountable and optimize your ability to behave as a leadership board?

Respondent 1: Well, in our charter obligation which, to me, is the contract we made with the State, we're responsible for meeting the goals that we set. What we told the State we want to do is have our children tested in every grade, in every year, using a nationally normed standardized test and that the average child would score one year above grade level in every subject area, every year. And, if we don't meet that goal, then come and close us down. And if we do meet it, leave us alone and don't make us do all these stupid reports that take up too much time. There are a lot of regulations that I believe we should be held accountable, you know, we should have certified teachers and adhere to health and safety regulations. In fact, in the charter law it says we could get waivers for anything except health and safety. But, we've never gotten a waiver for anything. They don't give waivers and, to be honest with you, it's too much trouble to ask for one. There is so much paperwork between the central office, not the central office, the County Office and Special Ed and Title One and just report after report after report after report. It's a killer. When you have a really small administrative staff, it's a killer to keep up with all that paperwork.
Respondent 2: If we mess up with the money, there are reasons why there shouldn't be charter schools and the ones that have opened and closed – we wanted them to be closed earlier because a bad charter school hurt us more than anybody else. But, if we're meeting our responsibilities and showing we're educating our kids, then leave us alone.

Governing Board 3

This focus group consisted of 4 trustee members and are coded as Respondents 1 through 4. Two responses came through the alternative method which was to respond, in writing, through the mail.

Question 1. The role of the governing board.

Moderator: Although there's not a lot of research, much has been written about the role of a governing board. What do you think the function of your board should be?

Respondent 1: I think we should be setting policy, you know, the goals and beliefs that we believe in and think are worthwhile; worth fighting for.

Respondent 3: We're all in this together so I don't see this as a fight, but I know what you mean, it's like we all want what's best for our kids and all but it's our job as Board members to watch what's happening and how it's happening. Looking over the money is a big part of what we do; making sure what's being asked for was budgeted.
Respondent 2: I agree with keeping a watch on; getting acquainted with our budget. Sometimes we get requests for something and there's no money there for it, so we have to find another way of doing it.

Respondent 4: There's definitely a balance of what we do and what the administration does. We should be working as a team to set the rules. After we set the rules and policies, then we Board members need to let the administrators run the school. It's hard as a Board member to stay out but we have to trust them. We have to ask them what's going on and all, but they're the educators and we need to leave it to them.

Moderator: So let's list, if we can, the role, your role, as a Board member.

Respondent 1: We are the responsible parties of the school district. We all know that a big part of our role is to establish and endorse the mission statement, the mission of this school. It's all about that, educating our kids so that they can make it in our society today. We've taken them out of some pretty bad situations and given them hope and we're the ones responsible to keep watch over them; to make sure things are still going right. We have to work together with the administrators of the school; together we are the leadership team, but the buck stops here.

Moderator: So, for you, the role is to be responsible for getting the job done, or should I say, for carrying out the mission?

Respondent 1: Yes.
Respondent 3: Well, I agree that we are the responsible entity but I think we share that responsibility with everyone involved in the school and that's part of our mission; total involvement from all those involved in the school. It's a shared responsibility for our children and giving them the best we can give. When we developed the charter we did it together; I know that, technically, this board is the responsible party but if we fail, we all fail; if our administration fails, we all fail; if our teachers fail, we all fail; and if our children fail then we all go home. We can't just say we're the only ones doing this. We're in this together.

Respondent 2: Our first priority is the education of our children and, with that in mind, all of our minds, all the time, we need to develop policies that speak of doing things better for children. We need to make decisions to lead this school that keep this school on the right path. It's all about the kids.

Moderator: And, what is it for you?

Respondent 4: I agree with all that's been said especially (Respondent 3) when she says we share the responsibility. The entire school shares, has to share, the goals of the school. We as board members have to come up with those goals, but when we do we shouldn't do it in a vacuum, we're all accountable to everyone here, that's the way it is here. We share a lot with the administrators. This board is one piece, some say the top part of our leadership organizational chart.
and I agree, but we're not doing it in a vacuum, we're not alone.

We have to collaborate on this thing or we're all going to lose.

Moderator: (to all)

So, if I'm hearing you correctly, you're saying you, as the Governing Board of this school, share a responsibility to set policy and lead the school for the purpose of educating your students to the best you can do so.

Respondent 1: I thing you've got it.

Respondent 3: Yes, that's it I think.

Respondent 2: I agree.

Respondent 4: Yes.

Question 2. Self-perception of their action as board members.

Moderator: Getting back to board meetings, from my attending many board meetings, I am pretty familiar with the multitude of tasks in which a board engages. Let's start from the premise that much of our work in education, mine as principal and yours as board members, can be put into one of three categories. The first category we'll label "Maintenance Tasks" – these are significant regular, ordinary, routine tasks that you have to accomplish in your position. The second category we'll call "Problem Solving Actions" – these are the actions we take to react and take corrective and/or restorative action. The third category we'll call "Leadership" – these are the innovation, improvements, goals, and objectives that bring about change in the organization.
At this time, I am providing you with a simple chart so you can think about the percentages (see Figure 2). Using these three categories, what percentage of your behavior, as a board, do you think fits into or best fits in the 100%?

Respondent 2: I'll start; I think a lot of what we do is problem solving. Like I said, we get asked for a lot of things and we need to make sure the money is there first. A lot of times we need to figure out another way of doing that job. Sometimes it's something that the teachers or administration can be doing so we have to send it back to them.

Respondent 4: Well that's interesting. I think much of what's talked about, discussed and all, is leadership. We constantly talk about doing better for our kids. You'll see at our meeting, the administrators will let us know how the kids are doing, when they report to the Board.

Respondent 2: I agree, we do a lot of talking about how we can improve educating our children.

Moderator: Let's not forget, there are three categories of behaviors, you have the chart right in front of you. Why don't you write in your percentages now. Take a few minutes to do that and then we'll talk about what you wrote down.

Respondent 2: Well, I'd say 50% problem solving, and 20% maintenance, and 30% leadership. We should probably do more leadership, but it's hard there's not enough time.
Respondent 4: Time, that's so true. There's never enough time to get to the things that really matter. I think we do much more maintenance than 20%, probably more like 50% and then 20%, no, 30% problem solving and 20% leadership.

Respondent 1: Well, time is always an issue. We come here once a month and go through a pretty long agenda. It's all organized and all, but the agenda takes time and after everyone's asked questions, there's little time for anything else. I'd say we do 40% maintenance, 30% problem solving, and 30% leadership.

Respondent 3: Oh, I think we do about 40% maintenance, about 20% problem-solving and about 40% leadership. When you think about it a lot of what we get into at meetings is routine things and a lot of what we do is talk about our children and educating those children so that's leadership...at 40% and the rest, 20% is left for problem solving.

Moderator: Most of you have mentioned time as an issue. What seems to be taking up the majority of your time?

Respondent 1: I'm big on setting a vision or a mission and then trying to stick with it. The routine stuff, maintenance you call it, takes up too much time...we're constantly approving the check register and other routine stuff.

Respondent 3: It's definitely the maintenance things on the agenda that take up most of the time, but those are things that have to go through us.
Moderator: Are you changing your mind? I think, yes you did say before that maintenance and leadership were about 40%.

Respondent 3: No, I'll stay with that, those numbers, but I think the maintenance should be a lot lower. Then we could devote more time to education, our leadership role.

Respondent 4: It would be great to devote more time to leadership activities. A lot of our leadership came during the first year, when we talked about the Charter and what we were going to be doing, how we were going to educate our children. Now, we have to go through the agenda items and they're all the necessities like the check register and the field trips and all.

Respondent 1: If we weren't doing that, we'd have more time to talk about how we're doing with the vision, you know, meeting our goals, the Charter.

Respondent 3: That would be nice, to have time to talk about our goals and objectives and how we're doing on them.

Respondent 2: It would be nice to have more time, I don't know where the time goes; it goes so fast. But we run good meetings and we don't waste our time, we just have a lot to do and it all takes time. I think we could go on another retreat, we did that over a year ago and that was good to talk with the administration about things.

Question 3. Congruence of what is and what should be.
Moderator: Looking back at what you wrote was the function of a board
(Question 1), how are your board’s behaviors consistent with what
you wrote?

Respondent 2: We’re real consistent. Every meeting we go over the checks that
are going out and all of the requests to spend money. We go over
these items carefully so we don’t overspend and a lot of times we
find it’s things that the teachers or the administration can do.

Respondent 1: I think we should do more talking about education, about how our
students are doing, about how we’re doing, what we might need to
do better, things like that. I wish we had the time to do it. Another
retreat is a good idea, we got a lot accomplished then.

Respondent 4: I guess we’re doing what we’re supposed to do. We’re doing a
good job for our children and we balance out what we do at Board
meetings. We have to get through the other stuff – it’s important,
too. Just maintenance doesn’t mean it’s not important, so we have
to keep going.

Respondent 1: Well, I guess I would like to see our leadership behaviors increase
but I think what I wrote, 30%, is about right and is certainly less
than what it should; supposed to be. The other two make up the
rest of what we do. I’m on another Board of Directors and, I can tell
you that 30% is a large percentage when you’re dealing with
running a business, it’s more like 20% of the time you’re dealing
with leadership issues, things that are routine, the day-to-day
things are what makes up the remainder of what we do, the bulk, I should say, of what we do. My experience on this Board is we do look at ways to lead, to oversee more and I think we all started off that way when we began to think about our Charter, and we've gone on and grown from there.

Respondent 2: Yes I think I'm in the ballgame as well. Between 30% and 40% of the time we're looking at leadership things. We do have the everyday, or every month routine things that we have to look at, but I agree with [Respondent 1] that since we began we've been looking at how to lead and not follow what others do. We looked at what was the best way to do things and we did them and didn't do things just because everyone else was doing them. It was a lot of work at first, and maybe even now, but our children are the beneficiaries of what we've decided to do. As for the charter and our mission, everyone is very committed to it and we look for total involvement.

Moderator: You look like you want to say something.

Respondent 3: I guess I said we need or I kind of said that our role is to lead, to look at the mission and then I only wrote about 40% is leadership, so I guess you'd say I have an inconsistency. But I do think that about 40% of the time we're doing routine things and 40% of the time we're leading. I guess we would all want the leadership number to be higher, a higher percentage.
Question 4: Perceptions of factors that interfere with board leadership behaviors.

Moderator: What, if anything, interferes with the board acting more as a leadership body?

Respondent 1: I think we said it’s the time that we have to spend on the long list of things we have to accomplish.

Respondent 3: Interferes with? I think sometimes the administration brings us something that’s not in the budget and we point that out and we take time looking into something that shouldn’t have been there in the first place. That takes away time which is definitely a concern.

Respondent 2: I agree that a lot of the time we’re sending things back to the administration because there’s no money in the budget, there’s no budget, nothing put in for that from last year. So we send it back or they have to ask for it for next year.

Respondent 4: Sometimes we could work better as a team with our administration. This board and the administration is all about students’ education but sometimes we’re looking at things in different ways, I guess. It just seems that we can be more, work more together as one team and we will know what’s going on and the administration can run the building.

Moderator: So, you and the administration could work more as a team?
Respondent 1: No, we work well together. They just ask us to do things that, sometimes, we can’t do. They’re all for kids but our budget, we can’t do everything.

Respondent 2: Our administration is really good and all about the children. Sometimes that’s the problem, we don’t have the budget item to do what they want.

Moderator: What about you two? How do you feel?

Respondent 4: I think we’re just frustrated about not having enough. Looking constantly for things: ways to do things cheaper or for nothing because we don’t have a big budget. Don’t get me wrong, we do all right, OK? But, we could use more.

Respondent 3: The budget is a big problem. We always hear how we take money from the others and that’s not fair. Let them fund-raise to stay in a building and they’d be screaming.

Question 5. Perception of needed change(s) to improve board leadership behaviors.

Moderator: If you could change one thing to improve how you functioned as leaders, what would it be?

Respondent 1: I’d like to go back to that first year when we talked about the mission and our Charter. We talked a lot more about how we would educate our kids, how we would do things differently, better for our kids. Like I said before, I like [Respondent 3]’s suggestion of going on another retreat. But what bothers me sometimes is that
we can’t find the time, we can’t make it happen, during Board meetings. We should try to make our Board meetings run smoothly so we can get back to the main, the essential ones, the questions that deal with education.

Respondent 4: I think this Board does run smoothly but there’s so much to do, so much to keep up on, and I have questions about certain things too that must be asked. It’s our responsibility to be informed of the things; what’s going on inside the school. I go there a lot so I know what’s happening but a lot of parents don’t know. We talked about the administration getting out a newsletter to our parents to keep them informed. But that… (voice trails off, ending sentence).

Respondent 2: Our administration, they’re good and very, very concerned about, for our kids but they should work together with us more. They need to understand that we don’t have the money to do anything and everything that they ask us for. Then we feel bad about not giving them what they want. But we have to do this because then what we saved can go back to the children to help educate them better. And the teachers and administration need to keep more things at their level. They can do more to help us more.

Respondent 3: Listening to everyone, I’d like to get rid of the agenda, our agenda, typical Board items that, I think, we said take up all of this time. But then we have to do, look over all of those items.
Respondent 1: We're not badmouthing our administration either. We all get along together, are in this together.

Question 6. Perception of congruence between charter literature and New Jersey regulations.

Moderator: The literature about charter schools strongly advocates reducing governmental regulations. Instead of strict adherence to regulations, charters are accountability or results-based...

Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards.

In fact, I'd like to hear your reaction to a quote from the charter school literature: "The genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced – the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement" (Manno et al., 1997, p.3). Another way of viewing charter schools versus traditional public schools is that charters have foregone the rules and regulations in order to concentrate on results.

Respondent 2: We are accountable by our Charter. Our goal is for our children to become life-long learners and to get good jobs for their future. I'm not too sure about the rest of the question, I guess with our teachers we can ask more and to do more.
Moderator: Do you think your school, because of your being a charter school, do you think the State has eased up on the regulations placed on other schools?

Respondent 2: Oh, no way! We have to do everything they do. Our administration always complains about that, too.

Respondent 3: Well, how about the business administrator job. Now, we have to go out and hire a business administrator; we’ve been doing this for over 6 years now and we’re always fine, but we have to hire a business administrator. I’m not sure we’re given any exceptions.

Respondent 1: We’re not doing too much differently than regular schools are, except we have to show the State how we’re accomplishing our goals in educating kids. This business administrator law has us all out of sorts since now we’re going to have to spend $80,000 – 90,000 on a position we don’t need, never had.

Respondent 4: $80,000 – 90,000? More like $100,000 to $110,000.

Respondent 1: It’s not like we don’t have any money, but we are tight. Why do we have to; be forced to do this? When we first got started, the State said we could apply for waivers for exceptions but we’ve never been waived from a State requirement and every year we seem to be getting more and more things we have to do. We were told we had to follow our charter, and safety rules, now it’s everything.

Respondent 4: I have to agree with [Respondent 1] since it seems we have to do more and more each year. We started this school and were told
one thing. I even spoke to the guy, one of the writers of the Charter law and even he said the intention of the law was different, much different than it is now. The business administrator is just one small example of this kind of thing but it's going to take away a big chunk of our budget and things for our kids. We thrive on small class size. Are we going to have to raise them now because of hiring a business administrator? I wish Trenton would listen.

Question 7. Perception of any regulations that improve board leadership.

Moderator: How have New Jersey Charter regulations permitted you to lead more effectively?

Respondent 3: I think we kind of answered this one, didn't we? I think when things got started, we talked a lot about doing things differently but now, other than our charter, and what we want; think is right for children we aren't given anything from the State. I'm not aware of it anyway.

Respondent 4: I guess the regulations have helped us in getting schools like ours started. I mean, without the law there wouldn't be any charter schools around. And our school really helps our children. I see that every time I come here. I thank God my son can go to a school like this. I think we should all be thankful for that.

Respondent 2: I would like to see the regulations give us money for facilities. Our budget is tight the way it is and we're always raising money for
facilities. When we renovated, it was hard, but I don't know how the State has helped us.

Respondent 1: I guess, theoretically, we're supposed to have all of these advantages over regular, traditional public schools. Like I said before, although things are a lot different, the way the law was intended when we got started is not the way things are going. And every year, there's another rule or regulation to follow just making us more and more like traditional public schools. Except now, we're more accountable because of our Charter — but that's a good thing.

Moderator: It's a good thing, you have to follow all the regs?

Respondent 1: It's good to follow our Charter. We wrote that we would get our kids the best education we could and we will never stop that.

Question 8. Perceived legislative advantages over traditional public schools.

Moderator: Do you have any advantages over traditional public boards of education? (Relate to legislative advantages).

Respondent 4: I think that having parents that are so totally involved in the school is a great advantage. Our parents are asked to be involved in their child's educational life and mostly they do. I think when the parents are involved, the kids are doing that much better. And that makes sense.
Respondent 2: Our students want to come here too – Their parents, as [Respondent 4] said, are involved and the child and the parent have asked to come here.

Respondent 1: Also, our teachers want to be here. They work longer hours and more days, but they want to come here. They get paid a little more, but not really enough to make it worth it, financially. Teachers like it here, they can teach and not fight with kids. They know the parents and that helps them too! Sure, we’ve had some that leave or we ask them to leave, but the teachers who are here want to be here; they’re happy here and that helps, too. Our kids can stay here until they graduate. A lot of our kids move around, but as long as they stay in the city they can still attend school here. Other kids would have to change schools but our kids can stay here so long as they want to. I think our school year is an advantage, too. We go eleven months.

Respondent 3: Yeah – going to school for eleven months and the day is longer too; they are big advantages we have over public schools. It only makes sense that if you’re working longer and harder at something, you’re going to do it better. The longer school day and year are advantages.

Respondent 1: I agree.

Respondent 4: Me too.
Question 9. How would trustees re-write regulations to improve their ability to lead their schools?

Moderator: What would you do with New Jersey Charter regulations that would both hold you accountable and optimize your ability to behave as a leadership board?

Respondent 2: First I'd stop making us hire a business administrator. Where’s that money coming from anyway? Like was said before, the way it was supposed to be was to let us follow our Charter and prove we were educating our children right. What it's come down to is treating us like everyone else, so stop that and go back to the way it was when we started.

Respondent 3: Also, like [Respondent 2] said earlier, I'd like to see funding for our school facilities. It's not fair to have us raise all that money all the time. Why shouldn't our kids have money for facilities so the money doesn't have to be taken away from them.

Respondent 1: I guess I'd like to see us go back to the beginning and hold us to the way it was supposed to work. Stop treating us all, all the schools not just charters, the same. What's good for a school in [our city] is not necessarily good for a school down the shore, is it? Hold us accountable for educating kids, let us show you from our test scores and then let us be.

Respondent 4: I like being held to a higher standard. Other than the facilities, I would leave everything alone. We should show everyone that
we're doing better and it's not because of any rules that have been taken away. We do better given the same conditions as you.

Respondent 1: I guess it's not changing anything but going back to the way the law was supposed to be when we started this.

Summary

Chapter IV reports the research finding of this study. A brief school profile and verbatim transcriptions of focus group interviews are reported. This qualitative data reveals board of trustees' perceptions of New Jersey legislative regulations as statutes that enable them to lead their schools more effectively. The focus group interview sessions focus on nine questions along with related, spontaneous probing questions.
Table 4

*Governing Board 1: Trustees' Perceived Time Spent Engaged in Maintenance, Problem Solving, and Leadership Tasks*

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Table 5

_Governing Board 2: Trustees' Perceived Time Spent Engaged in Maintenance, Problem solving, and Leadership Tasks_

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Table 6: Governing Board #3: Trustees’ Perceived Time Spent Engaged in Maintenance, Problem solving, and Leadership Tasks.
Table 7

*Aggregate Percentages of Trustees’ Perceived Time Spent Engaged in Maintenance, Problem Solving, and Leadership Tasks*

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Chapter V
CONCLUSIONS AND RECOMMENDATIONS

Introduction

Chapter I of this study stated its purpose which was to determine if members of charter school governing boards perceive New Jersey Charter School legislative regulations as statutes that enable them to lead their schools more effectively. A second purpose was to determine if New Jersey Charter School legislation goes far enough in providing governing boards the freedom to effectively lead their schools, and if similar deregulation should be considered for all public school boards of education.

Chapter II provided a literature review including: the educational reform movement and its relationship to school governance, discussion of school governance, the charter school concept, the charter school movement in Arizona and Kansas, and a detailed discussion of the charter school movement in New Jersey and its relationship to school governance.

Chapter III described the methodology of this study along with the qualitative design utilized for the study. The research sample, procedures, and qualitative focus group interview instrument are also described in Chapter III.

Chapter IV presented the nature of the study as well as presentation of the data derived from structured focus group interview sessions with New Jersey charter school boards of trustees as the subjects of the study.

This chapter will compare the findings of this study with the literature concerning the leadership role of charter school governing boards and state conclusions resulting from this comparison.
This chapter is divided into four sections: (a) summary of qualitative investigation and research, (b) findings, results, and conclusions, (c) discussion, and (d) recommendations for future study and research.

Summary of Investigative Research

It was anticipated that the research findings would be consistent with the literature. It was also anticipated that the research subjects would help to identify areas of New Jersey’s Charter School legislative regulations that both help and hinder the abilities of governing boards. It was further anticipated that patterns would emerge that would lead toward recommended legislative change so that all school governing boards could lead in more effective ways.

Background

Research subjects had been members of school governing boards from one to seventeen years, and in their current position as charter school board trustee from one to seven years. The average school enrollment for the subjects’ schools was two hundred seventy students. Five of the ten subjects were female and five were male.

Findings, Results and Conclusions

This section restates the research questions and compares them to the literature and the findings of the study. Using a qualitative design, this study sought to answer the following research questions.

1. What congruence exists between the perceptions of what trustees believe their role to be with what they perceive is actually being performed?
2. What congruence exists between the literature on charter school governance and the perceptions of New Jersey charter school trustees about their actual system of school governance?

3. What are the perceptions of charter school trustees about how governmental regulations impact the degree to which they can lead their schools?

Three specific areas of charter school governance were examined. Each of these three areas were examined through specific focus group interview questions. The first set of questions examined the trustees' perceptions of what their role should be and compared it to their perception of what they actually do. The second set of questions sought to discover trustees' perceptions of factors that interfere with their ability to act as educational leaders. This set of questions also sought their perceptions on how to improve the situation. The third set of questions sought to discover trustees' perceptions on how State regulations impact their ability to govern and lead their schools. The last question sought trustees' suggestions on how to improve the current regulations related to school governance.

Section 1: Role of a Trustee

Question 1. Although there's not a lot of research, much has been written about the role of a governing board. What do you think the function of your board should be?

This question dealt with the trustees' descriptions of what they thought the function of a board member should be. There is strong agreement among all trustees that they are the ones in charge of the school. One trustee noted, "First and foremost we are the ones responsible. The buck stops here, so to speak." A trustee serving in another school states this responsibility another way, "Let the administrator administrate
and then we oversee. We need to set policy and make sure we’re following the policies and the vision of the school.” This view is echoed by trustees in the remaining school as well, “…we are the responsible entity…”

New Jersey has defined the role of the local school board. “The role of a board of education is not to run the schools, but to see that they are well run. To accomplish this, a board makes policies” (NJSBA, 2002, p. 2). In fact, several trustees made related assertions, “We are responsible for setting the policy.” “I think we should be setting policy, you know, the goals and beliefs that we believe in and think are worthwhile; worth fighting for.” “Our first priority is the education of our children and, with that in mind, all of our minds, all the time, we need to develop policies that speak to doing things better for children.”

Additionally, trustees believe they should oversee the schools; see to it that they are run well, but to take care that they are not running the schools in their role as trustee. As one trustee notes, “After we set the rules and policies, then we Board members need to let the administrators run the school.” Another school’s trustee states this aspect of his role, “I know in some charter schools there is a difficulty with the board members trying to be the administration, and we’re lucky that we don’t have that problem here.” And yet another trustee in another school, “After policy is written, then the administration should figure out how to proceed.”

Trustees representing all schools believed a partnership should exist between the board and the administration. One trustee states, “We very much look the attitude that there was going to be a sharing of responsibilities and a sharing of power.” “I think we are so successful because we have such great administrators and a board that
shares the responsibility of leading with them.” In another school, a trustee stated, “We’re kind of lucky that we have a principal that can lead the building.” And a trustee in another school stated, “I think we share that responsibility (leadership) with everyone involved in the school.”

Question 2. From my attending many board meetings, I am pretty familiar with the multitude of tasks in which a board engages. Let’s start from the premise that much of our work in education, mine as a principal and yours as board members, can be put into one of three categories: The first category we’ll label “Management Tasks” --- these are significant regular, ordinary, routine asks that you have to accomplish in your position. The second category we’ll call “Problem Solving Actions” --- these are the actions we take to react and take corrective and/or restorative action. The third category we’ll call “Leadership” --- these are the innovation, improvements, goals, and objectives that bring about change in the organization.

Using these three categories, what percentage of your behavior as a board do you think fits into or best fits in the 100%?

This question relates to the role of a trustee, asking them to place a percentage on the amount of time they spend, while serving as a trustee member, on three types of behavior categorized as maintenance, problem-solving, and leadership.

The aggregate percentages of the three schools studied were: percentage of time spent involving maintenance tasks (35%), percentage of time spent involving problem-solving tasks (18.5%), and percentage of time spent involving leadership tasks (46.5%).
The average percentiles for each of the three schools reflect differences among them. School 1’s averages are: maintenance (20%), problem-solving (8.75%), and leadership (71.25%). School 2’s averages are: maintenance (60%), problem-solving (10%), and leadership (30%). School 3’s averages are: maintenance (37.5%), problem-solving (32.5%), and leadership (30%).

Although general agreement exists among trustees within the same school, sharp differences are observed among schools. While a variety of factors may contribute to these differences among schools, an interesting note is that all schools raised concerns over spending too much time involved in maintenance tasks. “I think we’d all agree that we should be doing more leadership and less maintenance but that’s the way it is. I don’t know if there is a way around all of the little routine things you have to do as a board or administrator. So we do them and wish we had more time to do other things.” “The routine stuff, maintenance you call it, takes up too much time...we’re constantly approving the check register and other routine stuff.” “It would be great to devote more time to leadership activities. A lot of our leadership came during the first year, when we talked about the Charter and what we were going to be doing; how we were going to educate our children. Now we have to go through the agenda items and they’re all necessities, like the check register and the field trips and all.”

In School 1, where the perceived leadership behaviors are considerably higher than the other schools, board members shared their views on their own board meetings. “I was just taking out the agenda for tonight, just to give you a flavor to it, and when you talk about your categories, these are our categories which are totally typical for a board

The researcher attended each of the board meetings that followed the focus group interviews. Each board meeting attended by the researcher was characterized as "typical" by the members of the focus group interview team. As one would expect, each meeting was different in some respects and similar in others. Most noteworthy was the rapport that existed between the administrators and trustees in each of the three schools. It was evident that there was a mutual respect for each other and a warm collegial relationship. The trustees relied heavily on the administrators to run the school's operation. One example of this was at one meeting when the administrators reported about several individual students needing financial assistance to attend a variety of summer programs. The Board refused to listen to each student's need, but instead allocated a lump sum and instructed the administrators to decide upon the individual allocations. Even though this positive, working relationship existed between trustees and administrators, the Boards' actual agendas, its discussion, and its actions were predominantly maintenance task oriented. For example in School 1, the focus group members perceived time spent leading was over 71%. In this school's meeting, there were six agenda items: school calendar, financial report, personnel, educational report, school report, and parental involvement report. Of the six, five agenda items were clearly maintenance issues. The parent report informed trustees of the end-of-year picnic and an upcoming social event; the school report consisted of a reporting of recent test scores; the personnel report described for the trustees the new hires, the financial report was typical and the school calendar for 2003-04 was discussed and approved.
Only the educational report began to discuss issues to be considered for the future. These issues had implications concerning student-to-teacher ratio, building plans for the future, and other matters requiring educational planning and leadership.

Meetings at the other two schools were similarly organized and structured. There were obvious differences in the three meetings attended by the researcher. These differences were reflected in subtle ways in the focus group interviews as well and are consistent with the degree to which external factors affect each. Clearly, the school having the most difficulty raising money to sustain its educational program exhibited the most tension between trustees and administrators. Trustees appeared frustrated throughout the meeting about not being able to provide well enough for their students. These frustrations were also expressed in the focus group interview.

Question 3. Looking back at what you wrote was the function of a board (Question 1), (a) How are your board’s behaviors consistent with what you wrote? (b) How are your board’s behaviors inconsistent with what you wrote?

This question asked trustees to reflect upon the congruence between what they thought their role should be and what they actually did while serving as a trustee. Trustees in School 1 had ranked their leadership behavior at 71.25%, maintenance behaviors were ranked at 20%, and problem-solving behaviors were ranked at 8.75%. As one might expect, these trustees saw a great deal of congruence between their perceived role and their actions. Trustees reported being “Right on track, I think they’re (board’s behaviors) very consistent.” and “I certainly think we’re on board here.”

Trustees in Schools 2 and 3, however, felt a disconnect between their perceptions of what should be and what actually existed. In other words, trustees at
these two schools did not feel they were acting as they should while serving on their school's Governing Board. "I don't know if there is a way around all of the little things you have to do as a board." "We wish we had more time to do other things." "I think we should do more talking about education, about how our students are doing, about how we're doing, what we need to do better; things like that. I wish we had the time to do it."

Trustees wish to lead their schools. All trustees, even those in School 1 where they perceive leadership behavior its highest, wish for more time to lead. "Maybe we can lose a few maintenance percentage points, but we are held to procedures."

Governmental regulations and procedures are perceived as hindering a board's ability to spend more time on leadership. "Well, I guess I would like to see our leadership behaviors increase, but I think what I wrote, 30% is about right and is certainly less than what it should, is supposed to be." Although trustees weren't specifically asked, there exists an underlying belief that time must be spent on maintenance tasks and, although they don't like this fact, they seem to resign themselves to the fact that this is the way it is. "I'm on another Board of Directors and, I can tell you that 50% is a large percentage when you're dealing with running a business, it's more like 20% of the time you're dealing with leadership issues, things that are routine, the every day to day things are what makes up the remainder of what we do." "We do have the everyday or every month, routine things that we have to look at."

Section 2: Factors Interfering with Board's Ability to Lead

Question 4. What, if anything, interferes with the board acting more as a leadership body?
Trustees were very consistent in their responses to this question. Time or lack of it was expressed with frustration by many trustees. "Time, there isn't enough of it; the Board meets monthly, we try to be conscious of the board members' time because it is a volunteer board, as all school boards are." "There is so much regulation, so much paperwork, so much time spent on things that I don't think we probably have to do." "I think we said it's the time that we have to spend on the long list of things we have to accomplish."

In addition to time, money concerns also made each school's list. "I'd have to say money, or lack of it interferes with us acting more as leaders." "I think we're frustrated about not having enough [money]. Looking constantly for ways: ways to do things cheaper or for nothing because we don't have a big budget." "The budget is a big problem. We always hear how we take money from the others and that's not fair. Let them fundraise to stay in a building and they'd be screaming."

Concerns over lack of financial resources are of utmost concern. Trustees' concerns about the lack of money is part of a larger legislative issue. That issue is the way in which New Jersey funds its charter schools. This concern was articulated by trustees. "I haven't met a rule I'm exempt from yet ... if you look at our agenda tonight, we have, I think 30 different items on there and probably three-quarters of them are approving things the way the State says we have to do. My newest pet peeve is the new business administrator thing. That's a killer for charter schools. It's going to eat up another $90,000 – $120,000 probably." "What drives me crazy is the way we're jumped in with everyone else. For instance, next year we must hire a business administrator; not because anything's ever been out of order, but because everyone else has to."
New Jersey regulations governing charter schools hinder the schools' trustees from leading their schools. "The way the law was intended as written isn't the way it is carried out. Charters were supposed to show they were accountable; that's the way our charter is written but no one seems to want to put aside the bureaucratic red tape." "We're asking for a waiver because we've been in business now going on seven years without a certified business administrator and we've never had any problems."

Question 5. If you could change one thing to improve how you function as leaders, what would it be?

This question asks trustees to think of a change in the system in which they function that would improve their ability to lead. This question was purposely worded in a very open-ended, general way, so that trustees could respond globally by citing Federal or State regulations, or more locally, such as their own situation on their local board.

Two boards' trustees answered this question quite quickly and enthusiastically. For them, the answer toward improvement was clear. The third board began a more detailed, frustrated conversation about lacking the time to accomplish leadership activities. Eventually, however, without any intervention or prodding from the researcher, this group too referred to the minutia or maintenance tasks required by the State. These required tasks frustrated everyone and the remedy or change sought seemed obvious to them, "I'd like to get rid of our agenda, typical Board items that, I think, take up all of this time. "That's easy for me. For me, it's go back to the intention of the charter law and I've spoken to its writer. Hold us accountable to our charter and let the rest be." "If the State would just let up and let us educate kids and show them..."
that we do it quite well, we'd all be better off and we'd all have a lot more time and money to do things even better." "If the State would go back to how the charter law was intended and stop making us do things because we all have to do them. That would help."

Question 6. The literature about charter schools strongly advocates reducing governmental regulations. Instead of strict adherence to regulations, charters are accountability or results-based...

Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards. In fact, I'd like to hear your reaction to a quote from the charter school literature..."the genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced - the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement" (Menno et al., 1997, p.3). Another way of viewing charter schools versus traditional public schools is that charters have foregone the rules and regulations in order to concentrate on results. What is your reaction to this?

This question informs trustees that the literature about charter schools strongly advocates reducing governmental regulations in return for their accountability and results-based orientation. The question was anticipated to focus trustees' responses to New Jersey's governmental regulations in order to see if they felt they were too restrictive. Trustees were all in agreement that New Jersey regulations are too restrictive. All trustees agreed that the State regulations are too restrictive. There is agreement also that New Jersey did not follow through with its initial commitment to
relieve charter schools from governmental regulations in exchange for their accountability of student achievement. Perhaps stated best, one trustee sums up all of their views, "So here we are back at the beginning. The charter law says we'll hold you accountable for student success and, in exchange, we'll release you from some of the regulations, some of those maintenance tasks you talked about. But when it comes right down to it, we hold our end of the bargain but do not get any relief from the State."

Section 3: Perceptions on How to Improve Current Situation

The third set of questions were intended to narrow the focus even further and discover trustees’ perceptions on New Jersey's regulations and their impact on their ability to lead in relation to their traditional public school counterparts. The first of the two questions in this set was worded in order to lead trustees to any positive aspects of New Jersey's charter school regulations.

Question 7. How have NJ Charter regulations permitted you to lead more effectively?

In spite of the leading way in which this question was posed, no trustee found one positive aspect of State regulations. One trustee broke up in laughter after responding, "Yeah" in a sarcastic tone of voice, "they're choking us." "Other than our Charter, and what we want and think is right for children, we aren't given anything from the State." "The reduction of governmental regulations is a myth that exists. So we're supposed to be freed from legislative regulations and, then if we're successful, it's the legislators that take the credit for the creation of this great concept. And, if we fail, it must be us not being able to do our job of educating our kids. Sure, a reduction in regulations is an advantage but it doesn't exist, except in the folklore of charter schools."
Question 8. Do you have any advantages over traditional public boards of education? (Relate to legislative advantages).

All three focus groups cited advantages they have over traditional public schools. Those advantages are: increased parental involvement, school choice–parents and students choose to be enrolled in their schools, teachers want to be in their school, longer school day and year, after-school program, school uniforms, smaller school size, and a decreased mobility rate.

Of the above-referenced advantages, several can be achieved in any school without change of governmental regulation or intervention. Theoretically, a school can increase its parental involvement, require school uniforms, and offer after-school programs without governmental intervention. Schools would face a challenge, however, if they attempted to lengthen the school day and/or year without strong support from their teachers’ union.

Other advantages cited by trustees would require some form of governmental intervention. School size is dictated by a district’s boundaries as specified by local government. School choice would also require some form of governmental intervention. School choice is responsible for another perceived advantage over traditional public schools. Specifically, the school’s decreased mobility rate was mentioned as an advantage over traditional public schools. All three schools’ trustees perceived their decreased mobility rate as an advantage over traditional public school. “Our children can move anywhere within the city and still attend school here. That keeps our mobility rate relatively low and our children benefit; they don’t have to change schools again and again.” “Our kids can stay here until they graduate. A lot of our kids move around but
as long as they stay in the city, they can still attend school here too. Other kids would have to change schools.”

Question 9. What would you do with NJ Charter regulations that would both hold you accountable and optimize your ability to behave as a leadership board?

All trustees agree that regulations concerning health and safety are necessary. One group mentioned keeping the regulation to hire only certified personnel. Other than those regulations, agreement existed among charter school trustees to go back to the charter school philosophy of increased accountability in exchange for more autonomy from regulations. “If we’re doing our job, if we prove to you that we’re accountable, then leave us alone.” “If we’re meeting our responsibilities and showing we’re educating our kids, then leave us alone.” “Let us follow our Charter and prove we are educating our children right.” Those comments came from three different trustees serving three different charter schools and are reflective of the feelings of all trustees interviewed.

Summary

An examination of responses related to each of the three research questions reveals the shared beliefs among trustees. These beliefs can be summarized as:

Research Question 1. What congruence exists between the perceptions of what trustees believe their role to be with what they perceive is actually being performed?

The trustees share the belief that (a) They should spend more time on leadership tasks. (b) They should spend less time on maintenance tasks, and (c) That fulfilling the procedural requirements of legislative regulations takes away valuable time that could be spent leading.
Research Question 2. What congruence exists between the literature on charter school governance and the perceptions of New Jersey charter school trustees about their actual system of school governance?

The trustees share the belief that: (a) Over the 7 years that charter schools have existed in New Jersey, the legislative regulations have become increasingly more demanding and akin to public school regulations, (b) There is no congruence between what the literature says should be done and what actually exists in New Jersey, and (c) Charter schools not only possess little or no relief from legislative regulations, they are actually placed at a disadvantage by legislation related to funding.

Research Question 3. What are the perceptions of charter school trustees about how governmental regulations impact the degree to which they can lead their schools?

The trustees share the belief that: (a) Charter schools have not been relieved from governmental regulations, (b) Governmental regulations seriously hinder the governing board’s ability to lead, and (c) Governmental regulations adversely affect a charter school’s budget thereby negatively affecting the way in which they can educate their students.

A number of conclusions can be made as a result of this research study.

Conclusions

1. Charter school trustees’ perceptions of their role are congruent to the literature.

2. Charter school trustees believe they are the governing body of the school and, as such, are responsible to set policy and hold others accountable for following the policies, procedures and vision of the school.
3. Charter school trustees believe the administration should be empowered to run the schools within the policies set forth by the Board.

4. Charter school trustees believe they should spend more time on leadership activities.

5. Charter school trustees believe the Charter Law is not being acted upon as it was originally intended.

6. Charter school trustees agree that New Jersey governmental regulations prevent them from spending more time engaged in leadership activities.

7. Charter school trustees believe State regulations have a negative impact on their ability to lead.

8. There is a disconnect in what the literature states should occur and the perceptions of charter school trustees as to what actually exists in relation to school governance.

9. Charter school trustees want to demonstrate they are accountable for educating their school children in exchange for decreased governmental regulations.

10. Charter school trustees believe their funding from the State is inadequate and unfair.

Discussion

It is clear that charter schools enjoy some advantages over their traditional public school counterparts. It is equally clear that they are at a disadvantage in some other ways. The charter school movement is based upon the notion that charter schools be freed from bureaucratic regulations, operating with a great deal of autonomy. In
exchange for that autonomy, charter schools are to be held accountable for student achievement.

A great deal of tension and controversy exists over this topic. Advocates of traditional public schooling insist charter schools possess many unfair advantages and drain local school boards of much-needed finances. On the other hand, charter school proponents argue they are treated unfairly in that capital costs are not funded through the State’s funding formula.

One of the questions sought to be answered in this study is: What congruence exists between the perceptions of what trustees believe their role to be with what they perceive is actually being performed?

Trustees know what it is they should be doing. They possess a good understanding of their role as stated in the literature. Trustees share the belief that:
(a) They should spend more time on leadership tasks, (b) They should spend less time on maintenance tasks, and (c) That fulfilling the procedural requirements of legislative regulations takes away valuable time that could be spent leading.

The second research question of this study is: What congruence exists between the literature on charter school governance and the perceptions of New Jersey charter school trustees about their actual system of school governance?

It is safe to say that charter school trustees feel cheated. In their view, they were told they would be released from governmental regulations and could be “waived” from others, however, this has not occurred. Although they have applied for waivers, all have been denied. They also must adhere to all of the regulations that apply to other public schools. Indicative of their feelings about this issue one trustee states, “The reduction
of governmental regulations is a myth that exists...a reduction in regulations is an advantage but it doesn’t exist, except in the folklore of charter schools.”

Trustees share the belief that: (a) Over the 7 years that charter schools have existed in New Jersey, the legislative regulations have become increasingly more demanding and akin to public school regulations, (b) There is no congruence between what the literature says should be done and what actually exists in New Jersey, and (c) Charter schools not only possess little or no relief from legislative regulations, they are actually placed at a disadvantage by legislation related to funding.

The third research question of this study is: What are the perceptions of charter school trustees about how governmental regulations impact the degree to which they can lead their schools?

Several salient points emerge from the analysis of data. The perceptions of trustees regarding governmental regulations’ impact on their leadership ability are:

(a) Charter schools have not been relieved from governmental regulations, (b) Governmental regulations seriously hinder the governing board’s ability to lead, and (c) Governmental regulations adversely affect a charter school’s budget thereby negatively affecting the way in which they can educate their students.

The process of qualitative research has been likened to assembling a jigsaw puzzle (LeComte & Preissle, 1993, pg. 237). “The edge pieces are located first and assembled to provide a frame of reference. Then attention is devoted to those more striking aspects of the puzzle picture that can be identified readily...Next, having stolen some surreptitious glances at the picture on the box, the puzzle worker places the assembled parts in their general position within the frame and, finally, locates and
Charter schools as public schools of choice are as varied as their traditional public school counterparts. Many are outperforming their traditional public school counterparts and some are being closed for their failure to perform. It is clear that, as schools of choice, they enjoy some advantages over traditional public schools. It is equally clear that they are at a disadvantage in some areas as well.

There is ample food for thought. If New Jersey Charter Law would change in ways that would make it consistent with charter school literature, would they be more successful? And, what if those regulations could be made applicable to all public schools?

Recommendations for Future Study and Research

1. Use a larger and more diverse sample of charter school boards of trustees in a similar qualitative study.

2. Use a qualitative and quantitative research design for comparison between charter boards and traditional public school boards.

3. Conduct similar research using State legislators as the sample group.

4. Study implications of de-regulating traditional public schools.

5. Study the impact of mobility rate on student achievement.

6. Compare charter schools operating within states with strongly supportive charter laws with charter schools operating within states with weak charter laws.

7. Study the implications of policy intended to expand the number of charter schools.


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Central Florida.


APPENDIX A

A List of

New Jersey's Eleven Original

Chater Schools
<table>
<thead>
<tr>
<th>County</th>
<th>Charter school and District of Residence</th>
</tr>
</thead>
</table>
| 1 Camden | Leap Academy Charter School  
Grades: Kindergarten to 8  
1997-98 Focus: Kindergarten to 5  
1997-98 Enrollment: 325  
**District of Residence: Camden City** |
| 2 Essex | North Star Academy Charter School of Newark  
Grades: 5 to 8  
1997-98 Focus: Grades 5 and 6  
1997-98 Enrollment: 72  
**District of Residence: Newark** |
| 3 Essex | Robert Treat Academy Charter School, Inc.  
Grades: Kindergarten to 4  
1997-98 Focus: Kindergarten to 1  
1997-98 Enrollment: 100  
**District of Residence: Newark** |
| 4 Hudson | Elysian Charter School  
Grades: Kindergarten to 5  
1997-98 Focus: Kindergarten to 2  
1997-98 Enrollment: 30  
**District of Residence: Hoboken** |
| 5 Hudson | Gateway Charter School  
Grades: 6 to 8  
1997-98 Focus: Grade 6  
1997-98 Enrollment: 30  
**District of Residence: Jersey City** |
| 6 Hudson | Soaring Heights Charter School  
Grades: Kindergarten to 4 and Special Education  
1997-98 Focus: Kindergarten to 4 and Sp. Ed.  
1997-98 enrollment: 86  
**District of Residence: Jersey City** |
| 7 Hudson | The Learning Community Charter School  
Grades: Kindergarten to 6  
1997-98 Focus: Kindergarten to 2  
1997-98 Enrollment: 98  
**District of Residence: Jersey City** |
<table>
<thead>
<tr>
<th>County</th>
<th>Charter school and District of Residence</th>
</tr>
</thead>
</table>
| 8      | **Jersey City Community Charter School**  
         Grades: Kindergarten to 6 and 9 to 12  
         1997-98 Focus: Kindergarten to 2 and Grades 9 to 12  
         1997-98 Enrollment: 120  
         **District of Residence**: Jersey City |
| 9      | **Princeton Charter School**  
         Grades: Kindergarten to 6  
         1997-98 Focus: Grades 4 to 6  
         1997-98 Enrollment: 72  
         **District of Residence**: Princeton Regional |
| 10     | **Trenton Community Charter School**  
         Grades: Kindergarten to 6  
         1997-98 Focus: kindergarten to 3  
         1997-98 Enrollment: 150  
         **District of Residence**: Trenton |
| 11     | **Sussex County Charter School for Technology**  
         Grades: 7 and 8  
         1997-98 Focus: 7 and 8  
         1997-98 Enrollment: 50  
         **District of Residence**: Sparta |
APPENDIX B

Primary Functions of Local Boards of Education

as Provided by the

New Jersey School Boards Association
The board's governance role carries with it four main functions:

- To provide guidance through policy development in the areas of instruction, personnel, general administration, fiscal and business management, physical plant and community relations.

- To provide for a program of quality instruction by adopting curriculum standards as academic goals for students, assessing district and personnel needs to ensure student achievement of the standards, supporting professional development training for staff and requiring reports on the results of student assessment.

- To provide for the effective management of the district by employing and evaluating the chief school administrator, establishing policies for monitoring of district finance, curriculum, buildings and grounds, and personnel and requiring reports on the results of policy implementations.

- To provide for two-way communication between community and board by informing the public about the schools, promoting parents' presence in schools and at school functions, evaluating the superintendent on how effectively parental input is solicited and considered, and working to secure public support for the schools and public understanding of district goals.
APPENDIX C

CHARTER SCHOOL PROGRAM ACT OF 1995
N.J.S.A. 18A:36A
Effective January 1996 – AMENDED November 2000

18A:36A-1. Short Title

This Act shall be known and may be cited as the "Charter School Program Act of 1995." L.1995,c426,s.1.

18A:36A-2. Findings, declarations relative to establishment of charter schools

The Legislature finds and declares that the establishment of charter schools as part of this State's program of public education can assist in promoting comprehensive educational reform by providing a mechanism for the implementation of a variety of educational approaches which may not be available in the traditional public school classroom. Specifically, charter schools offer the potential to improve pupil learning; increase for students and parents the educational choices available when selecting the learning environment which they feel may be the most appropriate; encourage the use of different and innovative learning methods; establish a new form of accountability for schools; require the measurement of learning outcomes; make the school the unit for educational improvement; and establish new professional opportunities for teachers.

The Legislature further finds that the establishment of a charter school program is in the best interests of the students of this State and it is therefore the public policy of the State to encourage and facilitate the development of charter schools. L.1995,c426,s.2.
18A:36A-3. Charter school program established

a. The Commissioner of Education shall establish a charter school program which shall provide for the approval and granting of charters to charter schools pursuant to the provisions of this act. A charter school shall be a public school operated under a charter granted by the commissioner, which is operated independently of a local board of education and is managed by a board of trustees. The board of trustees, upon receiving a charter from the commissioner, shall be deemed to be public agents authorized by the State Board of Education to supervise and control the charter school.

b. The program shall authorize the establishment of not more than 135 charter schools during the 48 months following the effective date of this act. A minimum of three charter schools shall be allocated to each county. The commissioner shall actively encourage the establishment of charter schools in urban school districts with the participation of institutions of higher education.

L.1995.c.426,s.3.

18A:36A-4. Establishment of charter school

a. A charter school may be established by teaching staff members, parents with children attending the schools of the district, or a combination of teaching staff members and parents. A charter school may also be established by an institution of higher education or a private entity located within the State in conjunction with teaching staff members and parents of children attending the schools of the district. If the charter school is established by a private entity, representatives of the private entity shall not constitute a majority of the trustees of the school, and the charter shall specify the extent to which the private entity shall be involved in the operation of the school. The
name of the charter school shall not include the name or identification of the private entity, and the private entity shall not realize a net profit from its operation of a charter school. A private or parochial school shall not be eligible for charter school status.

b. A currently existing public school is eligible to become a charter school if the following criteria are met:

(1) At least 51% of the teaching staff in the school shall have signed a petition in support of the school becoming a charter school; and

(2) At least 51% of the parents or guardians of pupils attending the public school shall have signed a petition in support of the school becoming a charter school.

c. An application to establish a charter school shall be submitted to the commissioner and the local board of education or state superintendent, in the case of a State-operated school district, in the school year preceding the school year in which the charter school will be established. The board of education or state superintendent shall review the application and forward a recommendation to the commissioner within 60 days of receipt of the application. The commissioner shall have final authority to grant or reject a charter application.

d. The local board of education or a charter school applicant may appeal the decision of the commissioner to the State Board of Education. The State board shall render a decision within 30 days of the date of the receipt of the appeal. If the State board does not render a decision within 30 days, the decision of the commissioner shall be deemed final.

e. A charter school established during the 48 months following the effective date of this act, other than a currently existing public school which becomes a charter school
pursuant to the provisions of subsection b, of section 4 of this act. Shall not have an
enrollment in excess of 500 students or greater than 25% of the student body of the
school district in which the charter school is established, whichever is less.

Any two charter schools within the same public school district that are not
operating the same grade levels may petition the commissioner to amend their charters
and consolidate into one school. The commissioner may approve an amendment to
consolidate, provided that the basis for consolidation is to accommodate the transfer of
students who would otherwise be subject to the random selection process pursuant to
L. 1995, c. 426, s. 4; amended 2000, c. 142, s. 1.

18A:36A-6. Application for charter school
The application for a charter school shall include the following information:

a. The identification of the charter applicant;

b. The name of the proposed charter school;

c. The proposed governance structure of the charter school including a list of
the proposed members of the board of trustees of the charter school or a description of
the qualifications and method for the appointment or election of members of the board
of trustees;

d. The educational goals of the charter school, the curriculum to be offered,
and the methods of assessing whether students are meeting educational goals. Charter
school students shall be required to meet the same testing and academic performance
standards as established by law and regulation for public school students. Charter
school students shall also meet any additional assessment indicators which are included within the charter approved by the commissioner;

e. The admission policy and criteria for evaluating the admission of students which shall comply with the requirements of section 8 of this act;

f. The age or grade range of students to be enrolled;

g. The school calendar and school day schedule;

h. A description of the charter school staff responsibilities and the proposed qualifications of teaching staff;

i. A description of the procedures to be implemented to ensure significant parental involvement in the operation of the school.

j. A description of, and address for, the physical facility in which the charter school will be located;

k. Information on the manner in which community groups will be involved in the charter school planning process;

l. The financial plan for the charter school and the provisions which will be made for auditing the school pursuant to the provisions of N.J.S.18A:23-1;

m. A description of and justification for any waivers of regulations which the charter school will request; and

n. Such other information as the commissioner may require.

L.1995,c.426,s.5.
18A:36A-5. Powers of charter school

A charter school established pursuant to the provisions of this act shall be a body corporate and politic with all powers necessary or desirable for carrying out its charter program, including, but not limited to, the power to:

e) Adopt a name and corporate seal; however, any name selected shall include the words "charter school;"

b) Sue and be sued, but only to the same extent and upon the same conditions that a public entity can be sued;

c) Acquire real property from public or private sources, by purchase, lease, lease with an option to purchase, or by gift, for use as a school facility;

d) Receive and disburse funds for school purposes.

e) Make contracts and leases for the procurement of services, equipment and supplies;

f) Incur temporary debts in anticipation of the receipt of funds;

g) Solicit and accept any gifts or grants for school purposes; and

h) Have such other powers as are necessary to fulfill its charter and which are not inconsistent with this act or the requirements of the commissioner.

The board of trustees of a charter school shall comply with the provisions of the “Open Public Meetings Act,” P.L.1975.c.231 (C.10:4-6 et seq.).

L.1995,c426,s.8.

18A:36A-7. Student admissions to charter school

A charter school shall be open to all students on a space available basis and shall not discriminate in its admission policies or practices on the basis of intellectual or
athletic ability, measures of achievement or aptitude, status as a handicapped person proficiency in the English language, or any other basis that would be illegal if used by a school district; however, a charter school may limit admission to a particular grade level or to areas of concentration of the school such as mathematics, science, or the arts. A charter school may establish reasonable criteria to evaluate prospective students which shall be outlined in the school's charter.
L.1995,c.426,s.7.

18A.58A-8. Enrollment preference

a. Preference for enrollment in a charter school shall be given to students who reside in the school district in which the charter school is located. If there are more applications to enroll in the charter school than there are spaces available, the charter school shall select students to attend using a random selection process. A charter school shall not charge tuition to students who reside in the district.

b. A charter school shall allow any student who was enrolled in the school in the immediately preceding school year to enroll in the charter school in the appropriate grade unless the appropriate grade is not offered at the charter school.

c. A charter school may give enrollment priority to a sibling of a student enrolled in the charter school.

d. If available space permits, a charter school may enroll non-resident students. The terms and condition of the enrollment shall be outlined in the school’s charter and approved by the commissioner.
e. The admission policy of the charter school shall, to the maximum extent practicable, seek the enrollment of a cross section of the community’s school age population including racial and academic factors.
L.1995,c.426,s.8.

18A:36A-9. Withdrawal, expulsion from charter school

A student may withdraw from a charter school at any time. A student may be expelled from a charter school based on criteria determined by the board of trustees, which are consistent with the provisions of N.J.S.18A:37-2, and approved by the commissioner as part of the school’s charter. Any expulsion shall be made upon the recommendation of the charter school principal, in consultation with the student’s teachers.
L.1995,c.426,s.9.

18A:36A-10. Location of a charter school

A charter school may be located in part of an existing public school building, in space provided on a public work site, in a public building, or any other suitable location. The facility shall be exempt from public school facility regulations except those pertaining to the health or safety of the pupils. A charter school shall not construct a facility with public funds.
L.1995,c.426,s.10.

a. A charter school shall operate in accordance with its charter and the provisions of law and regulations which govern other public schools; except that, upon the request of the board of trustees of a charter school, the commissioner may exempt the school from State regulations concerning public schools, except those pertaining to assessment, testing, civil rights and student health and safety, if the board of trustees satisfactorily demonstrates to the commissioner that the exemption will advance the educational goals and objectives of the school.

b. A charter school shall comply with the provisions of chapter 46 of Title 18A of the New Jersey Statutes concerning the provision of services to handicapped students; except that the fiscal responsibility for any student currently enrolled in or determined to require a private day or residential school shall remain with the district of residence.

c. A charter school shall comply with applicable State and federal anti-discrimination statutes.

L.1995,c.426,s.11.

18A:36A-12. Definitions: per pupil payments to charter school

a. As used in this section:

"Maximum T&E amount" means the T&E amount plus the T&E flexible amount for the budget year weighted for kindergarten, elementary, middle school and high school respectively as set forth in section 12 of P.L.1996,c.138 (C.18A:7F-12);

"Program budget" means the sum in the prebudget year inflated by the CPI rate published most recent to the budget calculation of core curriculum standards aid; supplemental core curriculum standards aid; stabilization aid, including supplemental
stabilization aid and supplemental school tax reduction aid; designated general fund balance; miscellaneous local general fund revenue; and the district’s general fund tax levy.

b. The school district of residence shall pay directly to the charter school for each student enrolled in the charter school who resides in the district an amount equal to the lower of either 90% of the program budget per pupil for the specific grade level in the district or 90% of the maximum T&E amount. The per pupil amount paid to the charter school shall not exceed the program budget per pupil for the specific grade level in the district in which the charter school is located. The district of residence shall also pay directly to the charter school any categorical aid attributable to the student, provided the student is receiving appropriate categorical services, and any federal funds attributable to the student.

c. For any student enrolled in a charter school in which 90% of the program budget per pupil for the specific grade level is greater than 90% of the maximum T&E amount, the State shall pay the difference between the two amounts.

d. Notwithstanding the provisions of subsection b. of this section, in the case of a student who was not included in the district’s projected resident enrollment for the school year, the State shall pay 100% of the amount required pursuant to subsection b. of this section for the first year of the student’s enrollment in the charter school.

e. The State shall make payments required pursuant to subsections c. and d. of this section directly to the charter school.

L.1995,c.426,s.12; amended 2000,c.142,s.2.
18A:36A-13. Transportation for students

The students who reside in the school district in which the charter school is located shall be provided transportation to the charter school on the same terms and condition as transportation is provided to students attending the schools of the district. Non-resident students shall receive transportation services pursuant to regulations established by the State board.
L.1995,c.426,s.13.

18A:36A-14. Authority of board of trustees; employees

a. The board of trustees of a charter school shall have the authority to decide matters related to the operations of the school including budgeting, curriculum, and operating procedures, subject to the school's charter. The board shall provide for appropriate insurance against any loss or damage to its property or any liability resulting from the use of its property or from the acts or omissions of its officers and employees.

b. In the case of a currently existing public school which becomes a charter school pursuant to the provisions of subsection b. of section 4 of this act, all school employees of the charter school shall be deemed to be members of the bargaining unit defined in the applicable agreement and shall be represented by the same majority representative organization as the employees covered by that agreement. In the case of other charter schools, the board of trustees of a charter school shall have the authority to employ, discharge and contact with necessary teachers and nonlicensed employees subject to the school's charter. The board of trustees may choose whether or not to offer the terms of any collective bargaining agreement already established by the school district for its employees, but the board shall adopt any health and safety
provisions of the agreement. The charter school and its employees shall be subject to the provisions of the “New Jersey Employer-Employee Relations Act,”

P.L.1941,c.100 (C.34:13A-1 et seq.). A charter school shall not set a teacher salary lower than the minimum teacher salary specified pursuant to section 7 of P.L.1985,c.321 (C.18A:29-5.6) nor higher than the highest step in the salary guide in the collective bargaining agreement which is in effect in the district in which the charter school is located.

c. All classroom teachers and professional support staff shall hold appropriate New Jersey certification. The commissioner shall make appropriate adjustments in the alternate route program in order to expedite the certification of persons who are qualified by education and experience.

d. A public school employee, tenured or non-tenured, may request a leave of absence of up to three years from the local board of education or State district superintendent in order to work in a charter school. Approval for a leave of absence shall not be unreasonably withheld. Employees on a leave of absence as provided herein shall remain in, and continue to make contributions to, their retirement plan during the time of the leave and shall be enrolled in the health benefits plan of the district in which the charter school is located. The charter school shall make any required employer’s contribution to the district’s health benefits plan.

e. Public school employees on a leave shall not accrue tenure in the public school system but shall retain tenure, if so applicable, and shall continue to accrue seniority, if so applicable, in the public school system if they return to their non-charter school when the leave ends. An employee of a charter school shall not accrue tenure
streamline tenure pursuant to guidelines promulgated by the commissioner, and the
charter shall specify the security and protection to be afforded to the employee in
accordance with the guidelines.

f. Any public school employee who leave or is dismissed from employment at a
charter school within three years shall have the right to return to the employee's former
position in the public school district which granted the leave of absence, provided the
employee is otherwise eligible for employment in the public school.

18A:36A-15. Complaints to the board of trustees

Any individual or group may bring a complaint to the board of trustees of a
charter school alleging a violation of the provisions of this act. If, after presenting the
complaint to the board of trustees, the individual or group determines that the board of
trustees has not adequately addressed the complaint, they may present that complaint
to the commissioner who shall investigate and respond to the complaint. The board
shall establish an advisory grievance committee consisting of both parents and teachers
who are selected by the parents and teachers of the school to make nonbinding
recommendations to the board concerning the disposition of a complaint.
L.1995,c.428,s.15.
18A:3bA-16. Annual assessment, review of charter schools, independent study, report, recommendations

a. The commissioner shall annually assess whether each charter school is meeting the goals of its charter, and shall conduct a comprehensive review prior to granting a renewal of the charter. The county superintendent of schools of the county in which the charter school is located shall have on-going access to the records and facilities of the charter school to ensure that the charter school is in compliance with its charter and that State board regulations concerning assessment, testing, civil rights, and student health and safety are being met.

b. In order to facilitate the commissioner's review, each charter school shall submit an annual report to the local board of education, the county superintendent of schools, and the commissioner in the form prescribed by the commissioner. The report shall be received annually by the local board, the county superintendent, and the commissioner no later than August 1.

The report shall also be made available to the parent or guardian of a student enrolled in the charter school.

c. By April 1, 2001, the commissioner shall hold public hearings in the north, central, and southern regions of the State to receive input from members of the educational community and the public on the charter school program.

d. The commissioner shall commission an independent study of the charter school program. The study shall be conducted by an individual or entity identified with expertise in the field of education and the selection shall be approved by the Joint
Committee on the Public Schools. The individual or entity shall design a comprehensive study of the charter school program.

e. The commissioner shall submit to the Governor, the Legislature, and the State Board of Education by October 1, 2001 an evaluation of the charter school program based upon the public input required pursuant to subsection c. of this section and the independent study required pursuant to subsection d. of this section. The evaluation shall include, but not be limited to, consideration of the following elements:

1. the impact of the charter school program on resident districts' students, staff, parents, educational programs, and finances;

2. the impact of the charter school program and the increased number of schools on the economics of educational services on a Statewide basis;

3. the fairness of the impact of the reduction of available resources on the ability of resident districts to promote competitive educational offerings;

4. the impact of the shift of pupils from nonpublic schools to charter schools;

5. the comparative demographics of student enrollments in school districts of residence and the charter schools located within those districts. The comparison shall include, but not be limited to, race, gender, socioeconomic status, enrollment of special education students, enrollment of students of limited English proficiency, and student progress toward meeting the core curriculum content standards as measured by student results on Statewide assessment tests;

6. the degree of involvement of private entities in the operation and financial support of charter schools, and their participation as members of charter school boards of trustees;
(7) verification of the compliance of charter schools with applicable laws and regulations;

(8) student progress toward meeting the goals of the charter schools;

(9) parent, community and student satisfaction with charter schools;

(10) the extent to which waiting lists exist for admission to charter schools and the length of those lists;

(11) the extent of any attrition among students and faculty members in charter schools; and

(12) the results of the independent study required pursuant to subsection d. of this section.

The evaluation shall include a recommendation on the advisability of the continuation, modification, expansion, or termination of the program. If the evaluation does not recommend termination, then it shall include recommendations for changes in the structure of the program which the commissioner deems advisable. The commissioner may not implement any recommended expansion, modification, or termination of the program until the Legislature acts on that recommendation.

L.1995,c.426,s.15; amended 2000,c.142,s.3.

18A:36A-17. Granting, renewal of charter

A charter granted by the commissioner pursuant to the provision of this act shall be granted for a four-year period and may be renewed for a five-year period. The commissioner may revoke a school's charter if the school has not fulfilled any condition imposed by the commissioner in connection with the granting of the charter or if the
school has violated any provision of its charter. The commissioner may place the charter school on probationary status to allow the implementation of a remedial plan after which, if the plan is unsuccessful, the charter may be summarily revoked. The commissioner shall develop procedures and guidelines for the revocation and renewal of a school’s charter.

18A:36A-17. Commissioner’s actions relative to possible loss, not granting of charter

If at any time the commissioner determines that a board of trustees is in jeopardy of losing its charter or an applicant is in jeopardy of not being granted a charter, the commissioner shall so notify the board of trustees or the applicant. The board of trustees or the applicant shall, within 48 hours of receipt of such notification, provide to the commissioner, in writing, a complete list of the names and addresses of all students and staff currently enrolled and working in the school, or in the case of an applicant, a complete list of the names and addresses of all students and staff intending to enroll or work at the school, so the commissioner may send the appropriate notice to the parents or guardians and staff.

L.2000,c.142,s.4.

18A:36A-18. Rules, regulations

The State Board of Education shall adopt rules and regulations pursuant to the “Administrative Procedure Act,” P.L.1968,c.410 (C.52:14B-1 et seq.), necessary to effectuate the provisions of this act.
APPENDIX D

The New Jersey Administrative Code,

Charter Schools

N.J.A.C. 6A:1
NEW JERSEY ADMINISTRATIVE CODE, CHARTER SCHOOLS
N.J.A.C. 6A: 11
(Amended October 2000)

SUBCHAPTER 1. GENERAL PROVISIONS

6A:11-1.1 Purpose

(a) The purpose of this chapter is to provide the rules to govern the implementation of the Charter School Program Act, N.J.S.A. 18A:36A-1 et seq. The rules define the processes for establishing and operating charter schools; complying with the School Ethics Act (N.J.S.A. 18A:12.21 et seq.); implementing programs; certifying classroom teachers, Principals and professional support staff; applying streamline tenure for teaching staff members, janitors and secretaries; and conducting the financial operations of the charter schools.

(b) The new rules set out the requirements for applying for a charter and operating a school when a charter is awarded by the Commissioner of Education. In addition, these rules affect students who attend the charter schools, the parents and legal guardians of these students, the district boards of education where these students reside, the district boards of education in which the charter schools are physically located and the people who will serve on the boards of trustees and on the staffs of the charter schools.

6A:11-1.2 Definition

The following words and terms, as used in this chapter, shall have the following meaning, unless the context clearly indicates otherwise.
"Administrator" means an employee of a charter school who:

1. Holds a position which requires a certificate that authorizes the holder to serve as school administrator, principal or school business administrator;

2. Holds a position which requires a certificate that authorizes the holder to serve as supervisor and who is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by a charter school; and

3. Holds a position which does not require that the person hold any type of certificate but is responsible for making recommendations regarding hiring or the purchase or acquisition of any property or services by a charter school.

"Annual review" means the yearly assessment by the Commissioner as to whether the charter school is meeting the goals of its charter.

"Application" means the New Jersey Charter School Application which includes, but is not limited to, a description of the areas listed in N.J.S.A. 18A:36A-5 and N.J.A.C. 6A11-21(b).

"Approval of a charter" means an endorsement by the Commissioner following the review of an eligible application by the Department of Education and contingent upon the receipt of necessary documentation in accordance with N.J.A.C. 6A:11-21(b).

"Average daily enrollment" for the purpose of determining the adjusted State, local and federal aid means the sum of the days present and absent of all students enrolled in the register or registers of the program for which the aid is being determined divided by the number of days school was actually in session.
“Board of trustees” means the public agents authorized by the State Board of Education to supervise and control a charter school.
APPENDIX E

Solicitation Letter
February, 2003

Dear School Director:

Currently, I am preparing to present my dissertation proposal to Seton Hall University’s Institutional Review Board (IRB) for a final approval in April, 2003. As part of the IRB process I am requesting your permission to complete the necessary research.


The purpose of the study is to determine if Boards of Trustees perceive New Jersey Charter School legislative regulations enable them to lead their schools more effectively. I anticipate that participation in this study would involve approximately 30-120 minutes of your board members’ time. I will invite board members to meet prior to a regularly scheduled Board meeting in the Board’s meeting room.

Upon completion of this research, results of the project will be made available to you. These results will be reported in aggregate form only and will not pertain to a single individual or particular school.

The Board of trustee members will be provided this information in my letter to them. I will also remind them of this fact at the start of our session.

Please indicate your approval by signing below and returning in the enclosed self-addressed/stamped envelope. I look forward to your response.

Sincerely,

Peter J. Righi
Principal

PJR/jm

Signature __________________________ Title __________________________ Date __________________________

School District
APPENDIX F

Recruitment Letter
Dear Charter School Trustee:

My name is Peter Righi and I am the Principal at Rumson-Fair Haven Regional High School located in Rumson, New Jersey. I am a doctoral candidate in the Executive Ed.D. Program at Seton Hall University, College of Education and Human Services, working on my dissertation, "A Study of New Jersey Charter Schools Board of Trustees’ Perceptions Regarding Charter School Regulations’ Effect on Leadership Behavior."

The purpose of this study is to determine if Boards of Trustees perceive New Jersey charter school legislative regulations as statutes that enable them to lead their schools more effectively. Current literature indicates that today’s governing boards are overcrowded by governmental regulations. Analysis of information gathered in this study will provide information on how charter school regulations impact the leadership behaviors of Boards of Trustees as perceived by the trustees themselves. I anticipate that participation in this study would involve approximately sixty minutes of your time.

I am inviting you, a Charter School Board of Trustee, to participate in this worthwhile study. I will be using the focus group interview process that will involve answering approximately ten to fifteen predetermined questions, along with some other questions that may flow out of our discussion. The focus group interview would involve a discussion-type format with you and your fellow board members. The focus group would take place in the following way:

- The researcher will act as the moderator, leading the discussion and asking the questions.
- Judi Mennie, an assistant moderator, will be present to transcribe and assist.
- The discussion will be audio-taped.

Your participation is obviously voluntary, but would be most appreciated. Any and all participants may withdraw from the research study without prejudice at any time. The identity of each participant will be held in confidence. The identity of the Boards of Trustees and their schools will also be held in confidence. The results of this study will be reported is aggregate form only and made available to the School Director.

The data will be transcribed by the assistant moderator and myself, the researcher. I will be the only person with a copy of the transcription. The data, when reviewed by anyone else, will be reported without any identifying codes, names, or characteristics. The data and
materials used will remain with me and stored in a locked cabinet in the researcher’s home office. The data will be destroyed three years after the completion of the study.

This project has been reviewed and approved by the Seton Hall University Review Board for Human Subjects Research. The IRB believes that the research procedures adequately safeguard the subject’s privacy, welfare, civil liberties, and rights. The Chairperson of the IRB may be reached at (973) 313-5315.

I have enclosed an Informed Consent Form for your signature and a self-addressed, stamped envelope for its return. If you decide to participate, upon receipt of the Informed Consent Form, I will contact you to arrange a mutually convenient time to conduct the focus group interview. As a suggestion, I offer to meet with you prior to one of your scheduled board meetings. I would be happy to offer you a catered dinner and/or desserts for your time.

Upon completion of the research, results of the project will be willingly shared if desired. Please indicate your approval by signing the enclosed Informed Consent Form and returning it in the enclosed self-addressed, stamped envelope.

I look forward to your response.

Sincerely,

Peter J. Righi
APPENDIX G

informed Consent Form
Informed Consent Form

Affiliation:

My name is Peter Bighi and I am a doctoral candidate in the Executive Ed.D. Program at Seton Hall University, College of Education and Human Services, working on my dissertation, “A Study of New Jersey Charter School Board of Trustees’ Perceptions Regarding Charter School Regulations’ Effect on Leadership Behavior.”

Purpose of the Study:

The purpose of this study is to determine how members of Charter School Governing Boards perceive governmental regulations’ impact on their ability to lead their schools. The study provides an overview of current charter school regulations and how they have evolved. A focus group discussion will be conducted using predetermined questions to guide the discussion. The focus group discussion will take no longer than two hours to complete.

Procedures:

Prior to a regularly scheduled Board meeting in the Boardroom, participating Board members will engage in a discussion group that will revolve around a predetermined question route. The discussion will be recorded with use of a Sony BM-535 micro-cassette recorder and a Radio Shack CTR-73 cassette recorder as a backup. The use of the tape-recording devices is so vital comments, ideas, and opinions throughout the group discussion are not lost.

The assistant moderator will be present to take notes, particularly quotes. However, no names or other measures will be used to identify participants. The participants will have in front of them a numbered tent card, which will serve as their only identity in the group discussion. Please be informed that the researcher and the research assistant are fully informed of the confidentiality and anonymity rules regarding participants’ rights.

Voluntary Nature of the Project:

By signing the Informed Consent Form and attending the focus group discussion, you are consenting to participate in the study and are fully aware that your responses will be tape-recorded and transcribed into written format. Prior to completion of the discussion, if at any time you feel compelled to end your participation, you may do so without any resulting penalty or loss of any kind.
Anonymity:
Please be assured that your responses will be kept completely confidential. No names will be included in any forms or transcripts. Only the researcher will analyze the data. Any results will be included in the dissertation without reference to your district’s name or your name.

Security of the Stored Data:
The taped recordings will remain in the possession of the researcher after they have been transcribed. The date on the taped recordings and the date in written format from the transcriptions will remain secure in a locked cabinet with the researcher, and will be destroyed after three years. No one else will have access to the data. All responses and information will be kept totally confidential.

Confidentiality of the Records:
No one will have access to the list of subjects used for this research. No one will have access to the names of the Trustees, School Director, or the Charter School used. The analysis of the dates will be used in the researcher’s dissertation. No mention of any subject’s name, name of School Director, or Charter School will be included in the researcher’s dissertation. The researcher will be the only person who will have access to any data. This data will be securely locked in a cabinet for three years and will then be destroyed.

Risks:
There are no risks in this research.

Benefits:
There are no benefits in this study, monetary or of any other nature to the participants. The participants will receive refreshments during the research focus group.

Alternatives to Research Study:
If any participants are unavailable to attend the focus group discussions, they will have the opportunity to respond in written format to the research questions and return them to the researcher in a self-addressed stamped envelope. The same holds true for this disclosure of information as all confidentiality and anonymity will be respected of the participant.
Acquisition of Further Information:
The researcher may be contacted for further information, answers to pertinent questions, and/or information about research subjects’ rights by writing the researcher at Rumson-Fair Haven Regional High School, 74 Ridge Road, Rumson, NJ 07760; or by telephoning the researcher at the above mentioned school (732) 842-1597 ext. 241; or e-mailing the researcher at mright@rfhhs.org.

Permission to use Tape Recorders:
Be informed that tape-recording equipment will be utilized so as not to miss a vital comment, opinion, or idea that may add to the breadth and substance of the data.

Acknowledgement of Informed Consent Form:
This project has been reviewed and approved by the Seton Hall University Institutional Review Board for Human Subjects Research. The IRB believes that the research procedures adequately safeguard the subject’s privacy, welfare, and civil liberties, and rights. The Chairperson of the IRB may be reached at (973) 313-6314.

I have read the material above, and any questions I asked have been answered to my satisfaction. I agree to participate in this activity, realizing that I may withdraw without prejudice at any time.

I am aware that I will be given a copy of this Informed Consent Form for my files.

Name ________________________________ Date ________________
APPENDIX H

Focus Group Questions
Question #1
Although there’s not a lot of research, much has been written about the role of a governing board. What do you think the function of your board should be?

Question #2
From my attending many board meetings, I am pretty familiar with the multitude of tasks in which a board engages. Let’s start from the premise that much of our work in education, mine as a principal and yours as board members, can be put into one of three categories:

- The first category we’ll label “Maintenance Tasks.” These are significant regular, ordinary, routine tasks that you have to accomplish in your position.
- The second category we’ll call “Problem Solving Actions.” These are the actions we take to react and take corrective and/or restorative action.
- The third category we’ll call “Leadership.” These are the innovation, improvements, goals, and objectives that bring about change in the organization.

Using these three categories, what percentage of your behavior as a board do you think fits into or best fits in the 100%? (Fill in your answer in the appropriate box below.)

<table>
<thead>
<tr>
<th>Maintenance</th>
<th>Problem Solving</th>
<th>Leadership</th>
</tr>
</thead>
<tbody>
<tr>
<td>? %</td>
<td>? %</td>
<td>? %</td>
</tr>
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</table>

Question #3
Looking back at what you wrote was the function of a board (question #1), how are your board’s behaviors consistent with what you wrote? Inconsistent?
Question #4
What, if anything, interferes with this board acting more as a leadership body?

Question #5
If you could change one thing to improve how you functioned as leaders, what would it be?

Question #6
The literature about charter schools strongly advocates reducing governmental regulations. Instead of strict adherence to regulations, charters are accountability or results-driven...

Nationally, the charter school movement also seeks to remove many of the legislative constraints placed upon traditional school boards. In fact, I'd like to hear your reaction to a quote from the charter school literature...“The genius of the charter concept is that it is demanding with respect to results but relaxed about the means whereby those results are produced – the opposite of most conventional schools with their rigid adherence to bureaucratic requirements and obliviousness to pupil achievement” (Manno et al., 1997, p.3). Another way of viewing charter schools versus traditional public schools is that charters have foregone the rules and regulations in order to concentrate on results.” What is your reaction to this?

Question #7
How have NJ Charter regulations permitted you to lead more effectively?

Question #8
Do you have any advantages over traditional public boards of education? (Relate to legislative advantages).
Question #9
What would you do with NJ Charter regulations that would both hold you accountable and optimize your ability as a leadership board?
APPENDIX I

Introductory Script
Good evening and welcome. Thanks for taking the time to join our discussion of school governance. My name is Peter Righi, and I am a doctoral student at Seton Hall University. This is Judi Mennie who will be assisting me this evening.

As you know, we are here this evening conducting research for my dissertation. My work seeks to discover your perceptions regarding Charter School Regulations’ effect on your ability to lead your schools. You were invited because you are all members of a Charter School Governing Board.

There are no right or wrong answers. We expect that you will have different points of view. Please feel free to share your point of view even if it differs from what others have said.

We’re tape-recording the session because we don’t want to miss any of your comments. No names will be included in any reports. For the purposes of collection of data you have all been assigned a random number. Only I have the key to identify participants and that key will be kept in a locked file cabinet in my home office. The file cabinet storing the key will be a different one than the locked cabinet in which all of the data is stored.

Since our primary concern is your confidentiality, and our discussion will be open for all to hear, we ask for your assurance that we all maintain each other’s confidentiality.

Along with your agreement to maintain confidentiality, it is important for me to note that I cannot completely assure what people will say after the session has ended. Although I can assure you the data will be kept in confidence, every one here will naturally be a party to what is said.
That being said, we would like you to know that we’re just as interested in negative comments as positive ones and, at times, the negative comments are the most helpful. You may feel that some comments are best left unsaid. If that is the way you feel, you may wish to use the handout in front of you and mail it to us, using the self-addressed, stamped envelope provided.

If you want to follow up on something that someone has said, you want to agree, or disagree, or give an example, feel free to do that. Don’t feel like you have to respond to me all the time. Feel free to have a conversation with one another about these questions. I am here to ask questions, listen, and make sure everyone has a chance to share. We’re interested in hearing from each of you. So if you’re talking a lot, I may ask you to give others a chance. And if you aren’t saying much, I may call on you. We just want to make sure we hear from all of you.

Feel free to get up and get more refreshments if you would like. Let’s begin.