

**Arizona State Board for Charter Schools  
April 13, 2009  
Executive Tower  
1700 West Washington Street  
Phoenix, Arizona 85007  
Room B56**

**MINUTES**

**Members Present-**

Christy Farley- President  
Norm Butler- Vice President  
Mary Gifford- Superintendent Designee  
Lynne Adams – Public Member  
Arthur Ben – Charter School Teacher (telephonically)  
Ruby Alvarado-Hernandez – Public Member (telephonically and for the hearing only.)  
Dana Krals – Public Member

**Members Absent**

Magdalena Verdugo – Charter School Operator

Meeting began at 9:36 a.m.

**Agenda Item A:** Pledge of Allegiance

**Agenda Item B:** Moment of Silence

**Agenda Item C: Roll Call:**

Heather Kelley called the roll and confirmed a quorum.

**Agenda Item D: Call to the Public**

There were no Call to the Public requests.

**Agenda Item E: Arizona Charter Schools Association Update**

Arizona Charter Schools Association Vice President of Research and School Quality Rebecca Gau provided an update of the Association's activities. Ms. Gau told of the work of the Success Center, including technical assistance the Association is providing charter and district schools, with a focus on two of the foundational elements, collaborative culture and data-driven decision-making, identified in the Association's research publication, *Success Measured*. Ms. Gau reported that the Association continues to work with the growth model and developing tools to assist schools in using the student level data, and is in the process of building an Assessment Hub. Finally, Ms. Gau reported that the Arizona Republic will be running a story focused on the Success Center.

**Agenda Item F: Superintendent's Report**

Superintendent Designee Mary Gifford reported that the March 15 apportionment from ADE was a truing up of payments for budget cuts and revised counts from last year. Ms. Gifford reported that at the Superintendent's Charter School Advisory Committee meeting, Superintendent Horne said that he requested a portion of the stimulus funds for Arizona for upgrades to SAIS. He also described the backfill that charter schools may see next year for cuts that may be approximately \$90 per student over this year and next year. He also discussed the American Reinvestment and Recovery Act funds for Title programs and special education. The challenge is the influx of money and need to spend it quickly. The Superintendent said he is working on increasing the amount of carryover. Ms. Gifford said the committee also discussed new SAIS reports that

are helpful to schools and challenges in the system with respect to graduation rates and cohort assignments for 8<sup>th</sup> graders who take high school courses during the summer after completing 8<sup>th</sup> grade but prior to the start of a 9<sup>th</sup> grade school year.

**Hearing: 10:00 a.m. – 10:13 a.m.**

**Agenda Item H: US Mental Math Federation Incorp**

Carrie O'Brien served as legal counsel for the state. Chris Munns joined the meeting telephonically as the Board's legal counsel for the hearing. Ms. O'Brien stated that US Mental Math Federation Incorp filed a motion for reconsideration of the Board's decision to deny their application for a charter on January 12, 2009. The application for a charter had five areas of deficiency. During an informal settlement conference, the applicant adequately explained three of five deficiencies. Ms. O'Brien requested a motion for reconsideration. President Farley stated that Arthur Ben would abstain from voting. Lynne Adams checked with counsel on her eligibility to participate and vote. Ms. Adams said she had not participated in the original decision or in the previous hearing because it was a clarification of the original decision but because this is a new look at the application she believed she was eligible to participate. Mr. Munns agreed. Jeff Williams, attorney for US Mental Math Federation Incorp, told the Board that they were happy with the results of the settlement conference and in agreement with the items gone over in the conference. President Farley stated that she believes the Board has reached an appropriate agreement through the settlement process and thanked the applicant for participating and providing the clarification. Ms. Farley further stated that there were a number of issues related to technical matters, including numbers and the applicant needs to be aware that those kinds of things come into play throughout the career of a charter school and she hoped that the applicant now has a clear understanding of the importance of these issues and wished them success in their operations.

**MOTION**

Norm Butler made a motion that the Board make the following Finding of Fact and Conclusion of Law: The Board finds that the applicant, US Mental Math Federation Incorp has explained the deficiencies in the application and concludes that the applicant meets the requirements for a charter and therefore further moves that the Board accept the application and grant the charter for US Mental Math Federation Incorp. Lynne Adams seconded the motion.

**Motion passed unanimously**  
(Arthur Ben abstained)

**Agenda Item G: Executive Director's Report**

1. Status of charters with previous and/or on-going board actions: 4-Winds Academy, Inc., Ascending Roots Scholastic & Athletic Premise, Inc., Bradley Academy of Excellence, Inc., CASY Country Day School, Dove Learning, Inc., E.A.G.L.E. Academy, Phoenix Advantage Charter School, Inc., Vechij Himdag Alternative School, Inc.

Ms. Rowe provided an update of on-going Board actions and schools under compliance monitoring.

2. Legislative Update

DeAnna Rowe provided the Board with an updated legislative tracker and stated that there was no additional information to report and would answer questions of the Board.

3. Fingerprinting Update

DeAnna Rowe informed the Board that Andrea Leder had updated the Board's fingerprinting website to include "lessons learned" as requested by the Board and other resources to assist charter schools in complying with statutory fingerprinting requirements. President Farley stated that she likes the fact the Board is providing schools consistent information given the involvement of several state agencies on this issue and that this is an effort on the part of the Board to be proactive rather than regulatory.

**Agenda Item I: Consent Agenda**

1. Acorn Montessori Charter School – Increase grade levels served

2. Arizona School for the Arts – Increase grade levels served
3. Calli Ollin Academy – Change in entity name
4. Calli Ollin Academy dba Toltecalli Academy – Change in entity name
5. Choice Academy, Inc. – Exception to USFRCS and Procurement Laws
6. Deer Valley Charter Schools, Inc. – Change in mission
7. Gila Educational Group, Inc. – Change in mission
8. Great Hearts Academies–Phoenix Core – Increase grade levels served
9. Imagine Middle at Surprise, Inc. – Decrease grade levels served
10. Math & Science Success Academy – Exception to USFRCS and Procurement Laws
11. Pinnacle Education-WMCB – Decrease grade levels served
12. Rosefield Charter Elementary School, Inc. – Increase grade levels served
13. Skyline Schools, Inc. – Change in number of contractual days of instruction
14. Tempe Preparatory Junior Academy – Exception to USFRCS and Procurement Laws

**MOTION**

Mary Gifford made a motion to adopt the consent agenda as presented. Lynne Adams seconded the motion.

**Motion passed unanimously**

**Agenda Item J: Charter Replication Application**

Lifelong Learning Research Institute, Inc. submitted an application to replication Lifelong Learning Academy. Mary Lou Klem, charter representative for Lifelong Learning Research Institute, Inc. was available to answer the Board’s questions regarding the replication application. In addressing the Board, Mrs. Klem told Board members that Digital Technology Academy intends to incorporate expert systems to address student learning and will serve the Sahuarita area. Ms. Klem said the school will be ready to open in the fall.

**MOTION**

Lynne Adams made a motion to approve the application and grant a charter to Lifelong Learning Research Institute, Inc. Mary Gifford seconded the motion.

**Motion passed unanimously**

**Agenda Item K: Compliance Matters**

DeAnna Rowe provided the Board with evidence that the following schools were in breach of one or more provisions of their charter contract, federal, state, or local laws regarding their failure to submit the fiscal year ending June 30, 2008 annual financial single audit or failure to submit the Declaration of Curricular and Instructional Alignment:

- Shonto Governing Board of Education, Inc. dba Shonto Preparatory School for failing to submit the fiscal year 2008 single audit
- Shonto Governing Board of Education, Inc. dba Shonto Preparatory Technology High School for failing to submit the fiscal year 2008 single audit
- Cesar Chavez Learning Community, Inc. for failing to submit the Principal Declaration of Curricular and Instructional Alignment

Lynne Adams stated that multiple communications from the Department of Education and Board staff went to schools

reminding them of when the Principal Declaration was due and overdue. Ms. Adams said that it should not take being on the agenda to do this. Superintendent Designee Gifford told of her experience with submitting the declaration and stated that it is a highly imperfect system for delivery.

**MOTION**

Lynne Adams made a motion that the Board find Shonto Governing Board of Education, Inc. dba Shonto Preparatory School in noncompliance for failing to timely submit the fiscal year 2008 single audit and to withhold 10% of the monthly state apportionment of Shonto Governing Board of Education, Inc. dba Shonto Preparatory School until such time as they come into compliance. Mary Gifford seconded the motion.

**Motion passed unanimously**

**MOTION**

Lynne Adams made a motion that the Board find Shonto Governing Board of Education, Inc. dba Shonto Preparatory Technology High School in noncompliance for failing to timely submit the fiscal year 2008 single audit and to withhold 10% of the monthly state apportionment of Shonto Governing Board of Education, Inc. dba Shonto Preparatory School until such time as they come into compliance. Mary Gifford seconded the motion.

**Motion passed unanimously**

**MOTION**

Norm Butler made a motion that the Board find Cesar Chavez Learning Community in noncompliance with the requirement to timely submit the fiscal year 2009 Principal Declaration of Curricular and Instructional Alignment and assess the withholding of 10% of Cesar Chavez Learning Community's monthly apportionment of state aid until the fiscal year 2009 Principal Declaration of Curricular and Instructional Alignment has been submitted. Mary Gifford seconded the motion.

**Motion passed unanimously**

**Agenda Item L: Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for Pinnacle Education – WMAA, Inc.**

President Farley introduced the item stating that in June, 2008, the Board approved a request for a temporary suspension of operation for the 2008-2009 school year for Pinnacle Education - WMAA, Inc., operating Pinnacle Charter High School. The Board and charter operator Mike Matwick agreed to certain terms and obligations including submitting a plan to resume operation of the school and a detailed timeline by March 1, 2009. The charter operator has not complied with the terms of the consent agreement and has agreed to voluntarily surrender and terminate the charter contract for Pinnacle Education – WMAA, Inc. Dr. Michael Matwick, charter representative of Pinnacle Education – WMAA, Inc. was present to answer questions.

**MOTION**

Lynne Adams made a motion to accept the terms of the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for Pinnacle Education-WMAA, Inc. as presented. Mary Gifford seconded the motion.

**Motion passed unanimously**

**Agenda Item M: Board Comments**

President Farley announced that this was Arthur Ben's last meeting as a member of the Board. Mr. Ben can no longer meet the demands of time and travel required. President Farley thanked Mr. Ben for his contributions, his service and his willingness to remain on the Board after his term had expired.

**Agenda Item N: Minutes**

**MOTION**

Mary Gifford made a motion to approve the minutes of March 9, 2009 as presented. Dana Krals seconded the motion.

**Motion passed unanimously**

**MOTION**

Mary Gifford made a motion to approve the executive session minutes of March 9, 2009 as presented. Dana Krals seconded the motion.

**Motion passed unanimously**

**Agenda Item P: Adjournment**

The meeting adjourned at approximately 10:32 a.m.

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**Signature**

**Date**