

**Arizona State Board for Charter Schools
June 8, 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
Ruby Alvarado-Hernandez – Public Member
Dana Krals – Public Member
Magdalena Verdugo – Charter School Operator (telephonically)

Members Absent

Lynne Adams – Public Member

President Christy Farley introduced and welcomed new business member Jake Logan to the Arizona State Board for Charter Schools. Mr. Logan is currently the Vice President of State Government Affairs for UnitedHealthcare. Mr. Logan attended the meeting as a non-voting member pending the filing of the Oaths of Office.

Meeting began at 9:41 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 CEO Eileen Sigmund provided an update of the Association's activities. Ms Sigmund provided a legislative update which included the Association's aggressive effort to educate legislators on charter school funding which helped reduce the early budget cuts proposed for charter schools from \$16.5 million to less than \$9 million. Ms. Sigmund also spoke of the National Charter Schools Conference to be held in Washington, DC from June 21-24. The Association will provide a presentation on communications. She also highlighted charter schools recently covered by Arizona media outlets. Ms. Sigmund said the Association's website is intended to be a one-stop link for information and resources for Arizona charter schools.

Agenda Item F: Superintendent's Report

Superintendent's Designee Mary Gifford reported that the end-of-the-year regional meetings for the Arizona Charter Schools Association included a presentation from ADE on statewide implementation of the Education and Career Action Plan for all students entering 9th grade. The Department of Education is conducting workshops throughout the state on the requirements of the plan and also has training modules online.

Agenda Item G: Policy, Rule and Contracts Subcommittee Update

Norm Butler reported that the subcommittee will look at re-setting student performance targets. Ms. Rowe reported on

SB1386, Early Renewal. SB1386 reads that “in addition to any other requirement, the application for renewal shall include a review of fiscal, contractual and academic performance data for the charter school.” Additionally, the bill reads “that if a charter school that has been in operation for at least nine years may apply for early renewal. At least nine months before the charter schools intended renewal consideration; the operator of the charter school shall submit a letter of intent to the sponsor to apply for early renewal.” Ms. Rowe stated that staff is comfortable with the language of the bill.

Agenda Item H: Executive Director’s Report

1. Status of charters with previous and/or on-going board actions: Bradley Academy of Excellence, Inc., CASY Country Day School, Dove Learning, Inc., E.A.G.L.E. Academy, Phoenix Advantage Charter School, Inc., Shonto Governing Board of Education, Inc., Discovery Plus Academy, and Sierra Summit Academy.

Ms. Rowe provided an update of on-going Board actions and schools under compliance monitoring. In addition to the information provided in the Board materials, Ms. Rowe stated that: 1) CASY Country Day School provided information that it is now current with the IRS and that the 10% withholding has been returned. 2) Staff reviewed the information submitted by E.A.G.L.E. Academy and on 6/5/09 a letter was sent to the school outlining remaining deficiencies. The Charter Representative requested the Board draft a Surrender Agreement. Should the Charter Operator surrender the charter, Staff will work with the Board to hold a special meeting to consider the agreement prior to the July 8 hearing date. 3) Per the Board’s directive, Staff visited Sierra Summit Academy and will provide the Board with a report in July. 4) Staff conducted a site visit of Cesar Chavez Learning Community and will provide the Board with a full report in July.

2. Legislative Update

Ms. Rowe and Ms. Leder provided the Board with a legislative update. Ms. Leder reported that the legislature approved a budget for fiscal year 2010. As approved by the legislature, the budget includes several changes to the TAPBI program, including its name to Arizona Online Instruction and removes the cap on the number of online schools and online course providers. Ms. Leder also reported that the Senate has lifted its moratorium on hearing non-budget bills and has scheduled hearings on bills for this week.

Ms. Rowe also reported that, due to budget reductions, the Board will vacate the current Board meeting room at the end of June and will begin meeting in the State Board of Education’s meeting room, at the Arizona Department of Education building, 1535 W. Jefferson Street, with the next ASBCS Board meeting on July 13 at 9:30 A.M.

Agenda Item I: Consent Agenda

1. Ahwatukee Foothills Prep, Inc. – Increase in Grades Served
2. Alhambra Education Partners, Inc. – Change in Program of Instruction
3. Alhambra Education Partners, Inc. – Change in Mission
4. Alhambra Education Partners, Inc. – Change in Graduation Requirements
5. American Charter Schools Foundation – Change in Number of Instructional Days
6. Apex Public Charter Academy – Decrease in Grades Served
7. Arizona Academy of Leadership, Inc. – Change in Legal Status
8. Bell Canyon Charter School, Inc. - Change in Number of Instructional Days
9. Center for Academic Success, Inc. - Change in Number of Instructional Days
10. Charter for Excellence, LLC – Change in Legal Status
11. Cortez Park Charter Middle School, Inc. - Change in Number of Instructional Days
12. East Mesa Charter Elementary School, Inc. - Change in Number of Instructional Days
13. Humanities and Sciences Academy of the United States, Inc. – Increase in Grades Served
14. Humanities and Sciences Academy of the United States, Inc. - Change in Program of Instruction
15. Imagine Charter Elementary at Camelback, Inc. - Change in Number of Instructional Days
16. Imagine Charter Elementary at Desert West, Inc. - Change in Number of Instructional Days
17. Imagine Elementary at Avondale, LLC - Change in Number of Instructional Days
18. Imagine Elementary at Coolidge, LLC - Change in Number of Instructional Days
19. Imagine Elementary at Tempe, Inc. - Change in Number of Instructional Days
20. Imagine Middle at Avondale, LLC - Change in Number of Instructional Days
21. Imagine Middle at Camelback, LLC - Change in Number of Instructional Days
22. Imagine Middle at Coolidge, LLC - Change in Number of Instructional Days
23. Imagine Middle at Desert West, LLC - Change in Number of Instructional Days

24. Imagine Middle at East Mesa, Inc. - Change in Number of Instructional Days
25. Imagine Middle at Golden Valley, LLC - Change in Number of Instructional Days
26. Imagine Middle at Surprise, Inc. - Change in Number of Instructional Days
27. Imagine Preparatory High School at Apache Junction, LLC - Change in Number of Instructional Days
28. Imagine Preparatory High School at Surprise, LLC - Change in Number of Instructional Days
29. Laveen Preparatory School – A Challenge Academy – Decrease in Grades Served
30. Legacy Schools – Exception to USFRCS and Procurement Law
31. Montessori Charter School of Flagstaff - Change in Number of Instructional Days
32. Pan-American Charter School – Increase in Grades Served
33. Pan-American Charter School – Change in Mission
34. Pathfinder Charter School Foundation - Change in Number of Instructional Days
35. Phoenix Collegiate Academy - Exception to USFRCS and Procurement Law
36. Rosefield Charter Elementary School, Inc. - Change in Number of Instructional Days
37. Sage Academy, Inc. – Increase in Grades Served
38. Shonto Governing Board of Education, Inc. - Change in Number of Instructional Days
39. Shonto Governing Board of Education, Inc. - Change in Number of Instructional Days
40. Sierra Vista Charter School, Inc. - Change in Number of Instructional Days
41. Sonoran Science Academy – Ahwatukee – Increase in Grades Served
42. Sonoran Science Academy – Broadway – Increase in Grades Served
43. West Gilbert Charter Elementary School, Inc. - Change in Number of Instructional Days
44. West Gilbert Charter Middle School, Inc. - Change in Number of Instructional Days

MOTION

Ms. Gifford identified a potential conflict of interest with Items I 13 and 14 and requested that those two items be pulled from the consent agenda. Norm Butler made a motion to approve agenda items I 1-12 and I 15-44 as presented. Mary Gifford seconded the motion. Items I 13 and 14 were tabled due to lack of a quorum and the charter representative was informed that the items will be heard at the next meeting.

Motion passed unanimously

Agenda Item J: Charter Replication Application

Basis School, Inc. submitted a replication application. Ms. Mattix, representing Basis School, Inc., was available to answer the Board's questions regarding the replication application. In addressing the Board, Ms. Mattix stated that the intent is to replicate the BASIS academic model that has produced positive academic results at BASIS Scottsdale School.

MOTION

Dana Krals made a motion to approve the replication application and grant a charter to Basis School, Inc. Ruby Alvarado-Hernandez seconded the motion

Motion passed unanimously

Agenda Item K: Audit Guidelines, Legal Compliance Questionnaire, USFRCS Compliance Questionnaire, and Procurement Questionnaire for 2009

Ms. Leder provided the Board with an overview of the changes to the 2009 Audit Guidelines, Legal Compliance Questionnaire, USFRCS Compliance Questionnaire, and Procurement Questionnaire that included clarifying and technical revisions made to the FY 2009 audit guidelines, as well as notification that the Board is accepting emailed engagement letters and audits if certain conditions are met. Ms. Leder provided further clarification that changes to the Legal Compliance Questionnaire are related to attendance reporting and result from changes made by the Office of the Auditor General (OAG). The USFRCS Compliance Questionnaire includes the same changes. Technical revisions were also made to the Procurement Questionnaire to match the Office of the Auditor General's current guidelines.

MOTION

Mary Gifford made a motion to approve the guidelines as revised. Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously

Agenda Item L: Presentation, Discussion and Possible Action on the Eligibility of Charter Schools for State Equalization Payments and the Policy on Conducting Compliance Checks on Charter Holders.

Ms. Rowe provided the Board with an overview of the Board's current policy on the Eligibility of Charter Schools for State Equalization Payments and highlighted the requested changes to the policy. The policy states that a charter school may not receive funding for an original or additional site until a current certificate of occupancy and fire inspection report for educational use are provided.

MOTION

Norm Butler made a motion to accept the revised policy on the Eligibility of Charter Schools for State Equalization Payments to take effect 90 days after approval. Mary Gifford seconded the motion.

Motion passed unanimously

Ms. Rowe provided the Board with the details of the staff's current procedures related to compliance checks of charter holders and requested that the Board adopt the procedure as new policy which will be posted on the Board's website so all charters and the public have access to the process of compliance checks.

MOTION

Mary Gifford made a motion to approve the Compliance Check Policy as submitted. Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously

Agenda Item M: Board Comments

Board Member Mary Gifford thanked staff for processing all of the work necessary to conduct the Board meeting. Ms. Gifford noted that, while the consent agenda items are handled quickly by the Board, much work went into processing and preparing the forty-four amendments for their placement on this month's consent agenda.

Agenda Item N: Minutes

MOTION

Mary Gifford made a motion to approve the minutes of May 11, 2009 as presented. Norm Butler seconded the motion.

Motion passed unanimously

Agenda Item O: Adjournment

The meeting adjourned at approximately 10:29 a.m.

Signature

Date