

AGENDA ITEM EXECUTIVE SUMMARY: Compliance Matters—Espiritu Community Development Corp.
(Entity ID: 4335)

Issue

Pursuant to Arizona Revised Statute (“A.R.S.”) § 15-183(R) and Arizona Administrative Code (“A.A.C.”) R7-5-403(F), if the Board determines a charter holder does not meet the Board’s minimum operational performance expectations, it shall consider the charter holder’s noncompliance and may subject the charter holder to additional charter oversight as outlined in Article 6 of the A.A.C, including issuing a notice of intent to revoke the charter contract. Pursuant to this rule, Espiritu Community Development Corp. (“Charter Holder”) has been placed on the agenda for the Board’s consideration.

The Charter Holder failed to meet the minimum operational performance expectations set forth in A.A.C. R7-5-403 and the Board’s operational performance framework when the Charter Holder received an overall rating for fiscal year 2019 of “Does Not Meet the Board’s Operational Performance Standard” due to six of the nine Operational Performance Framework measures being rated “Does Not Meet Standard.”

Policy Background—Operational Performance Framework

The Board shall annually assign a charter holder an overall operational performance rating based on measures specified in the Operational Performance Framework, which reflect the degree to which the charter holder achieved the minimum operational performance expectations. A.A.C. R7-5-403(B). The Board shall determine a charter holder meets the minimum operational performance standard if the charter holder receives no measure rated “Falls Far Below Standard” and no more than five measures rated “Does Not Meet Standard” for the evaluated year. A.A.C. R7-5-403(C).

Charter Holder Background

The Charter Holder was granted a 20-year renewal charter in 2010. The Charter Holder operates one school, NFL YET College Prep Academy (the “School”), serving grades 7-12 in Phoenix.

For FY 2020, the Charter Holder is reporting an estimated count of 393 students as of August 15, 2019. For additional information on the Charter Holder, see *Appendix A: Charter Holder Profile*.

Board staff conducted an unscheduled site visit to the School on February 5, 2019. At the visit, Board staff identified multiple compliance issues leading to marking the Charter Holder’s operational dashboard and requiring submissions to bring the Charter Holder into compliance. Several of the issues were related to enrollment practices, governing board alignment, availability of instructional staff education background and work experience, and fingerprinting. See *Appendix B: Onsite Visit Final Report* for more detail.

Outside of the issues identified during the school site visit, the Charter Holder was also out of compliance in its requirements to the Arizona Department of Education (“ADE”) concerning services to English Language Learners (“ELL”) and the Charter Holder’s Annual Financial Report.

During the school site visit, Board staff met with school leader, Rosalva Lopez.

See *Appendix C: Communication Timeline* for detailed information about Board contact with the Charter Holder.



Summary of the Operational Performance Measures Recorded in FY 2019

Measure	Identified at	Original Notification Date	Original Due Date	Status
1.b. Mandated Programming – English Language Learner Requirements	Unscheduled Site Visit (“USV”)	3-14-19	4-15-19	Submitted by due date
2.b. Attendance Practices	USV	3-14-19	4-15-19	Submitted by due date
2.c. Fingerprinting	USV	3-14-19	4-15-19	Submitted by due date
2.d. Teacher Resumes	USV	3-14-19	4-15-19	Submitted by due date
2.d. Open Meeting Law	USV	3-14-19	4-15-19	Submitted by due date
2.d. Board Alignment	USV	3-14-19	4-15-19	Submitted by due date
2.e. Timely Submissions	Complaint	6-12-19	7-15-19	Complaint is still open
2.f. Arizona Department of Education – Annual Financial Report	ADE	N/A	10-15-18	Submitted October 20, 2018

1.b. English Language Learner Requirements

ESSA § 1112(e)(3)(A)(B) requires that all Parental Notification and Consent Forms for students identified as English Language Learners (“ELL”) be sent home within 30 days of the beginning of each school year or within two weeks of a student registering during the school year. The form is to be maintained in the individual student’s cumulative folder.

Board staff reviewed the cumulative files for students identified as ELL. The cumulative files were missing the current Parental Notification and Consent Form for Student Placement in an English Learner Program.

The Charter Holder’s failure to properly maintain the required forms for ELL students resulted in a rating of “Does Not Meet Standard” for the Operational Performance Framework measure that determines whether a charter holder is adhering with the applicable education requirements defined in state and federal law.

Subsequently, the Charter Holder submitted the required Parental Notification and Consent Forms to Board staff for review.

2.b. Attendance Practices

Charter holders in Arizona are required to comply with all applicable statutes and rules regarding enrollment practices that do not violate the rights of students. A.R.S. § 15-110; A.R.S. § 15-184.

- During the school site visit, and during the process of reviewing materials submitted after the school site visit, the Board identified a violation in attendance practices. A.R.S. § 15-901(A)(1) states that excused absences are defined by ADE. ADE defines an excused absence as an absence due to illness, doctor appointment, bereavement, family emergencies, and out-of-school suspensions. School Finance Manual G, Defining Excused Absences (<http://www.azed.gov/finance/files/2018/06/School-Finance-Manual-G-Defining-Excused-Absences.pdf>). ADE delegates the decision whether an absence is excused or unexcused only in the instance of family vacations. *Id.* The guidelines do not authorize limiting excused absences to a specified number. The School’s family handbook stated that any absence after four would be considered unexcused.



The Charter Holder's failure to comply with all applicable statutes and rules regarding attendance practices resulted in a rating of "Does Not Meet Standard" for the Operational Performance Framework measure that determines whether a charter holder appropriately administers student attendance.

Subsequently, the Charter Holder submitted an updated Family Handbook which complied with Arizona Revised Statutes and ADE guidelines. Statutes described above.

2.c. Fingerprinting

A.R.S. § 15-183(C)(5) requires that "[a]ll persons engaged in instructional work directly as a classroom, laboratory or other teacher have a valid fingerprint clearance card" ("FCC") issued by the Arizona Department of Public Safety ("DPS").

During a school site visit, School staff was unable to provide a valid FCC for the art teacher.

The Charter Holder was rated "Does Not Meet Standard" for the Operational Performance Framework measure that determines compliance with maintaining a safe environment consistent with state and local requirements.

Subsequently, the Charter Holder provided the valid FCC for the art teacher observed on the day of the site visit.

2.d. Teacher Resumes

A.R.S. § 15-183(F) requires a charter school to keep in the personnel file of all current employees who provide instruction to students at the charter school information about the employee's educational and teaching background and experience in a particular academic content subject area.

During the school site visit, School staff was unable to provide the educational and teaching background and experience for seven instructional staff members.

Due to its failure to comply with A.R.S. § 15-183(F), The Charter Holder was rated "Does Not Meet Standard" for the Operational Performance Framework measure that determines a charter holder is transparent in its operations.

Subsequently, the Charter Holder submitted the required educational and teaching background and experience for the missing instructional staff members in compliance with A.R.S. § 15-183(F).

2.d. Open Meeting Law

Charter school governing bodies are required to comply with A.R.S. §§ 38-431.01-09, Open Meeting Law.

A.R.S. § 38-431.01(B) requires that public meeting minutes include the following date, time, and place of meeting; names of members of the public body present or absent; a general description of matters considered; an accurate description of all legal actions proposed, discussed, or taken; and the names of members who proposed each motion. The minutes shall also include the names of the persons, as given, making statements or representing material to the public body and a reference to the legal action about which they made statements or presented materials.

During the school site visit, Board staff was provided governing board minutes which did not list a corporate board member as absent or present resulting in a violation of A.R.S. § 38-431.01(B).

Due to its failure to comply with Open Meeting Law, as described above, the Charter Holder was rated "Does Not Meet Standard" for the Operational Performance Framework measure that determines a charter holder is transparent in its operations.

Subsequently, the Charter Holder submitted corrected corporate board minutes which complied with Open Meeting Law as required.



2.d. Board Alignment

Pursuant to A.A.C. R7-5-505(C), Board staff may conduct a compliance check of a charter holder's operational performance at any time. Compliance checks are conducted before a site visit. For the purpose of a compliance check, a charter holder is in compliance if any measure on its operational dashboard rated 'Does Not Meet Standard' or 'Falls Far Below Standard' in the current year and/or the prior fiscal year has been addressed, the charter holder is in "good standing" with the Arizona Corporation Commission ("ACC"), and the charter holder is maintaining alignment between the principals identified in the charter contract and with the ACC.

During the compliance check conducted before the school site visit, Board staff found that the Charter Holder's board as reported through ASBCS Online and the board as listed with the ACC were not aligned.

Due to its failure to maintain alignment between the principals identified in the charter contract and with the ACC, the Charter Holder was rated "Does Not Meet Standard" for the Operational Performance Framework measure that determines a charter holder is transparent in its operations.

Subsequently, the Charter Holder filed the required documentation to align the corporate board members listed with ASBCS Online and the ACC.

2.e. Timely Submissions

Pursuant to A.A.C. R7-5-507(C), a "charter holder complained against shall, within 10 days after receiving a copy of the complaint, provide a written response to the Board that addresses each allegation, the statement of facts, and supporting evidence in the complaint."

On June 12, 2019, the Charter Holder was notified of a complaint and that a response was due to the Board by June 26, 2019. The Charter Holder failed to timely submit a response by the given deadline. The Charter Holder's failure to timely submit resulted in a rating of "Does Not Meet Standard" for the Operational Performance Framework measure that determines whether a charter holder is complying with its obligations to the Board.

Subsequently, the Charter Holder asked for an extension and was given a final deadline of July 15, 2019 to submit a response. The Charter Holder submitted a response on July 2, 2019, before the deadline.

The complaint is still open and in process.

2.f. Arizona Department of Education—Annual Financial Report

A.R.S. §§ 15-183(E)(6) and 15-904 require charter schools to submit an annual financial report ("AFR") to ADE. The Charter Holder's deadline for submitting the FY 2018 AFR was October 15, 2018.

Due to its failure to submit the AFR to ADE by the specified deadline, the Charter Holder was rated "Does Not Meet Standard" for the Operational Performance Framework measure that determines compliance with reporting requirements of other entities to which a charter holder is accountable.

On October 20, 2018, the Charter Holder submitted its FY 2018 AFR.



APPENDICES

- A. Charter Holder Profile
- B. Onsite Visit Final Report
- C. Communication Timeline



Appendix A: Charter Holder Profile (Entity ID: 4335)

Governance

The Charter Holder's corporate board also serves as the School's governing body.

Corporate Board Members
Bertha Gutierrez
Armando Ruiz
Norma Ruiz
Rosemary Cardenas
Frances Castillo

School Profile

School Name	NFL YET College Prep Academy		
Date Open	July 1997		
Location	Phoenix		
Grades Served	7-12		
FY 18 Letter Grade	C		
FY 18 Overall Rating	Does Not Meet Standard		
	FY 16	FY 17	FY 18
ELA AzMERIT (41% [†])	28%	28%	22%
Math AzMERIT (41% [†])	34%	42%	22%
Science AIMS (52% [†])	27%	20%	31%

[†] FY 18 State Average Passing

Additional School Choices Serving Grades 7-12 within 5 Miles of NFL YET College Prep Academy

Total Schools	FY 18 Letter Grade	Total Charter Schools	FY 18 State Assessment Data Greater than State Average			Subgroups within (±5%) of Charter Holder's Subgroup Data		
			ELA (>41%)	Math (>41%)	Science (>52%)	FRL (±5%)	ELL (±5%)	SPED (±5%)
2	A	0	2	2	2	*	*	1
10	B	8	6	2	4	*	5	8
17	C	4	0	1	2	*	4	15
12	D	2	0	0	0	*	2	12
3	F	1	0	0	0	*	1	0

*Because the percentage of FRL students is not available for the Charter Holder, comparison to nearby schools is not possible.

Comparison of Nearby Schools to NFL YET College Prep Academy

Total Schools	FY 18 Letter Grade	Total Charter Schools	FY 18 State Assessment Data Greater than NFL YET College Prep Academy		
			AzMERIT ELA (>22%)	AzMERIT Math (>22%)	AIMS Science (>31%)
2	A	0	2	2	2
10	B	8	10	10	10
17	C	4	7	9	11
12	D	2	3	5	4
3	F	1	0	0	0
Total Number of Schools Performing Better than School Name (Percentage of Total)					
44		15 (34%)	22 (50%)	25 (51%)	27 (61%)



Schools Associated with the Charter Holder

School operated by the same charter holder			
Charter Holder Name	Espiritu Community Development Corp. (Entity ID: 92250)		
School Name	Reyes Maria Ruiz Leadership Academy		
FY 18 Letter Grade	A		
FY 18 Overall Rating	Does Not Meet Standard		
	FY 16	FY 17	FY 18
ELA AzMERIT (41% ⁺)	33%	34%	38%
Math AzMERIT (41% ⁺)	54%	48%	61%
Science AIMS (52% ⁺)	52%	69%	51%

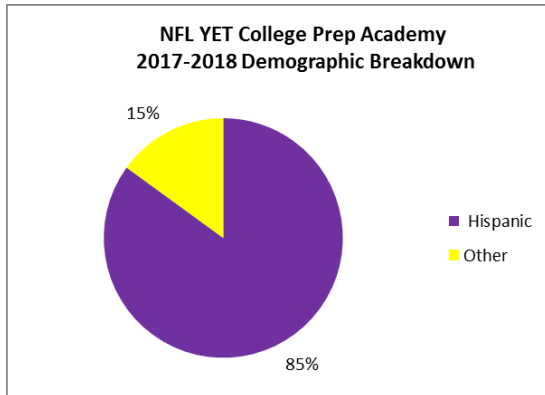
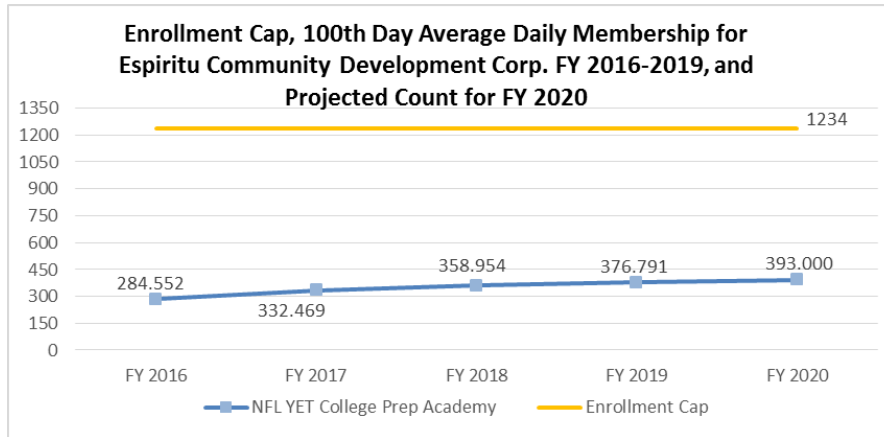
⁺FY 18 State Average Passing

School operated by the same charter holder			
Charter Holder Name	Espiritu Schools (Entity ID: 92902)		
School Name	AIM Higher College Prep Academy		
FY 18 Letter Grade	B		
FY 18 Overall Rating	Falls Far Below Standard		
	FY 16	FY 17	FY 18
ELA AzMERIT (41% ⁺)	22%	12%	29%
Math AzMERIT (41% ⁺)	43%	14%	33%
Science AIMS (52% ⁺)	N/A	30%	38%



Enrollment and Demographic Data

100th Day Average Daily Membership for FY 2016–FY 2019, and FY 2020 Estimated Counts ADM as of August 15, 2019.



2017-2018 Subgroup Data	
Free and Reduced Lunch	*
English Language Learners	9%
Special Education	10%

**If the percentage of students is 0% or 100%, or the group includes less than 10 students, the percentage for that group is redacted.*

Academic Performance Dashboard

NFL YET College Prep Academy				
	FY 2017		FY 2018	
	Traditional		Traditional	
	K12 7-12		K12 7-12	
	Measure	Rating	Measure	Rating
1a. A-F Letter Grade	B	Above	C	Meets
1b. School Improvement	No	Meets	Targeted	Does Not Meet
OVERALL RATING	Above Standard		Does Not Meet Standard	

Financial Performance Dashboard

Financial Performance						
Espiritu Community Development Corp.			Interpreting the Financial Performance Dashboard			
	Fiscal Year 2017			Fiscal Year 2018		
	Near-Term Measures					
Going Concern	No	Meets		No	Meets	
Unrestricted Days Liquidity <small><30, but ≥15: Does Not Meet <15: Falls Far Below</small>	27.90	Does Not Meet		23.23	Does Not Meet	
Default	No	Meets		No	Meets	
	Sustainability Measures*					
Net Income <small>≤0: Does Not Meet</small>	\$142,567	Meets		(\$159,322)	Does Not Meet	
Fixed Charge Coverage Ratio <small><1.10: Does Not Meet</small>	1.16	Meets		1.04	Does Not Meet	
Cash Flow (3-Year Cumulative) <small>Negative: Does Not Meet**</small>	\$87,625	Meets		\$124,669	Meets	
Cash Flow Detail by FY	FY 2017	FY 2016	FY 2015	FY 2018	FY 2017	FY 2016
	\$16,224	\$156,082	(\$84,681)	(\$47,637)	\$16,224	\$156,082

Additional Information

The fiscal years 2017 and 2018 audits include combined financial information for two entities, including Espiritu Community Development Corp. The information above reflects the financial performance of Espiritu Community Development Corp. Based on the fiscal years 2017 and 2018 audits, the combined entity meets the Board's financial performance expectations.

Meets Board's Financial Performance Expectations

* Negative numbers indicated by parentheses.
** Target effective beginning with FY16 audits.



Operational Performance Dashboard

Operational Performance Dashboard					
Click on any of the measures below to see more information.					
Effective July 1, 2017 and going forward:					
An "*" means the noncompliance has been addressed under AAC R7-5-505(F), a complete corrective action plan has been received and implementation is required under AAC R7-5-510(C)(1), the charter holder is complying with the terms of an agreement with the Board, or no further action is required at this time.					
A "**" means a corrective action plan has been assigned by another entity, the appeal window for action taken by another entity has not closed, appeal of an action taken by another entity is pending, or is an issue of non-compliance in which another entity oversees.					
Measure	2016	2017	2018	2019	2020
1.a. Does the delivery of the education program and operation reflect the essential terms of the educational program as described in the charter contract?	Meets	Meets	Meets	Meets	--
1.b. Does the charter holder adhere with applicable education requirements defined in state and federal law?	Meets	Meets	Meets	Does Not Meet	--
2.a. Do the charter holder's annual audit reporting packages reflect sound operations?	Meets	Meets	Meets	Meets	--
2.b. Is the charter holder administering student admission and attendance appropriately?	Meets	Meets	Meets	Does Not Meet	--
2.c. Is the charter holder maintaining a safe environment consistent with state and local requirements?	Meets	Meets	Meets	Does Not Meet	--
2.d. Is the charter holder transparent in its operations?	Meets	Does Not Meet	Meets	Does Not Meet	--
2.e. Is the charter holder complying with its obligations to the Board?	Meets	Meets	Meets	Does Not Meet	--
2.f. Is the charter holder complying with reporting requirements of other entities to which the charter holder is accountable?	Meets	Meets	Does Not Meet	Does Not Meet	--
3. Is the charter holder complying with all other obligations?	Meets	Meets	Meets	Meets	--
OVERALL RATING	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Does Not Meet Operational Standard	--
BOARD EXPECTATIONS	--	Meets Operational Expectations	Meets Operational Expectations	Does Not Meet Operational Expectations	Does Not Meet Operational Expectations

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Operational Performance Dashboard (Expanded)

Measure	2016	2017	2018	2019	2020
1.a. Does the delivery of the education program and operation reflect the essential terms of the educational program as described in the charter contract?	Meets	Meets	Meets	Meets	--
Educational Program - Essential Terms	No issue identified	No issue identified	No issue identified	No issue identified	--
1.b. Does the charter holder adhere with applicable education requirements defined in state and federal law?	Meets	Meets	Meets	Does Not Meet	--
Services to Student with Disabilities	No issue identified	No issue identified	No issue identified	No issue identified	--
Instructional Days/Hours	No issue identified	No issue identified	No issue identified	No issue identified	--
Data for Achievement Profile	No issue identified	No issue identified	No issue identified	No issue identified	--
Mandated Programming (State/Federal Grants)	No issue identified	No issue identified	No issue identified	English Lang Learner Requirements** (more info)	--
2.a. Do the charter holder's annual audit reporting packages reflect sound operations?	Meets	Meets	Meets	Meets	--
Timely Submission	Yes	Yes	Yes	Yes	--
Audit Opinion	Unqualified	Unqualified	Unqualified	Unqualified	--
Completed 1st Time CAPs	No issue identified	No issue identified	No issue identified	No issue identified	--
Second-Time/Repeat CAP	No issue identified	No issue identified	No issue identified	No issue identified	--
Serious Impact Findings	No issue identified	No issue identified	No issue identified	No issue identified	--
Minimal Impact Findings (3+ Years)	No issue identified	No issue identified	No issue identified	No issue identified	--
2.b. Is the charter holder administering student admission and attendance appropriately?	Meets	Meets	Meets	Does Not Meet	--
Estimated Count/Attendance Reporting	No issue identified	No issue identified	No issue identified	No issue identified	--
Tuition and Fees	No issue identified	No issue identified	No issue identified	No issue identified	--
Public School Tax Credits	No issue identified	No issue identified	No issue identified	No issue identified	--
Attendance Records	No issue identified	No issue identified	No issue identified	No issue identified	--
Enrollment Processes	No issue identified	No issue identified	No issue identified	Enrollment Practices #1* (more info)	--
2.c. Is the charter holder maintaining a safe environment consistent with state and local requirements?	Meets	Meets	Meets	Does Not Meet	--
Facility/Insurance Documentation	No issue identified	No issue identified	No issue identified	No issue identified	--
Fingerprinting	No issue identified	No issue identified	No issue identified	Fingerprinting - Staff* (more info)	--
2.d. Is the charter holder transparent in its operations?	Meets	Does Not Meet	Meets	Does Not Meet	--

Academic Performance Notifications	No issue identified	No issue identified	No issue identified	No issue identified	--
Teacher Resumes	No issue identified	No issue identified	No issue identified	Teacher Resumes (Site Visit)* (more info)	--
Open Meeting Law	No issue identified	Minutes (Contract Amendment) (more info)	No issue identified	Meeting Minutes (Site Visit)* (more info)	--
Board Alignment	No issue identified	No issue identified	No issue identified	Inconsistency in Reporting* (more info)	--
2.e. Is the charter holder complying with its obligations to the Board?	Meets	Meets	Meets	Does Not Meet	--
Timely Submissions	No issue identified	No issue identified	No issue identified	Complaint Response* (more info)	--
Limited Substantiated Complaints	No issue identified	No issue identified	No issue identified	No issue identified	--
Favorable Board Actions	No issue identified	No issue identified	No issue identified	No issue identified	--
2.f. Is the charter holder complying with reporting requirements of other entities to which the charter holder is accountable?	Meets	Meets	Does Not Meet	Does Not Meet	--
Arizona Corporation Commission	No issue identified	No issue identified	No issue identified	No issue identified	--
Arizona Department of Economic Security	No issue identified	No issue identified	No issue identified	No issue identified	--
Arizona Department of Education	No issue identified	No issue identified	Procurement Review - School Lunch** (more info)	Annual Financial Report (AFR)* (more info)	--
Arizona Department of Revenue	No issue identified	No issue identified	No issue identified	No issue identified	--
Arizona State Retirement System	No issue identified	No issue identified	No issue identified	No issue identified	--
Equal Employment Opportunity Commission	No issue identified	No issue identified	No issue identified	No issue identified	--
Industrial Commission of Arizona	No issue identified	No issue identified	No issue identified	No issue identified	--
Internal Revenue Service	No issue identified	No issue identified	No issue identified	No issue identified	--
U.S. Department of Education	No issue identified	No issue identified	No issue identified	No issue identified	--
3. Is the charter holder complying with all other obligations?	Meets	Meets	Meets	Meets	--
Judgments/Court Orders	No issue identified	No issue identified	No issue identified	No issue identified	--
Other Obligations	No issue identified	No issue identified	No issue identified	No issue identified	--
OVERALL RATING	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Does Not Meet Operational Standard	--
BOARD EXPECTATIONS	--	Meets Operational Expectations	Meets Operational Expectations	Does Not Meet Operational Expectations	Does Not Meet Operational Expectations

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Appendix B: Site Visit Report

Onsite Visit Final Report

CHARTER INFORMATION

Charter Holder Name	Espiritu Community Development Corp.	School Name	NFL YET College Prep Academy
Charter Holder Entity ID	4335	Site Visit Date	February 5, 2019
		Final Report Date	March 14, 2019

In accordance with A.R.S. §15-182(E)(1), the Arizona State Board for Charter Schools (“Board”) shall exercise general supervision over charter schools sponsored by the Board. On February 5, 2019, Board staff conducted an unannounced site visit to NFL YET College Prep Academy (“the School”). The unannounced site visit was prompted by information presented to the Board. During the site visit, Board staff met with Principal Rosalba Lopez.

School Background

School Name	Month/ Year Open	Location	ADM*	Grade Levels Served
NFL YET College Prep Academy	July/1997	Phoenix	353.53	7-12

*ADM as of 2/6/19

Contractual Compliance Review

Specific areas of the charter contract were reviewed to ensure the Charter Holder is in compliance. When Board staff identifies contractual or legal non-compliance issues at a site visit, each issue is reflected on the Charter Holder’s Operational Performance Dashboard. The table below identifies the contractual or legal compliance components that are out of compliance and specifies what the Charter Holder is required to submit by **April 15, 2019**.

A review of a charter holder’s contractual compliance may result in additional follow-up visits from Board staff.

Failure to provide required follow-up, as described below, by **April 15, 2019** will be recorded in Measure 2.e. of the Charter Holder’s operational performance dashboard.



Additionally, failure to submit timely may result in the remaining issues being placed on a subsequent Board meeting agenda for possible disciplinary action pursuant to R7-5-505(G), in which the Board may take action, including withholding up to ten percent of the monthly state aid apportionment, issuing a notice of intent to revoke the charter, or other remedial actions.

In accordance with R7-5-501(C), if the specified deadline has not passed, Board staff may grant a charter holder an extension to the specified deadline. In order to request an extension, please send an email to charterschoolboard@asbcs.az.gov.

Compliance Item	Findings	Required Submission
Open Meeting Law	<p>Pursuant to A.R.S. §38-431.01-09, the governing body meeting notices, agendas, and minutes were reviewed and are NOT in compliance with Open Meeting Law. All Board members must be listed in the agenda minutes as either present or not present. Board member Margaret Abril was not listed in most of the minutes reviewed in the Fall of 2018, as absent or present.</p> <p>Recorded in Measure 2.d.: Open Meeting Law</p>	<p>Provide:</p> <ul style="list-style-type: none"> - Documentation of the March board meeting notices, agendas, and minutes demonstrating compliance with A.R.S. §38-431.01-09
Corporate Board Alignment	<p>Pursuant to A.R.S. §38-431.01-09, Corporate Board membership was found to not be consistent between ASBCS Online and the Arizona Corporate Commission (“ACC”). Margaret Abril is listed on ACC as a board member but is not listed on ASBCS online. On February 21, 2019, the Charter Holder submitted a Charter Holder Governance request to remove Margaret Abril and added Frances Castillo.</p> <p>Recorded in Measure 2.d.: Board Alignment</p>	<ul style="list-style-type: none"> - Since the date of this report, the Charter Holder has updated its corporate board membership on ASBCS Online and has demonstrated alignment with ACC. Currently the board members are: <ul style="list-style-type: none"> • Armando Ruiz • Frances Castillo • Norma Ruiz • Rosemary Cardenas • Bertha Gutierrez
Fingerprint Clearance Cards and Fingerprint Checks	<p>Fingerprint clearance cards (“FCCs”) and fingerprint checks were reviewed pursuant to A.R.S. §§15-183 (C) (5) and 15-512. At the site visit, no evidence of an FCC was provided for the art teacher, Diana Calderon. Ms. Calderon was present at the School on the day of the site visit. Upon notification of the missing fingerprint clearance card, Ms. Calderon was sent home.</p>	<p>Provide:</p> <ul style="list-style-type: none"> - A copy of the School’s policies and procedures for ensuring compliance with A.R.S. §§15-512 and 15-183 (C) (5).



	Recorded in Measure 2.c: Fingerprinting	<ul style="list-style-type: none"> - Confirmation that you have read A.R.S. §§15-512 and 15-183 (C) (5) and the Board’s guidance document in their entirety and understand what it means to be in compliance. - A copy of the valid fingerprint clearance card for Diana Calderon.
Instructional Staff Education and Experience	<p>Teaching background and experience information for the following staff members was not available pursuant to A.R.S. §15-183(F):</p> <ul style="list-style-type: none"> -Diana Calderon, Art teacher -Kenneth Edmundson, Specials teacher -Humberto Ramirez, teacher -Jorge Sandoval, teacher -Kori Hayles, teacher -Ivan Rivera, teacher -Alan Rascón, Assistant school leader <hr/> <p>Recorded in Measure 2.d.: Teacher Resumes</p>	<p>Provide:</p> <ul style="list-style-type: none"> - Copies of the teaching background and experience information for the instructional staff members that were not available for viewing on the day of the site visit.



<p>Student Count</p>	<p>At the site visit, Board staff requested attendance reports for the day of the visit. The attendance reports provided by school administration only showed the students who were marked tardy or absent for the day.</p>	<p>Provide:</p> <ul style="list-style-type: none"> - Attendance reports for February 5, 2019 which include student names, grades, and if the student was present or absent for the day.
<p>Family Handbook</p>	<p>The following policies were reviewed and appear to be out of compliance.</p> <p>Page 11 of the Family Handbook states, “Guidelines for participating in the commencement ceremony and activities related to the commencement ceremony are listed below. All items stated should be complete prior to any of the commencement activities....1) Complete the Scholastic Aptitude Test (SAT) 2) Submit three scholarship applications 3) Enroll in a University, College, or Military 3) Complete the ACCUPLACER Exam 5) Complete the FAFSA</p> <ul style="list-style-type: none"> - <i>Provide the school’s rationale for disqualifying students from commencement if they fail to complete the requirements listed in this section.</i> - <i>What happens in the case of a student pursuing or securing a job after graduation and decide to not enroll in a university, college or military?</i> - <i>The Scholastic Aptitude Test (SAT) and university applications</i> 	<p>Provide:</p> <ul style="list-style-type: none"> - An updated copy of the Family Handbook demonstrating compliance with Arizona Revised Statute. - Further explanation as indicated under each issue.



have costs associated with them. Does the school cover this cost for students as part of this requirement?

Page 15 of the Family Handbook states, "You must submit a transcript request form at least five days before the application deadline."

- *If a student applies after the application deadline, is that application accepted?*
- *Do transcripts get reviewed before a student is enrolled?*

Page 15 of the Family Handbook states, "Families are required to pay the Student Accident Insurance Fee of \$10 at the beginning of every school year in the front office...if a family is unable to pay the \$10 fee, please see the Director of Family Engagement for other options."

- Pursuant to A.R.S. § 15-116, charter schools must "ensure that all fees contain a provision that allows the fees to be waived in the event of economic hardship to the pupil."
- Furthermore, charter schools may not charge any sort of tuition per A.R.S. § 15-185(B)(6). If fees are collected for extracurricular activities, charter schools must either offer a free extracurricular option or a waiver option for families who cannot pay.
- *Clarification is required as to the "other options" available to families who choose not to pay the Student Accident Insurance Fee.*

Page 22 of the Family Handbook states, "A student may have four (4) absences excused at the discretion of the parent/guardian during a semester. Any absence after four (4) will be considered unexcused."

- Pursuant to A.R.S. § 15-901(A)(1), excused absences are

	<p>defined by the Arizona Department of Education.</p> <ul style="list-style-type: none"> - Students are required to attend 90% of school days during the academic year. Absences may not exceed 10% of the school year. - If a student has accrued four absences, any absence that is defined as excused by the Arizona Department of Education shall be considered excused. <p>Page 31 of the Family Handbook states, “Students who enter school with a documented record of incidents (academic, attendance, and/or behavior) or with continual problems in the areas of academics, behavior, and attendance will be placed on probation of one semester. Students and Families will agree that if the student does not show improvements, they will be evaluated.”</p> <ul style="list-style-type: none"> - Academic, behavior, and attendance records may not be reviewed prior to enrollment. <p><i>Clarify what the evaluation of a student entails related to this section.</i></p>	
<p>English Language Learner</p>	<p>Recorded in Measure 2.b.: Enrollment Processes</p> <p>Board staff reviewed the students’ cumulative files for students identified as an English Language Learner. The cumulative files were missing the current Parental Notification and Consent Form For Student Placement in an English Learner Program.</p> <p>Parental Notification and Consent Forms must be sent home within 30 days of the beginning of each school year or within two weeks of a student registering during the school year, as required by ESSA § 1112(e)(3)(A)(B).</p>	<p>Provide:</p> <ul style="list-style-type: none"> - Copies of completed and signed Parental Notification and Consent Forms for students identified as an English Language Learner in the 2018-2019 school year.



This form should be placed in the student's cumulative folder. Upon review of the students' ILLPs, staff observed that many of the students had been identified at the beginning of the school year. Evidence of that was demonstrated through the quarterly reports attached to each ILLP.

Recorded in Measure 1.b.: Mandated Programming



Appendix C: Communication Timeline (Entity ID: 4335)

February 19, 2019	Board staff conducted an unscheduled onsite visit to NFL YET College Prep Academy in Phoenix. Board staff met with school principal, Rosalva Lopez.
March 14, 2019	Board staff emailed Charter Representative, Armando Ruiz, notifying him that the Onsite Visit Final Report (“report”) was available on the ASBCS Online system. Board staff marked the Charter Holder’s dashboard for each non-compliance issue identified in the report. The Charter Holder was given a deadline of April 15, 2019 to submit the required documentation detailed in the report.
April 15, 2019	The Charter Holder submitted all required documentation outlined in the report by the deadline date.
May 22, 2019	After review of all submissions, Board staff issued a Site Visit Closeout notification to the Charter Holder based on issues identified at the onsite visit. Board staff updated the Charter Holder’s operational dashboard to reflect the closeout status.
July 31, 2019	Board staff notified Charter Holder of its Failure to Meet Operational Expectations. The Charter Holder was notified that it would be placed on the September Board agenda for disciplinary action.
August 1, 2019	Board staff spoke with Christina Eliserio, Chief Operating Officer for the Charter Holder. She called to ask about the July 31, 2019 notification and understand the difference between compliance and not meeting the operational performance expectations.

