

**Arizona State Board for Charter Schools**  
**November 21, 2024**  
[https://www.youtube.com/channel/UcKpbhJyH-7N\\_Pw1hpl3nSA](https://www.youtube.com/channel/UcKpbhJyH-7N_Pw1hpl3nSA)  
**In-Person Meeting**

**SUMMARY**

<p><b><u>Members Present-</u></b></p> <p><b>Hans-Dieter Klose</b> – President, and Public Member who is a Resident of an Indian Reservation (Virtual)  <b>Jessica Montierth</b> – Vice President, and Charter Operator Member  <b>Wendy Miller</b> - Superintendent of Public Instruction Designee  <b>Carlos Ruiz</b> – Public Member (Virtual)  <b>Christina Foster</b> – Public Member (Virtual)  <b>James Swanson</b> – Business Member  <b>Stephanie Bahr</b> – Teacher Member  <b>Binky Michele Jones</b>- Alternative Charter Operator</p> <p>Meeting began at 10:05 a.m.</p>	<p><b><u>Members Absent-</u></b></p> <p><b>Carol Crockett</b> – Public Member Resides in a Neighborhood that Qualifies for National School Lunch Program  <b>Timothy Stratton</b> – Business Member</p>
<p><b>Agenda Item A. Pledge of Allegiance (4:49)</b></p>	<p>Ashley Berg called the roll and confirmed a quorum.</p>
<p><b>Agenda Item B. Moment of Silence</b></p>	
<p><b>Agenda Item C. Roll Call (5:24)</b></p>	<p>Recorded comments are available.</p>
<p><b>Agenda Item D. Superintendent’s Report (7:44)</b>- Update on current events and/or activities of the Arizona Department of Education.</p>	<p>Recorded comments are available.</p>
<p><b>Agenda Item E. Executive Director’s Report (9:10)</b>-</p> <ul style="list-style-type: none"> <li>a. Board Member Introduction of Binky Michele Jones, Alternative Charter Operator Position</li> <li>b. Introduction Videos from Student Advisory Council Members</li> <li>c. <a href="#">*Update on Statewide FY 2024 Letter Grades</a></li> </ul>	<p>Recorded comments are available.</p>

<p>d. Update on Approved Amendments and Termination Agreements</p> <p>e. <a href="#">Update on Board Legal Actions</a></p>	
<p><b>Agenda Item F. Call to the Public (20:44)</b>- This is the time for the public to comment. Members of the Board may not discuss items that are not specifically identified on the agenda. Therefore, pursuant to A.R.S. § 38-431.01(H), action taken as a result of public comment will be limited to directing staff to study the matter, responding to any criticism, or scheduling the matter for further consideration and decision at a later date.</p> <p><a href="#">Written Public Comment Received</a></p>	<p>No public comment was made during the meeting. There was one written public comment received and included in the board materials.</p>
<p><b>Agenda Item G. Consent Agenda (21:03)</b>- All items on this agenda will be considered by a single motion with no discussion, unless requested otherwise by a board member.</p> <ol style="list-style-type: none"> <li>1. <a href="#">Approval of Meeting Minutes from the Board’s meeting on August 12, 2024.</a></li> <li>2. Consideration and possible action to approve the School-Specific Academic Goals for the following schools operated by <a href="#">Arizona Autism Charter Schools, Inc.</a> <ol style="list-style-type: none"> <li>a. Arizona Autism Charter School - Online K-8</li> <li>b. Arizona Autism Charter - Online High School</li> <li>c. AZACS - Tucson Upper School Campus</li> <li>d. Arizona Autism Charter School, West Valley Campus</li> </ol> </li> </ol>	<p style="text-align: center;"><b>Agenda Item G.</b></p> <p>James Swanson made the following motion: <i>I move to approve the consent agenda as presented.</i></p> <p>Wendy Miller seconded the motion.</p> <p style="text-align: center;"><b>Motion Passed</b></p> <p style="text-align: center;"><b>(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)</b></p>
<p><b>Agenda Item H. Charter Amendment</b> - Discussion and possible action on Amendment Requests from the following Charter Holders:</p> <ol style="list-style-type: none"> <li>1. American Leadership Academy, Inc.—New School <b>(22:00)</b> <ol style="list-style-type: none"> <li>i. <a href="#">Executive Summary</a></li> <li>ii. <a href="#">Amendment Request and Support Materials</a></li> <li>iii. <a href="#">Financial and Operational Performance Dashboards</a></li> <li>iv. <a href="#">ADE School Report Card Data</a></li> <li>v. <a href="#">Other Available Options</a></li> </ol> </li> </ol>	<p style="text-align: center;"><b>Agenda Item H.(1)</b></p> <p>James Swanson made the following motion: <i>I move, based on the information contained in the Board materials and presented today, to deny the request for American Leadership Academy Buckeye for the contract of American Leadership Academy for the reason that the board has concerns regarding the rapid growth, and would like to see more timely data for all of</i></p>

<ul style="list-style-type: none"> <li>vi. <a href="#">Comparison to Proposed Location</a></li> </ul> <p>2. American Leadership Academy, Inc.—New School <b>(22:00)</b></p> <ul style="list-style-type: none"> <li>i. <a href="#">Executive Summary</a></li> <li>ii. <a href="#">Amendment Request and Support Materials</a></li> <li>iii. <a href="#">Financial and Operational Performance Dashboards</a></li> <li>iv. <a href="#">ADE School Report Card Data</a></li> <li>v. <a href="#">Other Available Options</a></li> <li>vi. <a href="#">Comparison to Proposed Location</a></li> </ul> <p>3. CASA Academy—Enrollment Cap Increase <b>(1:16:33)</b></p> <ul style="list-style-type: none"> <li>i. <a href="#">Executive Summary</a></li> <li>ii. <a href="#">Amendment Request and Support Materials</a></li> <li>iii. <a href="#">Financial and Operational Performance Dashboards</a></li> <li>iv. <a href="#">ADE School Report Card Data</a></li> </ul> <p>4.—*Harvest Power Community Development Group, Inc.—Enrollment Cap Increase</p> <ul style="list-style-type: none"> <li>i.—<a href="#">Executive Summary</a></li> <li>ii.—<a href="#">Amendment Request and Support Materials</a></li> <li>iii.—<a href="#">Financial and Operational Performance Dashboards</a></li> <li>iv.—<a href="#">ADE School Report Card Data</a></li> </ul> <p>5. San Tan Montessori School, Inc.—New School <b>(1:24:51)</b></p> <ul style="list-style-type: none"> <li>i. <a href="#">Executive Summary</a></li> <li>ii. <a href="#">Amendment Request and Support Materials</a></li> <li>iii. <a href="#">Financial and Operational Performance Dashboards</a></li> <li>iv. <a href="#">ADE School Report Card Data</a></li> </ul>	<p><i>the schools when they are brought forward.</i></p> <p>Wendy Miller seconded the motion.</p> <p style="text-align: center;"><b>Motion Passed</b></p> <p style="text-align: center;"><b>(Aye: Montierth, Miller, Bahr, Foster, Swanson, Klose)</b> <b>(Nay: Jones, Ruiz)</b></p> <p>Binky Michele Jones made a comment. Carlos Ruiz made a comment.</p> <p style="text-align: center;"><b>Agenda Item H.(2)</b></p> <p>James Swanson made the following motion: <i>I move to add American Leadership Academy – Casa Grande to the contract of American Leadership Academy, Inc.</i></p> <p>Stephanie Bahr seconded the motion.</p> <p style="text-align: center;"><b>Motion Passed</b></p> <p style="text-align: center;"><b>(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)</b></p> <p>Stephanie Bahr made a comment. Hans-Dieter Klose made a comment.</p> <p style="text-align: center;"><b>Agenda Item H.(3)</b></p> <p>James Swanson made the following motion: <i>I move, based on the information contained in the Board materials and presented today, to approve the request to increase the enrollment cap for the contract of CASA Academy from 462 to 528, beginning in FY 2026.</i></p> <p>Stephanie Bahr seconded the motion.</p> <p style="text-align: center;"><b>Motion Passed</b></p>
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**(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)**

Hans-Dieter Klose made a comment.

**Agenda Item H.(5)**

James Swanson made the following motion: *I move, based on the information contained in the Board materials and presented today, to approve the request to add a new school located in Gilbert to the contract of San Tan Montessori School, Inc.*

Stephanie Bahr seconded the motion.

**Motion Passed**

**(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)**

**Agenda Item I. \*Charter Replication Application —**  
Discussion and possible action on a replication application from San Tan Montessori School, Inc. **(1:31:01)**

1. [Executive Summary](#)
2. [Amendment Request and Support Materials](#)
3. [Financial and Operational Performance Dashboards](#)
4. [ADE School Report Card Data](#)

**Agenda Item I.**

James Swanson made the following motion: *I move, based on the information contained in the Board materials and presented today, to approve the request to grant the replication charter requested by San Tan Montessori School, Inc. to establish the school San Tan Charter School in Queen Creek, serving grades K-8 with an enrollment cap of 800.*

Stephanie Bahr seconded the motion.

James Swanson made a comment.

**Motion Passed**

**(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)**

Recorded comments are available.

**Agenda Item J. Compliance Matters—Discussion and possible action**

1. The Board will receive information to determine whether evidence exists that the charter holder listed below is in breach of one or more provisions of their charter contract, and/or federal, state, or local laws regarding their failure to meet the operational performance expectations set forth in the Board’s operational performance framework.

If the Board determines that a breach may have occurred, the Board may take action as it deems appropriate or necessary under state law, which may include issuing a notice of intent to revoke the charter pursuant to A.R.S. § 15-183(I)(3) and A.A.C. R7-5-403(F).

- a. [Franklin Phonetic Primary School, Inc. \(Entity ID 92596\) \(1:47:42\)](#)

2. \*The Board will receive information to determine whether evidence exists that the charter holders listed below are in breach of one or more provisions of their charter contract and/or federal, state, or local laws regarding failure to timely submit the fiscal year 2024 annual financial audit.

If the Board determines that a breach may have occurred, the Board may take action as it deems appropriate or necessary under state law, which may include withholding up to 10% of the monthly apportionment of state aid and requiring a corrective action plan, issuing a notice of intent to revoke the charter or entering into a consent agreement to bring the charter holder into compliance. A.R.S. § 15-185(H), A.A.C. R7-5-601(D).

First Year Late

- a. Academy Del Sol, Inc. (2:05:19)
- b. Heritage Academy Pointe, Inc. (2:08:26)
- c. New Learning Ventures, Inc. (2:09:40)

Before Agenda Item J. the Board took a 5 minute break. After the break, Ashley Berg conducted a roll call and confirmed a quorum.

**Agenda Item J.(1)(a)**

James Swanson made the following motion: *I move to find that Franklin Phonetic Primary School, Inc. (Entity ID 92596) hereinafter referred to in this motion as the “Charter Holder,” has failed to meet the operational performance expectations set forth in the Board’s operational performance framework and has violated its charter contract and state and federal law. These failures and violations provide a sufficient basis to issue a Notice of Intent to Revoke the Charter Holder’s contract.*

*However, the Board is authorized to exercise its legal discretion with regard to actions taken against a charter holder that is not in compliance with its charter, other obligations to the Board, and state and federal law. In an effort to bring the Charter Holder into compliance, the Board directs staff to work with legal counsel to develop a consent agreement that addresses the Charter Holder’s noncompliance with the Board’s operational performance expectations, its charters and state and federal law, as identified in today’s materials. The terms of the agreement shall be consistent with the terms set forth in previous consent agreements between the Board and other charter holders for failure to comply with the Board’s operational performance expectations.*

*I further move that the Board authorize the Board President to approve and sign the consent agreement executed by the Charter Holder without it being brought before the entire Board for approval at a subsequent meeting.*

- d. ~~Paul Revere Academy, Inc.~~
- e. Southern Arizona Community Academy, Inc. **(2:10:23)**

3. \*The Board will receive information to determine whether evidence exists that the charter holder listed below is in breach of one or more provisions of their charter contract and/or federal, state, or local laws regarding failure to timely submit the fiscal year 2024 annual financial audit.

If the Board determines that a breach may have occurred, the Board may take action as it deems appropriate or necessary under state law, which may include withholding up to 10% of the monthly apportionment of state aid and requiring a corrective action plan, issuing a notice of intent to revoke the charter or entering into a consent agreement to bring the charter holder into compliance. A.R.S. § 15-185(H), A.A.C. R7-5-601(D).

[First Year Late](#)

- a. CITY Center for Collaborative Learning **(2:15:10)**

*If the Charter Holder chooses not to accept the terms of the consent agreement developed by Board staff and the Board's legal counsel or an executed copy of the consent agreement, along with governing board minutes approving the consent agreement, are not received by the date specified by Board staff, then it is the Board's decision that the Charter Holder be placed on a future agenda for a motion to issue a Notice of Intent to Revoke the Charter Holder's charter contract for the reasons already specified.*

Stephanie Bahr seconded the motion.

**Motion Passed**

**(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)**

Christina Foster made a comment.

**Agenda Item J.(2.)**

James Swanson made the following motion: *I move to find that Academy Del Sol, Inc., Heritage Academy Pointe, Inc., New Learning Ventures, Inc., and Southern Arizona Community Academy, Inc. are not in compliance with state law and the charter contract due to their failure to timely submit the fiscal year 2024 annual financial audit and to approve withholding 10% of the charter holders' monthly state aid apportionment until a complete fiscal year 2024 annual financial audit is submitted to the Board.*

Stephanie Bahr seconded the motion.

James Swanson made a comment.

**Motion Passed**

	<p><b>(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)</b></p> <p><b>Agenda Item J.(3)(a)</b></p> <p>James Swanson made the following motion: <i>Based on information shared with the Board as part of this agenda item, I move to postpone to the December meeting the Board’s consideration of CITY Center for Collaborative Learning.</i></p> <p>Wendy Miller seconded the motion.</p> <p><b>Motion Passed</b></p> <p><b>(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)</b></p>
<p><b>Agenda Item K. Financial Framework</b>—Discussion, possible action and the second opportunity for public comment on the adoption of <a href="#">proposed changes to the Financial Performance Framework’s Average Daily Membership measure and Adjusted Net Income measure.</a> <b>(2:20:18)</b></p>	<p><b>Agenda Item K.</b></p> <p>James Swanson made the following motion: <i>I move to adopt the changes to the Financial Performance Framework’s Average Daily Membership Measure and Adjusted Net Income Measure found in the Board materials and presented today, and direct staff to make necessary changes to other relevant documents to reflect the Board’s action at this meeting. I further move that the changes to the Average Daily Membership Measure be implemented with the fiscal year 2024 audits and the changes to the Adjusted Net Income Measure be implemented with the fiscal year 2025 audits.</i></p> <p>Stephanie Bahr seconded the motion.</p> <p><b>Motion Passed</b></p> <p><b>(Aye: Montierth, Miller, Bahr, Foster, Jones, Ruiz, Swanson, Klose)</b></p>

	Recorded comments are available.
<p><b>Agenda Item L. Summary of Current Events, Future Meeting Dates and Items for Future Agendas</b>—The executive director, presiding officer or a member of the Board may present a brief summary of current events pursuant to A.R.S. § 38-431.02(K) and may discuss future meeting dates and direct staff to place matters on a future agenda. The Board will not discuss or take action on any current event summary. <a href="#">(2:22:40)</a></p>	Recorded comments are available.
<p><b>Agenda Item M. Adjournment</b></p>	
<p>The meeting adjourned at approximately 12:33 pm.</p>	