

Arizona State Board for Charter Schools
December 16, 2024
https://www.youtube.com/channel/UChkPbhlJyH-7N_Pw1hpl3nSA
In-Person/Hybrid Meeting

<p><u>Members Present-</u></p> <p>Hans-Dieter Klose – President, and Public Member who is a Resident of an Indian Reservation</p> <p>Jessica Montierth – Vice President, and Charter Operator Member</p> <p>Wendy Miller - Superintendent of Public Instruction Designee</p> <p>Carlos Ruiz – Public Member</p> <p>Carol Crockett – Public Member Resides in a Neighborhood that Qualifies for National School Lunch Program</p> <p>Christina Foster – Public Member (Virtual)</p> <p>James Swanson – Business Member</p> <p>Binky Michele Jones- Alternative Charter Operator</p> <p>Meeting began at 10:06 a.m.</p>	<p><u>Members Absent-</u></p> <p>Timothy Stratton – Business Member</p> <p>Stephanie Bahr – Teacher Member</p>
<p>Agenda Item A. Pledge of Allegiance (22:32)</p>	<p>Recorded comments are available.</p>
<p>Agenda Item B. Moment of Silence</p>	<p>Recorded comments are available.</p>
<p>Agenda Item C. Roll Call (24:32)</p>	<p>Ashley Berg called the roll and confirmed a quorum.</p> <p>President Klose indicated that agenda item K.2. must be removed as the charter holder’s financial audit was submitted prior to the Board meeting.</p>
<p>Agenda Item D. Superintendent’s Report (25:26)- Update on current events and/or activities of the Arizona Department of Education.</p>	<p>Recorded comments are available.</p>
<p>Agenda Item E. Executive Director’s Report (28:04)-</p> <ol style="list-style-type: none"> 1. Board Member Introduction of New Staff Member 2. Update on Auditor General’s Special Audit Report—School Safety and Emergency Response Practices 	<p>Recorded comments are available.</p>

<ol style="list-style-type: none"> 3. Information on Charter Board’s Legislative Session Priority 4. Information on Public Comment Period for Rules Package 5. Update on Approved Amendments and Termination Agreements 6. *Update on Board Legal Actions 7. *CSA Team Winter Update: Collaboration, Communication, and Support 	
<p>Agenda Item F. Call to the Public (43:21)- 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>Written Public Comment Received Written Public Comment Received 12/12/2024</p>	<p>There were two written public comments received and included in the Board materials and posted on the Board’s website .</p> <p>Michelle Canidate made a verbal public comment regarding Agenda Item L.(2.).</p> <p>Benjamin Hernandez made a verbal public comment regarding Agenda Item L.(2.).</p> <p>Brandon Layman made a verbal public comment regarding Agenda Item L.(2.).</p> <p>Caroline Newsom made a verbal public comment regarding Agenda Item L.(2.).</p> <p>Monica Nolan made a verbal public comment regarding Agenda Item L.(2.)</p> <p>Jake Logan made a verbal public comment regarding Agenda Item J.</p>
<p>Agenda Item G. Presentation and Update on Arizona Charter Schools by the Arizona Charter Schools Association (1:00:27)- Jake Logan and Kelly Powell</p>	<p>Recorded comments are available.</p>
<p>Agenda Item H. Consent Agenda (1:33:02)- 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"> 1. Approval of Meeting Minutes from the Board’s meeting on November 21, 2024. 	<p style="text-align: center;">Agenda Item H.</p> <p>Jessica Montierth made the following motion: <i>I make a motion to approve the consent agenda as presented with the exclusion of item K.(2.).</i></p> <p>James Swanson seconded the motion.</p> <p style="text-align: center;">Motion Passed</p>

	<p align="center">(Aye: Montierth, Miller, Crockett, Foster, Jones, Ruiz, Swanson, Klose)</p>
<p>***Agenda Item I. Charter Amendment- Discussion and possible action on Amendment Requests from the following Charter Holder:</p> <ol style="list-style-type: none"> 1. Harvest Power Community Development Group, Inc.—Enrollment Cap Increase <ol style="list-style-type: none"> i. Executive Summary ii. Amendment Request and Support Materials iii. Financial and Operational Performance Dashboards iv. ADE School Report Card Data 	<p align="center">Agenda Item I.(1.)</p> <p align="center">Item was removed from the agenda prior to the Board meeting.</p>
<p>Agenda Item J. Letter Grade Consent Agreement(1:33:52) - Discussion and possible action to consider revisions to the Letter Grade Consent Agreement for charter schools that have been newly assigned a letter grade of “F” by the Arizona Department of Education.</p>	<p align="center">Agenda Item J.</p> <p>Jessica Montierth made the following motion: <i>I move that the Board adopt the revisions to the Letter Grade Consent Agreement, hereinafter referred to as “the Agreement”, as presented to the Board today and found in the materials for today’s Board meeting. If at a later date, the Board offers a charter holder the opportunity to enter into the Agreement, I further move to authorize the Board’s President to execute the Agreement on behalf of the Board without the Agreement being brought before the entire Board for approval. I direct staff to report to the Board, during regular Board meetings, those Agreements that have been approved by the Board President since the last Board meeting.</i></p> <p>Carlos Ruiz seconded the motion.</p> <p align="center">Motion Passed</p> <p align="center">(Aye: Montierth, Miller, Crockett, Foster, Jones, Ruiz, Swanson, Klose)</p> <p>Wendy Miller made a comment. Binky Michele Jones made a comment. James Swanson made a comment.</p>

Agenda Item K. Compliance Matters (1:50:22) — 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(l)(3) and A.A.C. R7-5-403(F).

- a. [West Valley Arts and Technology Academy, Inc.](#)

- ~~2. The Board will receive information to determine whether evidence exists that [CITY Center for Collaborative Learning](#) 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~~

Agenda Item K.(1.)(a.)

Jessica Montierth made the following motion: *I move to find that West Valley Arts and Technology Academy, Inc. 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 charter 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 and shall also include the following: The Charter Holder shall (1) meet with Board staff on a quarterly basis, during for FY2025, FY2026 and FY2027, to review and discuss the Charter Holder’s compliance with its charter, other obligations to the Board, and state and federal law; (2) identify a contractor, which it sounds like you have already done, or employee who is responsible for ensuring that the Charter Holder is in compliance with its charter, other obligations to the Board, and state and federal law, and (3) establish and submit to Board staff a plan, as

~~bring the charter holder into compliance.~~
~~A.R.S. § 15-185(H), A.A.C. R7-5-601(D).~~

determined by Board staff, for continued operations and internal oversight of the school.

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.

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.

Carol Crockett seconded the motion.

Motion Passed

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

Agenda Item K.(2.)

Item was pulled from the agenda.

Agenda Item L. [New Charter Applications](#) (2:27:25)— Discussion and possible action on the following application packages for a new charter:

1. **Mateenah's Community Services, Inc. (2:34:46)**
 - i. [Executive Summary](#)
 - ii. [Recommendation Report & Scoring Rubric](#)
 - iii. [Submitted Application Package](#)
 - iv. [Interview Recording Part 1](#) and [Part 2](#)

Before Agenda Item J. the Board took a 10 minute break. After the break, Ashley Berg conducted a roll call and confirmed a quorum.

Agenda Item L.(1.)

Jessica Montierth made the following motion:

Based upon a review of the contents of the portfolio provided for Mateenah's Community Services, Inc. and the information provided by representatives of Mateenah's Community Services, Inc. during consideration, and given it is within the discretion of the Board to approve or

2. **Meridian Preparatory Academy, Inc. (3:26:38)**

- i. [Executive Summary](#)
- ii. [Recommendation Report & Scoring Rubric](#)
- iii. [Submitted Application Package](#)
- iv. [Interview Recording](#)

3. **Unbound Academic Institute (4:48:02)**

- i. [Executive Summary](#)
- ii. [Recommendation Report & Scoring Rubric](#)
- iii. [Submitted Application Package](#)
- iv. [Interview Recording](#)

deny a charter, I move to reject the application package and deny Mateenah's Community Services, Inc.'s request for a charter for the reasons that:

"I feel like you're so close. I'm sorry I'm going off script a little bit here. "You're right there and it's so hard because I think that your letter gave us some more insight but it's still not completely flushed out. So looking at understanding of the systems necessary to open a charter school, there's still a little bit of confusion there, and the application package did not meet the scoring requirements for substantive completeness, so there was that bit as well that I think was a little bit concerning as well. And I went off script. I apologize. I do think that you have great community partnerships, I just think you're just, like, so close."

Carlos Ruiz seconded the motion.

Hans-Dieter Klose made a comment.

Motion Passed

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

Carol Crockett made a comment.

Christina Foster made a comment.

Binky Michele Jones made a comment.

Carlos Ruiz made a comment.

James Swanson made a comment.

Hans-Dieter Klose made a comment.

Agenda Item L.(2.)

During Agenda Item L.(2.), the Board took a 5 minute break. After the break, Ashley Berg conducted a roll call and confirmed a quorum.

Christina Foster left during item L.(2.).

Jessica Montierth made the following motion: *I make a motion that we table this until January so that I can have a better idea of program of instruction, specifically addressing the concurrent enrollment, what does AP look like, there's concern about the governance and who's on the governing board, and that kind of thing. So I want to see a plan, a real plan of what that looks like. I think what you're saying is awesome, and if you could put it in writing then it would give us a better understanding of where we're going.*

My motion is to table this decision until the January board meeting, at which time I want to see, in writing, the updated program of instruction. I want to see a list of the approved charter holders and a complete board, and I would like to know where you're at as far as grants go. I know that you've given us some information, and I know that this decision today changes things a little bit so I just want an update on grants as well.

Carol Crockett seconded the motion.

The motion was retracted (Voice vote)

Motion Passed

(Aye: Montierth, Miller, Crockett, Foster, Jones, Ruiz, Swanson, Klose).

Jessica Montierth made the following motion: *I make a motion to table this decision until the January Board meeting. By December 26th, the board would like to see the following information, in writing:*

- *Clarified roles on the charter staffing and the governing board. Just get a little bit of clarification about where everyone's roles are and what the expectation is.*
- *An updated program of instruction, based on what you shared today.*
- *Updated information of grants that have been approved, accepted, or are in the works.*

And the Board meeting is on January 7th, correct?

Carol Crocket: "Clarification, I think you said by January 26th."

Jessica Montierth: "By December 26th for the January 7th Board meeting."

Carol Crockett seconded the motion.

Carlos Ruiz asked a clarifying question about the CSP grant deadline.

Motion Passed

(Aye: Montierth, Miller, Crockett, Jones)

(Nay: Ruiz, Swanson, Klose)

James Swanson made a comment.

Hans-Dieter Klose made a comment.

Agenda Item L.(3.)

Jessica Montierth made the following motion: *Based upon a review of the contents of the portfolio provided for Unbound Academic Institute and the information provided by representatives of Unbound Academic Institute during consideration, and given it is within the discretion of the Board to approve or deny a charter, I move to approve the application package and grant a charter to Unbound Academic Institute to establish the school Unbound Academy to serve students in grades 4 through 8, with this caveat. So you're currently looking at a 250, 500, 750, and 1,000 gradual cap, I would like to see it go 200, 400, 600, 800 because the market is very saturated and I want to see success for your school.*

James Swanson seconded the motion.

Carlos Ruiz: So the motion is to approve, but with different enrollment caps? Ashley Berg clarified

Motion Passed

	<p style="text-align: center;">(Aye: Montierth, Miller, Swanson, Klose) (Nay: Crockett, Jones, Ruiz)</p> <p>Carol Crockett made a comment. Binky Michele Jones made a comment. Carlos Ruiz made a comment. James Swanson made a comment.</p>
<p>Agenda Item M. Summary of Current Events, Future Meeting Dates and Items for Future Agendas—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. (5:18:34)</p>	<p>Recorded comments are available.</p>
<p>Agenda Item N. Adjournment</p>	<p>The meeting adjourned at approximately 3:06 pm.</p>