

## AGENDA ITEM EXECUTIVE SUMMARY: Compliance Matters—George Gervin Youth Center, Inc.

### 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 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, George Gervin Youth Center, Inc. (“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’s 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 measures 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 15-year new charter in 2011. The Charter Holder operates one school, George Gervin Prep Academy (the “School”), serving grades K-8 in Phoenix.

For FY 2020, the Charter Holder is reporting an estimated count of 151 students as of August 14, 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 March 7, 2019 and met with Brendly Singleton, School Principal and Samantha Davis, Academic Coach. 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 the enrollment policies, appropriate fingerprinting requirements for its staff, notification to parents, required teacher salary posting, insufficient governing board minutes and the charter’s noncompliance with responding timely to these issues. *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 Classroom Site Fund (“CSF”) submissions and testing improprieties during the 2018-2019 AzMERIT test administration.

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
<b>1.b. Data for Achievement Profile</b>	ADE Testing Observations	5-6-19	N/A	Notification provides a summary of the AzMERIT observations conducted by ADE
<b>2.b. Enrollment Processes</b>	Unscheduled Site Visit ("USV")	4-1-19	5-1-19	Submitted on July 16, 2019
<b>2.c. Fingerprinting</b>	USV	4-1-19	5-1-19	Submitted by May 1, 2019
<b>2.d. Teacher Resumes</b>	USV	4-1-19	5-1-19	Submitted by May 1, 2019
<b>2.d. Open Meeting Law</b>	USV	4-1-19	5-1-19	Submitted by May 1, 2019
<b>2.e. Timely Submissions</b>	USV	4-1-19	5-1-19	Submitted on July 16, 2019
	ADE School Finance	12-17-18	11-15-18	CSF narrative submitted to ADE on January 29, 2019
<b>3. Other Obligations</b>	USV	4-1-19	5-1-19	Teacher Salary Posting submitted by July 1, 2019

1.b. Data for Achievement Profile

A.R.S. § 15-183(E)(4) requires a charter school to ensure it designs a method to measure pupil progress toward the pupil outcomes adopted by the State Board of Education ("SBE") pursuant to section 15-741.01, including participation in the statewide assessment and the nationally standardized norm-reference achievement test as designated by the SBE.

During the annual test observations conducted by ADE to ensure standardization of test administration and test security, the ADE identified "two separate instances of test improprieties" at the School. Each instance is detailed in *Appendix D: Summary of AzMERIT Observations*. Because the Charter Holder failed to administer the 2018-2019 AzMERIT tests per the test administration directions, the ADE invalidated a specified number of tests.

The Charter Holder's failure to ensure the School administers the statewide assessments in accordance with the test administration directions resulted in a rating of "Does Not Meet Standard" for the Operational Performance Framework measure that determines whether a charter holder is adhering to the education requirements defined in state and federal law.

2.b. Enrollment Processes

Charter holders in Arizona are required to comply with all applicable statutes and rules regarding enrollment and attendance 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, several violations regarding enrollment and attendance practices were identified.

- A.R.S. § 15-828(G) places the responsibility to request a copy of the pupil's record on the enrolling school and states that the request must be made directly to the previous school and within five days after



enrollment. The School's enrollment packet required documentation of previous grades or transcripts at the time of enrollment.

- Arizona law places the responsibility of requesting a pupil's record on the enrolling school and states that the request must be made directly to the previous school and within five days after enrollment. A.R.S. § 15-828(G).

In addition, Arizona law does not provide that suspension or retention may be a basis for determining enrollment eligibility. A.R.S. § 15-184. The School's enrollment packet requested information on whether a student had been suspended or retained. The packet did include a disclaimer that the information would not be considered in making enrollment decision. Regardless of the disclaimer, information contained in a pupil's record must be directly requested from the prior school and after enrollment.

- A.R.S. § 15-828 details the available options for families to present as proof of age and identity for the enrolling student. The School's enrollment packet did not indicate that families have the option to provide documentation other than a birth certificate as prescribed by A.R.S. § 15-828.
- A.R.S. § 15-841(B) states, "[a] pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in section A.R.S. § 15-802. The School's attendance policy indicates the school administration "has full authority to take disciplinary action that may lead to expulsion." Attendance cannot be a condition of expulsion for students who have not yet reached the age of sixteen. A.R.S. § 15-802(A). The School serves students in grades K-8 and, therefore, students under the age of 16 for whom school attendance is required and expulsion for excessive absenteeism is not authorized.
- A.R.S. § 15-872(C) states that "[e]ach public school shall make full disclosure of the requirements and exemptions [to proof of immunization] as prescribed in this section and section 15-873." A.R.S. §§ 15-872(E) and 15-873(A) detail the available options and timelines for families to submit immunization records or a waiver. The School's enrollment packet did not indicate that families have the option to provide documentation other than a complete immunization record for enrollment. The packet required the immunization record to be submitted at the time of enrollment.
- A.R.S. § 15-184(F) states, "a charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability." Charter schools may not require parents to identify the student's country of origin or citizenship status for enrollment purposes. The School's enrollment packet requested the student's country of birth.

The Charter Holder's failure to comply with all applicable statutes and rules regarding enrollment and 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 admission and attendance.

Subsequently, the Charter Holder timely submitted an updated enrollment packet which complied with all relevant Arizona Revised Statutes described above. An updated Scholar/Parent Handbook that complies with the Arizona law regarding attendance was submitted after a second notification.

### 2.c. Fingerprinting

A.R.S. § 15-183(C)(5) requires that all 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 the school site visit, School staff was unable to provide a valid FCC for each of the six contracted tutors that were observed providing intervention instruction to the students in the classrooms.



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 timely provided a valid FCC issued by DPS for each of the tutors observed on the day of the site visit.

#### 2.d. Teacher Resumes

Pursuant to A.R.S. § 15-183(F), charter schools shall inform parents and guardians of the availability of the educational and teaching background and experience of all instructional staff members.

During the school site visit, School staff did not provide evidence that the parents and guardians were informed of the availability of the educational and teaching background and experience of all 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 timely submitted a notification sent to parents that complies 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 the governing board minutes for the May 2018, June 2018, November 2018, December 2018, January 2019, and February 2019 meetings. Each of the meeting minutes contained various violations of Open Meeting Law, to include: not listing some members as present or absent, not listing all members, agenda had action items that were not addressed in the minutes.

Due to its failure to comply with Open Meeting Law, 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 timely submitted corrected board minutes which complied with Open Meeting Law.

#### 2.e. Timely Submissions—Classroom Site Fund

A.R.S. § 15-977(J) requires charter schools that receive Classroom Site Fund (CSF) monies to submit a report by November 15 of each year to the Superintendent of Public Instruction that provides an accounting of the CSF expenditures for the previous fiscal year and a summary of the results.

Based on information provided to the Board by ADE, the Charter Holder was notified on December 17, 2018 that the fiscal year 2018 Classroom Site Project Narrative Summary (Narrative), which was due November 15, 2018, had not been submitted. The Charter Holder was given a deadline of January 14, 2019 to submit. The Charter Holder failed to submit the Narrative 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 was given a final deadline of January 22, 2019 to submit the Narrative. The Narrative was submitted to ADE on January 18th, and upon review of the Narrative, Board staff requested follow-up information by February 4, 2019. The Charter Holder submitted a revised Narrative to ADE on January 25, 2019, and upon review of the revised Narrative, Board staff requested additional follow-up information by February 12, 2019. On January 29, 2019, the Charter Holder submitted the final Narrative to ADE and the matter was closed out.

## 2.e. Timely Submissions—Charter Governance

A.A.C. R7-5-303 requires that all charters submit amendment requests to the Board through ASBCS Online when making changes to the charter contract. During a review conducted before the school site visit, Board staff found that the Charter Holder's governing board members listed on the School's website was not in alignment with the governing board members listed on ASBCS Online.

Furthermore, during the school site visit and the process of reviewing materials submitted after the school site visit, Board staff found that the December 2018, January 2019 and February 2019 governing board minutes listed several members that do not align with the members listed on ASBCS Online. Because the governing board of the Charter Holder differs from the one listed on ASBCS Online, the Charter Holder is required to update the governing board through the Board's amendment process.

The Charter Holder's failure to timely submit an amendment request resulted in a second mark under the operational performance framework measure that determines whether a charter holder is complying with its obligations to the Board.

Subsequently, the Charter Holder submitted an amendment request to ensure alignment between the board membership on the ASBCS Online and the membership as reflected in the governing board minutes reviewed by Board staff.

## 2.e. Timely Submissions—Site Visit Required Documentation

A.A.C. R7-5-505(F) and (G) require charter holders to demonstrate, by a specified date, compliance with all issues identified after a compliance check. The Charter Holder failed, on several occasions, to timely submit documentation required to demonstrate compliance with a number of operational issues.

The Charter Holder was notified on April 1, 2019 of its required submissions to demonstrate compliance following a site visit conducted March 7, 2019. The Charter Holder was given a deadline of May 1, 2019 to submit. The Charter Holder did not submit all of the required documentation by the specified deadline.

Subsequently, the Charter Holder was given a final deadline of July 1, 2019 to submit. The Charter Holder did not submit all of the required documentation by the specified deadline. *See Appendix E: 30 Day Failure to Submit for more detail.*

The Charter Holder's failure to timely submit resulted in a third mark under the Operational Performance Framework measure that determines whether a charter holder is complying with its obligations to the Board.

On July 5, 2019, the last notification was sent to the Charter Holder outlining the remaining issue and the required documentation. *See Appendix F: 7 Day Failure to Submit for more detail.*

The Charter Holder's failure to timely submit resulted in its first mark on the FY 2020 Operational Performance Dashboard under the Operational Performance Framework measure that determines whether a charter holder is complying with its obligations to the Board.



Subsequently, the Charter Holder submitted documentation that demonstrated current compliance with issues identified at the site visit.

### 3. Other Obligations—Teacher Salary Posting

Pursuant to A.R.S. § 15-189.05, each charter school is required to prominently post teacher salary information on its website homepage. During a review conducted before the school site visit, Board staff found that the School’s website did not have the required teacher salary posting.

The Charter Holder’s failure to post the required teacher salary information on its website resulted in a rating of “Does Not Meet Standard” for the Operational Performance Framework measure that determines whether a charter holder is complying with other obligations.

On April 1, 2019, the Charter Holder was notified of its requirement to post teacher salary information on the homepage of its website. The Charter Holder was given a deadline of May 1, 2019 but failed to comply by the specified deadline.

Subsequently, after a second notification and by July 1, 2019, the Charter Holder posted the required teacher salary information in compliance with A.R.S. § 15-189.05.



## **APPENDICES**

- A. Charter Holder Profile
- B. Onsite Visit Final Report
- C. Communication Timeline
- D. Summary of AzMERIT Observations
- E. 30 Day Failure to Submit
- F. 7 Day Failure to Submit

## Appendix A: Charter Holder Profile

### Governance

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

Corporate Board Members	
Jay Banna	Darlene Little
Audrey Bell-Jenkins	Edward Lumpkin
Norman Darkwa	Eddie Tiggs
Reginald Dye	Michael Williams
Herb Jackson	

### School Profile

School Name	George Gervin Prep Academy		
Date Open	August 2012		
Location	Phoenix		
Grades Served	K-8		
FY 18 Letter Grade	B		
FY 18 Overall Rating	Falls Far Below Standard		
	FY 16	FY 17	FY 18
ELA AzMERIT (41% <sup>+</sup> )	18%	15%	26%
Math AzMERIT (41% <sup>+</sup> )	11%	13%	27%
Science AIMS (52% <sup>+</sup> )	24%	27%	42%

<sup>+</sup>FY 18 State Average Passing

### Additional School Choices Serving Grades K-8 within 5 Miles of the George Gervin 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%)
4	<b>A</b>	3	3	4	4	0	0	2
11	<b>B</b>	5	4	2	6	1	4	5
20	<b>C</b>	4	0	2	1	0	3	14
14	<b>D</b>	4	0	0	0	2	3	7
2	<b>F</b>	0	0	0	0	0	1	1
3	<b>N/R</b>	1	0	0	0	0	0	1

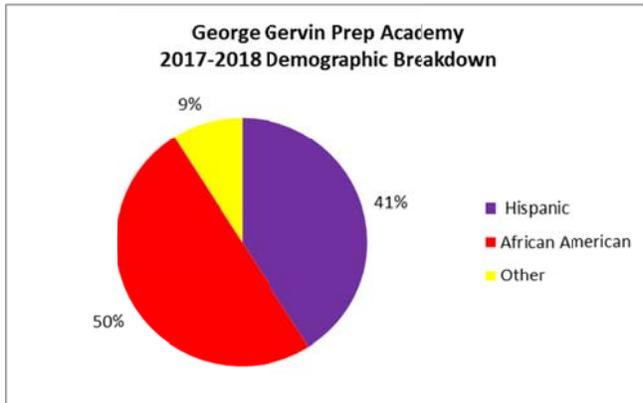
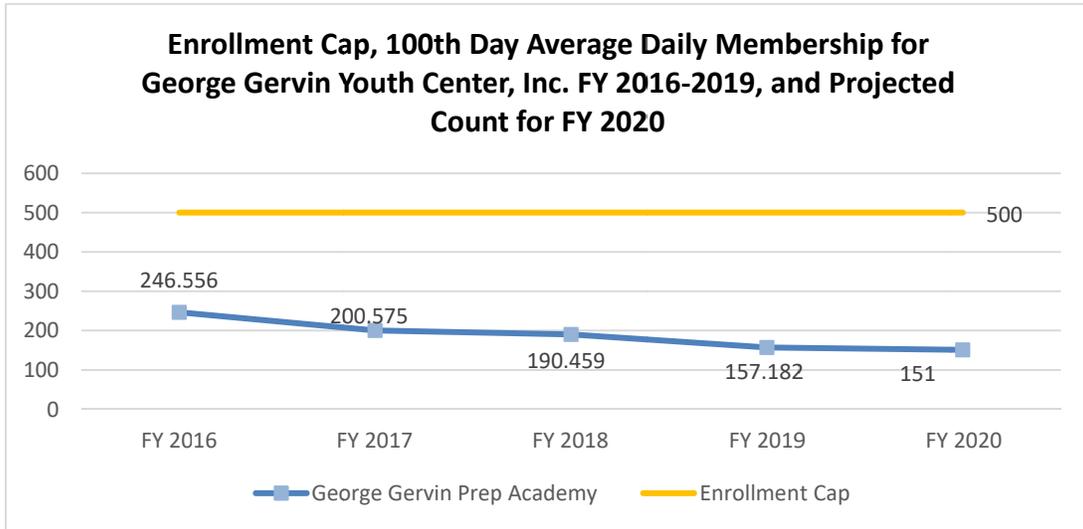
### Comparison of Nearby Schools to George Gervin Prep Academy

Total Schools	FY 18 Letter Grade	Total Charter Schools	FY 18 State Assessment Data Greater than George Gervin Prep Academy		
			AzMERIT ELA (>26%)	AzMERIT Math (>27%)	AIMS Science (>42%)
4	<b>A</b>	3	4	4	4
11	<b>B</b>	5	9	10	6
20	<b>C</b>	4	6	6	4
14	<b>D</b>	4	1	3	3
2	<b>F</b>	0	0	0	0
3	<b>N/R</b>	1	0	0	0
Total Number of Schools Performing Better than School Name (Percentage of Total)					
54		17 (34%)	20 (37%)	23 (46%)	17 (32%)



Enrollment and Demographic Data

100th Day Average Daily Membership for FY 2016–FY 2019, and FY 2020 Estimated Counts ADM as of August 14, 2019.



2017-2018 Subgroup Data	
Free and Reduced Lunch	92%
English Language Learners	9%
Special Education	7%



## Academic Performance Dashboard

George Gervin Prep Academy				
	FY 2017		FY 2018	
	Traditional		Traditional	
	Elementary K-8		Elementary K-8	
	Measure	Rating	Measure	Rating
1a. A-F Letter Grade	F	Falls Far Below	B	Above
1b. School Improvement	No	Meets	Comprehensive	Falls Far Below
<b>OVERALL RATING</b>	<b>Falls Far Below Standard</b>		<b>Falls Far Below Standard</b>	

## Financial Performance Dashboard

Financial Performance						
George Gervin Youth Center, Inc.			Interpreting the Financial Performance Dashboard			
Fiscal Year 2017			Fiscal Year 2018			
Near-Term Measures						
<b>Going Concern</b>	No	Meets	No	Meets		
<b>Unrestricted Days Liquidity</b> <small>&lt;30, but ≥15: Does Not Meet. &lt;15: Falls Far Below</small>	128.93	Meets	93.75	Meets		
<b>Default</b>	No	Meets	No	Meets		
Sustainability Measures*						
<b>Net Income</b> <small>≥0: Does Not Meet</small>	\$1,627	Meets	\$84,808	Meets		
<b>Fixed Charge Coverage Ratio</b> <small>&lt;1.10: Does Not Meet</small>	1.11	Meets	2.34	Meets		
<b>Cash Flow (3-Year Cumulative)</b> <small>Negative: Does Not Meet**</small>	(\$227,830)	Does Not Meet	(\$358,160)	Does Not Meet		
<b>Cash Flow Detail by FY</b>	FY 2017	FY 2016	FY 2015	FY 2018	FY 2017	FY 2016
	\$50,815	(\$246,503)	(\$32,142)	(\$162,472)	\$50,815	(\$246,503)

Meets Board's Financial Performance Expectations

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



## Operational Performance Dashboard

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?	Does Not Meet	Meets	Meets	Does Not Meet	--
2.a. Do the charter holder's annual audit reporting packages reflect sound operations?	Does Not Meet	Does Not Meet	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	Does Not Meet	Meets	Does Not Meet	--
2.d. Is the charter holder transparent in its operations?	Meets	Meets	Does Not Meet	Does Not Meet	--
2.e. Is the charter holder complying with its obligations to the Board?	Meets	Meets	Does Not Meet	Does Not Meet	--
2.f. Is the charter holder complying with reporting requirements of other entities to which the charter holder is accountable?	Does Not Meet	Does Not Meet	Meets	Meets	--
3. Is the charter holder complying with all other obligations?	Meets	Meets	Meets	Does Not Meet	--
<b>OVERALL RATING</b>	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Does Not Meet Operational Standard	--
<b>BOARD EXPECTATIONS</b>	--	Meets Operational Expectations	Meets Operational Expectations	Does Not Meet Operational Expectations	Does Not Meet Operational Expectations

Last Updated: 2019-07-30 14:13:00



## 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?	Does Not Meet	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	Invalidated Test Records** (more info)	--
Mandated Programming (State/Federal Grants)	ADE Monitoring CAP - Federal Title Funds (more info)	No issue identified	No issue identified	No issue identified	--
2. a. Do the charter holder's annual audit reporting packages reflect sound operations?	Does Not Meet	Does Not Meet	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)	Budget Filing	Budget Filing	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	Does Not Meet	Meets	Does Not Meet	--
Facility/Insurance Documentation	No issue identified	No issue identified	No issue identified	No issue identified	--
Fingerprinting	No issue identified	Audit CAP (more info)	No issue identified	Fingerprinting - Vendor* (more info)	--
2. d. Is the charter holder transparent in its operations?	Meets	Meets	Does Not Meet	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	Parent Notification (Site Visit)* <a href="#">(more info)</a>	--
Open Meeting Law	No issue identified	No issue identified	Minutes (Contract Amendment)* <a href="#">(more info)</a>	Meeting Minutes (Site Visit)* <a href="#">(more info)</a>	--
Board Alignment	No issue identified	No issue identified	No issue identified	No issue identified	--
2.e. Is the charter holder complying with its obligations to the Board?	Meets	Meets	Does Not Meet	Does Not Meet	--
Timely Submissions	No issue identified	No issue identified	No issue identified	Request for Information* Charter Governance Amendment* 30-day Requirement Failure to Submit* <a href="#">(more info)</a>	7-day Requirement Failure to Submit <a href="#">(more info)</a>
Limited Substantiated Complaints	No issue identified	No issue identified	No issue identified	No issue identified	--
Favorable Board Actions	No issue identified	No issue identified	Agreement to Restore Failing School* <a href="#">(more info)</a>	No issue identified	--
2.f. Is the charter holder complying with reporting requirements of other entities to which the charter holder is accountable?	Does Not Meet	Does Not Meet	Meets	Meets	--
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	Annual Financial Report (AFR) <a href="#">(more info)</a>	Audit - Minimal Impact Finding (3+Years) <a href="#">(more info)</a>	No issue identified	No issue identified	--
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	Does Not Meet	--
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	A.R.S. §15-189.05 Teacher Salary* <a href="#">(more info)</a>	--
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

# Appendix B: Site Visit Report

## Onsite Visit Final Report

### CHARTER INFORMATION

Charter Holder Name	George Gervin Youth Center, Inc.	School Name	George Gervin Prep Academy
Charter Holder Entity ID	90884	Site Visit Date	March 7, 2019
		Final Report Date	April 1, 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 March 7, 2019, Board staff conducted an unannounced site visit to George Gervin Prep Academy (“the School”). The unannounced site visit was prompted by information presented to the Board. During the site visit, Board staff met with Brendly Singleton, School Principal and Samantha Davis, Academic Coach.

### School Background

School Name	Month/ Year Open	Location	ADM*	Grade Levels Served
George Gervin Prep Academy	August/2012	Phoenix	157.739	K-8

\*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 **May 1, 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 **May 1, 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](mailto:charterschoolboard@asbcs.az.gov).

Compliance Item	Findings	Required Submission																														
<p><b>Student Count</b></p>	<p>On the day of the site visit, a total of 130 students were counted. Attendance records provided for that date report 144 students. See table below.</p> <p>The discrepancy between the students counted and students reported is more than 5%, the threshold used to determine whether additional information is required.</p> <table border="1" data-bbox="401 998 1161 1398"> <thead> <tr> <th>Grade</th> <th>Observed*</th> <th>Reported Enrolled</th> <th>Reported Absent</th> <th>Reported Present</th> </tr> </thead> <tbody> <tr> <td>K</td> <td>16</td> <td>18</td> <td>2</td> <td>16</td> </tr> <tr> <td>1</td> <td>20</td> <td>21</td> <td>1</td> <td>20</td> </tr> <tr> <td>2</td> <td>10</td> <td>11</td> <td>1</td> <td>10</td> </tr> <tr> <td>3</td> <td>18</td> <td>21</td> <td>1</td> <td>20</td> </tr> <tr> <td>4</td> <td>13</td> <td>17</td> <td>1</td> <td>16</td> </tr> </tbody> </table>	Grade	Observed*	Reported Enrolled	Reported Absent	Reported Present	K	16	18	2	16	1	20	21	1	20	2	10	11	1	10	3	18	21	1	20	4	13	17	1	16	<p>Provide the following:</p> <ul style="list-style-type: none"> <li>- Copies of the attendance reports created through the School’s student information system, for the month of March.</li> <li>- Copies of the attendance sheets where the teacher records if a student is present or absent, for the month of March.</li> <li>- An explanation of the process the School uses to collect attendance and submit daily attendance reports.</li> </ul>
Grade	Observed*	Reported Enrolled	Reported Absent	Reported Present																												
K	16	18	2	16																												
1	20	21	1	20																												
2	10	11	1	10																												
3	18	21	1	20																												
4	13	17	1	16																												



5	16	21	2	19
6	14	18	0	18
7	13	14	0	14
8	10	11	0	11
<b>Total</b>	<b>130</b>	<b>152</b>	<b>8</b>	<b>144</b>

**Fingerprint Clearance Cards and Fingerprint Checks**

Fingerprint Clearance Cards for six contracted tutors were not available pursuant to A.R.S. §15-183(C)(5): See Appendix A, which lists the name of the tutors on the School’s “VISITORS SIGN IN LOG”. On the day of the site visit, the School Principal stated that the morning instructional schedule for the middle and upper grades used the “Sylvan Schedule”. This schedule is used when the contracted tutors from Sylvan are at the school working with the students, providing intervention. On the day of the site visit, staff observed the six contracted tutors.

Recorded in Measure 2.c: Fingerprinting

Provide the following:

- Copies of the fingerprint checks for the contracted tutors that were not available for viewing on the day of the site visit
- A copy of the School’s policies for hiring/contracting an individual/organization and procedures that will be used in accordance with A.R.S. §15-183.C.5.
- Confirmation that you have read 15-183 (C)(5) and the Board’s guidance document in their entirety and understand what it means to be in compliance.

**Instructional Staff Education and Experience**

Pursuant to A.R.S. §15-183(F), information about the availability of the teaching background and experience of all instructional staff members to parents was not available.

Recorded in Measure 2.d.: Parent Notification

Provide the following:

- Documentation of the letter or other notification sent to parents to inform them of the availability of the teaching background and experience of all instructional staff members.



<p><b>Open Meeting Law</b></p>	<p>Pursuant to A.R.S. § 38-431.01-09, the governing body meeting notices, agendas, and minutes for the following months were reviewed and are NOT in compliance with Open Meeting Law:</p> <p>May 2018:</p> <ul style="list-style-type: none"> <li>- No record of missing members (Wiley Davis, Latonya Carter)</li> </ul> <p>June 2018:</p> <ul style="list-style-type: none"> <li>- No record of missing members (Wiley Davis, Latonya Carter, Norman Darkwa)</li> </ul> <p>November 2018:</p> <ul style="list-style-type: none"> <li>- 3 members listed as present, 3 members listed as missing</li> <li>- 1 member not listed (Wiley Davis)</li> <li>- 4 members must be present for a quorum as defined by the Charter’s bylaws.</li> <li>- Meeting’s agenda has action items listed that are not addressed in the minutes</li> </ul> <p>December 2018:</p> <ul style="list-style-type: none"> <li>- No record of missing members (Wiley Davis, Latonya Carter)</li> <li>- Meeting’s agenda includes discussion of resigning members that is not addressed in the minutes</li> <li>- Voting record does not list who voted in favor and who voted against the approval of the: <ul style="list-style-type: none"> <li>o previous meeting’s minutes</li> <li>o approval of Jay Banna and Herb Jackson as board members</li> </ul> </li> </ul> <p>January 2019:</p> <ul style="list-style-type: none"> <li>- No record of missing members (Wiley Davis, Latonya Carter)</li> <li>- Voting record does not list who voted in favor and who voted against the approval of:</li> </ul>	<p>Provide the following:</p> <ul style="list-style-type: none"> <li>- Documentation of compliance with A.R.S. §§38-431.01(B), (C), (D) and -431.03(B) that require public meeting minutes include: <ul style="list-style-type: none"> <li>✓ Date, time, and place of meeting.</li> <li>✓ Names of members of the public body present or absent.</li> <li>✓ A general description of matters considered.</li> <li>✓ An accurate description of all legal actions proposed, discussed, or taken, and the names of members who propose 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.</li> </ul> </li> <li>- Documentation of the March board meeting notices, agendas, and minutes indicating compliance with A.R.S. § 38-431.01-09.</li> </ul>
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- the previous meeting's minutes
- tabling the Superintendent's Report

February 2019:

- No record of missing members (Wiley Davis, Latonya Carter)
- Voting record does not list who voted in favor and who voted against the approval of the previous meeting's minutes
- Barbara Hawkins is listed as a present Board member, however she is not listed on the website or with the ASBCS as a board member. See **Corporate Board Alignment** section of this report.

Recorded in Measure 2.d.: Open Meeting Law



<p><b>Corporate Board Alignment</b></p>	<p>The School’s website indicates that the “Governing Board” consists of the following members:</p> <ul style="list-style-type: none"> <li>- Jay Banna</li> <li>- Norman Darkwa</li> <li>- Herb Jackson</li> <li>- Darlene Little</li> <li>- Eddie Tiggs</li> <li>- Michael Williams</li> </ul> <p>There is discrepancy of who the current board members for the School are.</p> <p>Issue 1: Meeting minutes reviewed by staff for December 2018, January 2019 and February 2019 list Jay Banna and Herb Jackson as Board members in addition to the six members listed on the School’s website.</p> <p>Issue 2: Meeting minutes reviewed by staff for January and February 2019 list Barbara Hawkins under “Members Present:”, however she is not listed on the website or with the ASBCS as a board member. According to the ASBCS amendment records, Ms. Hawkins was removed from the board, May 2015.</p> <p>The ASBCS website currently lists the following members: Wiley Davis, Michael Williams, Eddie Tiggs, Omar Tabb, Darlene Little, Norman Darkwa, and Latonya Carter.</p>	<p>Provide the following:</p> <ul style="list-style-type: none"> <li>- An administratively complete Charter Holder Governance Amendment Request updating the current board membership as reflected in the December, January, and February minutes.</li> <li>- Evidence that the corporate board membership as reported to ASBCS online is in alignment with the membership reported to ACC.</li> </ul>
<p><b>Enrollment and Attendance Policies</b></p>	<p>The following enrollment policies were reviewed and found NOT to be in compliance pursuant to Arizona Revised Statutes related to enrollment.</p>	<p>Provide the following:</p> <ul style="list-style-type: none"> <li>- An updated copy of the Enrollment Packet</li> </ul>
<p>Recorded in Measure 2.e.: Timely Submission</p>		



**Page 1 of the Enrollment Packet states, “Registration Documents Needed: ...Birth Certificate”**

- The enrollment policy was found to be in conflict with A.R.S. §15-828, which allows a person to provide one of the following:
  1. A certified copy of the pupil's birth certificate.
  2. Other reliable proof of the pupil's identity and age, including the pupil's baptismal certificate, an application for a social security number or original school registration records and an affidavit explaining the inability to provide a copy of the birth certificate.
  3. A letter from the authorized representative of an agency having custody of the pupil pursuant to Title 8, Chapter 2 certifying that the pupil has been placed in the custody of the agency as prescribed by law.
- The enrollment policy does not indicate that a pupil enrolling in the school has the option to provide other documentation, as prescribed by statute.

**Page 1 of the Enrollment Packet states, “Registration Documents Needed: ...Immunizations”**

- Students can be enrolled without current or immediate proof of immunizations. A.R.S. §15-872(E) states, “...a pupil may be admitted to or allowed to attend a school if the pupil has received at least one dose of each of the required immunizations prescribed pursuant to A.R.S §36-672 and has established a schedule for the completion of required immunizations...” Homeless pupils have until the fifth calendar day after enrollment to provide proof of immunization.  
Documentary proof is not required for a pupil to be admitted to school if one of the following occurs:

- An updated copy of the Scholar/Parent Handbook

1. The parent or guardian of the pupil submits a signed statement to the school administrator stating that the parent or guardian has received information about immunizations provided by the department of health services and understands the risks and benefits of immunizations and the potential risks of non-immunization and that due to personal beliefs, the parent or guardian does not consent to the immunization of the pupil.
2. The school administrator receives written certification that is signed by the parent or guardian and by a physician or a registered nurse practitioner that states that one or more of the required immunizations may be detrimental to the pupil's health and that indicates the specific nature and probable duration of the medical condition or circumstance that precludes immunization.

**Page 1 of the Enrollment Packet states, "Registration Documents Needed: ...Transcripts – grades"**

- The enrollment policy was found to be in conflict with A.R.S. § 15-184(A), which states, "A charter school shall enroll all eligible pupils who submit a timely application, unless the number of applications exceeds the capacity of a program, class, grade level or building."
- Requiring documentation of previous grades or transcripts cannot be a condition of enrollment.

**Page 2 states, "Birth Place: (City, State, Country)"**

- Charter schools may not require parents to identify the student's country of origin or citizenship status for enrollment purposes. See the U.S. Department of Education

Office of Civil Rights Fact Sheet: Information on the Rights of All Children to Enroll in School (2014).

**Page 3 states, “Discipline Issues: ...Has your child ever been suspended? ...Has your child ever been retained?”**

**The disclaimer reads: “This is requested solely for the purposes of ensuring continuity of services upon enrollment, this will not be considered in making enrollment decisions.”**

- The statement is in conflict with A.R.S. § 15-184(l), which does not provide basis for denying enrollment due to suspension, past discipline records, or retention. “A charter school may refuse to admit any pupil who has been expelled from another educational institution or who is in the process of being expelled from another educational institution.”
- Schools may not collect this information prior to enrollment, despite the disclaimer present.

**Page 19 states, “The Administration has full authority to deal with unexcused absences and unexcused tardies and may enter into attendance contracts with a scholar and that scholar’s parents or guardians, or take other appropriate action as the Administration may determine rather than expulsion. However, if a scholar’s expulsion is recommended, the matter shall be placed for hearing before the GGPA Board of Superintendent of Schools or Authorized Administrative Designee.”**

**In addition, page 27 of the Scholar/Parent Handbook states in regards to attendance, “The Administration has full authority to take disciplinary action that may lead to expulsion, pursuant to A.R.S §15-901(A)(2).”**

- Attendance cannot be a condition of enrollment. A.R.S. §15-841 (B) states, “A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or

	<p>completed the grade after which school attendance is not required as prescribed in section A.R.S § 15-802.” Pursuant to A.R.S. §15-802, this age is sixteen.</p> <p><b>Page 28 of the Scholar/Parent Handbook states, “An unofficial withdrawal occurs when a scholar has stopped attending school for a period of 10 consecutive days but the parent/guardian has not communicated a desire to officially withdraw from GGPA.”</b></p> <ul style="list-style-type: none"> <li>- Charter schools may withdraw a student after ten consecutive unexcused absences, pursuant to A.R.S. 15-901(A)(1). All of these absences must be unexcused and consecutive.</li> </ul>	
<p><b>Teacher Salary Posting</b></p>	<p>The School’s website was reviewed and found it NOT to be in compliance with A.R.S. §15-189.05.</p> <p>This statute requires each charter school to prominently post the following information on its website home page separately from its budget:</p> <ul style="list-style-type: none"> <li>- The average salary of all teachers employed by the charter school for the current year.</li> <li>- The average salary of all teachers employed by the charter school for the previous year.</li> <li>- The dollar increase in the average salary of all teachers employed by the charter school for the current year.</li> <li>- The percentage increase in the average salary of all teachers employed by the charter school for the current year</li> </ul>	<p>Provide the following:</p> <ul style="list-style-type: none"> <li>- A screenshot of or link to the updated website home page with the required teacher salary posting.</li> </ul>
	<p>Recorded in Measure 2.b.: Enrollment Processes</p>	
	<p>Recorded in Measure 3: Other – Teacher Salary Posting</p>	



Appendix A:

GEORGE GERVIN PREP ACADEMY  
**GGPA**

DATE: 3/7/19

**VISITORS SIGN IN LOG  
GEORGE GERVIN PREP ACADEMY**

NAME:	MEETING WITH:	PURPOSE:	DATE	TIME IN	TIME OUT
<del>S. THANUJA</del>	Math Teacher	Substitute Teacher	3/7/19	7:45	
Serena Campas	School Leader	Site Visit - ASBCS	3/7/19	8:33	
Johanna Medina	"	"	"	"	
★ Amy Ivy	Ace IT	tutoring	3/7/19	8:40	11:00
★ Liz Bauman	"	"	3/7/19	8:40	
★ K. Quinn	"	"	"	8:45	
★ Tanisha Overall	Emily M. C.		3/7/19	8:52	10am
★ Kevin Loree	Ace IT	tutoring	3/7/19	8:55	11:10
★ Rebecca Wright	Ace IT	tutoring	3-7-19	8:50	11:09



Appendix C: Communication Timeline

<b>March 7, 2019</b>	Board staff conducted an unscheduled onsite visit to George Gervin Prep Academy in Phoenix. Board staff met with Ms. Singleton, school principal and Ms. Davis, academic coach.
<b>April 1, 2019</b>	Board staff emailed the Charter Representative, Ms. Hawkins, notifying her 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 <b>May 1, 2019</b> to submit the required documentation detailed in the report.
<b>April 29, 2019</b>	Ms. Hawkins emailed Board staff requesting an extension due to “other important deadlines” required by the ADE and “finalizing the AzMerit Testing.” Board staff granted the extension with a new due date of <b>May 10, 2019</b> .
<b>May 13, 2019</b>	The Charter Representative submitted the required documentation in 4 parts. Parts 1 and 2 included a cover letter, credentials and the attendance reports for March. Parts 3 and 4 included materials to address Open Meeting Law and the governing board alignment.
<b>June 24, 2019</b>	Board staff notified the Charter Holder of its 30-day Failure to Submit the required documentation from the report. Two findings were still outstanding. The failure to submit was recorded on the Charter Holder’s operational dashboard. The Charter Holder was given a deadline of <b>July 1, 2019</b> to submit the outstanding documentation.
<b>June 27, 2019</b>	The Charter Representative submitted a screenshot of the school’s website and a copy of the student handbook.
<b>July 5, 2019</b>	Board staff notified the Charter Holder of its 7-day Failure to Submit the required documentation. The failure to submit was recorded on the Charter Holder’s operational dashboard. The Charter Holder had one remaining outstanding issue. In this notification, the Charter Holder was made aware that it has not demonstrated compliance and will be placed on a subsequent Board meeting agenda for possible disciplinary action pursuant to A.A.C. R7-5-505(G).
<b>July 10, 2019</b>	The Charter Representative submitted a revised handbook based on the last notification sent on July 5, 2019.
<b>July 15, 2019</b>	Board staff reviewed the revised handbook and sent the Charter Holder an email clarifying further the noncompliance issue with the school’s attendance policy. The Charter Representative acknowledged receipt of the information in the July 15 email sent by Board staff.  Board staff received a call from the board member, Eddie Tiggs, seeking clarification on the current status of the document review.



<b>July 16, 2019</b>	The Charter Representative submitted documentation to address the attendance policy. She stated, "...I have forwarded another version of the Attendance policy please review and give feedback, so we may update the Handbook appropriately."
<b>July 19, 2019</b>	Board staff received a call from Mr. Tiggs to follow up on the handbook submitted July 16, 2019.
<b>July 20, 2019</b>	The School's new principal, Milinda Crawford, submitted a revised handbook.
<b>July 22, 2019</b>	Board staff received a call from Mr. Tiggs to ask questions about Board policy and statute changes.
<b>July 22, 2019</b>	Board staff issued a Site Visit Closeout notification to the Charter Holder.
<b>July 31, 2019</b>	Board staff notified the Charter Holder of its Failure to Meet Operational Performance Expectations. The notification stated that the Charter Holder would be placed on the September 9, 2019 Board agenda for disciplinary action.
<b>August 1, 2019</b>	Ms. Hawkins called Board staff to review the Charter Holder's operational dashboard with her.



May 6, 2019

Barbara Hawkins, Superintendent  
George Gervin Youth Center, Inc.  
2801 E. Southern Avenue  
Phoenix, AZ 85042

**RE: Summary of AzMERIT Observations**

Dear Superintendent Hawkins,

The purpose of this letter is to provide a summary of the AzMERIT observations conducted by the Arizona Department of Education (“ADE”) April 8, 2019 through April 25, 2019 at George Gervin Prep Academy (“GGPA”).

ADE conducts annual test observations focused on monitoring and evaluation activities to determine the effectiveness of programs and Federal Peer Review Requirements (Critical Elements 2.4 and 2.5) to ensure standardization of test administration and test security (20 U.S.C. § 6311; 34 C.F.R. §§ 200.2-200.10).

The Director of Achievement Assessments and Deputy Associate Superintendent of Assessment for ADE observed at least one testing session for each grade level and content area at George Gervin Prep Academy. Online test sessions were observed on the following dates:

April 8, April 9, April 11, April 15, April 17, April 18, April 22, April 24, and April 25, 2019

The District Test Coordinator often took on multiple roles during testing. She was very open to ADE’s feedback, and improvements from one testing session or day to the next were observed. In addition, overall students appeared to be engaged.

During the 2018-2019 AzMERIT test administration, there were two separate instances of test improprieties which resulted in test invalidations. Each instance is detailed below.

**Instance 1: Test invalidations for students who paused a test, went to lunch and recess, then returned to complete testing**

**Spring 2019 Test Administration Directions Grades 3-8, Page 12**

*“Most students should have time to finish the test during the allotted time. Students who require additional time must be allowed to complete the test. Students cannot leave for a break until their test session is complete; however, students can have lunch brought to them, if necessary.”*

- ADE was informed that six students were directed to pause their test, go to lunch and recess, and then return to complete the writing test session.

## **Instance 2: Test invalidations for students who were assisted during testing**

### **Spring 2019 Test Administration Directions Grades 3-8, Page 5**

*“Test Administrators and Proctors may **not** assist students in answering questions. Test Administrators and Proctors may **not** translate, reword, or explain any test content. No test content may ever be discussed before, during, or after test administration.”*

*“Influence students’ responses by making any kind of gestures (for example, pointing to items, holding up fingers to signify item numbers or answer options) while students are taking the test;”*

- ADE observed a contracted George Gervin Prep Academy employee prompting and assisting an individual student in a small group setting during testing.

Additionally, the following areas of concern were noted by ADE during observations but did not result in any test invalidations.

## **Training of School Staff**

### **Spring 2019 Test Coordinator’s Manual**

**Page 2, Responsibilities of the District Test Coordinator, Before Testing:** *“Complete all Achievement Testing Pre-Test Training. Communicate test security procedures and responsibilities to the Test Administrators. Train the Test Administrators on test administration procedures.”*

**Page 12:** *“All users who will be administering computer-based AzMERIT tests **or** entering student responses into the Data Entry Interface must complete the Test Administrator Certification Course **each school year.**”*

**Page 15:** *“The training of Test Administrators and Proctors must include a thorough review of test security procedures, the appropriate use of testing conditions and accommodations, test administration procedures, and procedures for handling unexpected or unusual situations.”*

- ADE observed the District Test Coordinator had difficulty beginning the first test session as the Test Administrator Certification Course had not yet been completed/submitted.
- ADE observed Test Administrators who seemed unfamiliar with procedures and with the scripted directions to begin testing sessions.
- During the first week of testing, only the DTC was TA Certified to administer tests; on April 24, three users were TA Certified, but only the DTC has a school email, so it is unclear if the other two are contracted employees or staff members.

## Testing Locations

### Spring 2019 Test Administration Directions Grades 3-8

**Page 4:** *“Each AzMERIT testing room should have a “Testing – Do Not Disturb” sign on its door.”*

**Page 7:** *“For both CBT and PBT, the testing room should be prepared for the test administration prior to the testing date. Visual aids displayed in the testing room that could assist students while testing must be removed or covered completely. Arrange student seating so that students cannot easily see the computer screens or test booklets of others and so that the Test Administrator(s) and Proctor(s) can walk by each student. Students’ desks and tables should be cleared of backpacks and unnecessary materials prior to the beginning of the test session.”*

### Spring 2019 Test Coordinator Manual

**Page 2, Responsibilities of District Test Coordinator, Before Testing:** *“Work with the Test Administrators to prepare sites where testing will take place by removing or covering visual aids and printing “Testing – Do Not Disturb” signs for doors.”*

**Page 7:** *“The District Test Coordinator is responsible for determining the suitability of each testing room. Each testing room must provide a comfortable and distraction-free environment. Seating should be arranged so that students are not tempted to look at the responses of others. All visual aids displayed in the testing room that could assist students while testing must be removed or covered completely.”*

- ADE observed visual aids on walls in testing rooms, including words on a word wall and math posters, posted worksheets outside of classroom
- ADE observed materials on students’ desks
- ADE observed that “Testing – Do Not Disturb” signs were not placed on doors until testing was well underway the first day
- ADE observed student desks/positioning were too close for testing in the classroom
- ADE observed two students reaching inside of desk and pulled out a multiplication chart during the math test. The DTC or Proctor were immediately notified and removed these materials from the students before the chart was used

## Students Who Leave the Room During Testing

### Spring 2019 Test Administration Directions Grades 3-8, Page 11

*“Students should remain in the testing room during the entire scheduled test session. However, students may be allowed to go to the restroom, if necessary, during testing. Only one student may leave at a time.”*

**Kathy Hoffman, Superintendent of Public Instruction**

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*For CBT Testing: The student must pause his or her test before leaving the room. The student will be required to sign in to his or her test when he or she returns to the room, and the Test Administrator will need to approve the student again.”*

- ADE observed students leaving before DTC was able to pause testing or computer screens left open with test content as students walked out of classroom.
- During at least three testing sessions, numerous students left the room one at a time for restroom breaks. In one case, the DTC asked the teacher to look for a student who hadn't returned to class in more than ten minutes. In these three sessions, at least one third of the total students in the room left for a break during the hour to ninety-minute test session.

## **Ending CBT Testing**

### **Spring 2019 Test Administration Directions Grades 3-8, Page 12**

*“When a student has finished testing, Test Administrators should verify that a student has submitted his or her test and then collect any scratch paper.”*

*“Once a student has submitted his or her test and returned any scratch paper, he or she may read or do classwork silently while waiting for the scheduled test session to end. Students may not use the computer or have access to their cell phones or other electronic devices until the end of the test session.”*

### **Spring 2019 Test Coordinator Manual**

**Page 3:** *“Ensure the secure disposal of scratch paper at the school or district.”*

**Page 17:** *“Collect all used scratch paper and all test tickets.”*

**Page 18:** *“Note: ...used scratch paper and test tickets are considered secure test materials and must be securely destroyed.”*

**Page 27:** *“All used scratch paper, unused Pre-ID labels, any contaminated test booklets, and any student responses that were produced electronically must be securely destroyed either at the school or district.”*

- ADE observed some Proctors collecting the scratch paper or test tickets after testing, however it did not appear a process was place or if the scratch paper/test tickets was given to the DTC to securely destroy

## **Use of Sample Tests**

### **Spring 2019 Test Administration Directions Grades 3-8, Page 4**

*“It is expected that all students take the Sample Test to familiarize themselves with the testing tools, resources, and platform prior to the day of testing.”*

### **Spring 2019 Test Coordinator’s Manual, Page 16**

*“All CBT students must take the AzMERIT Sample Tests prior to the day of testing and be familiar with the testing tools, resources, and platform. AzMERIT Sample Tests are available on the AzMERIT Portal and should be used ahead of the test window to:*

- *Familiarize test administrators with the TA interface*
- *Train test administrators on approving student and editing student test settings*

**Kathy Hoffman, Superintendent of Public Instruction**

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- *Teach students how to log in to the secure browser*
- *Allow students to practice answering AzMERIT item types and using test tools”*
- ADE observed students who did not seem familiar with the testing platform. Students asked where to scroll to get to the next page.
- The DTC had to request that some students log back in to complete all of the steps to submit their tests.
- ADE observed students who did not seem familiar with the item type for editing.

It should also be noted that during an observation on April 9, 2019, as the Classroom teacher/Proctor and DTC were preparing computers for testing, students were talking. One student asked if he could go get his “AzMERIT notes”. Both the teacher and DTC appeared shocked and responded, that they thought he was joking around and that no note could be used on the AzMERIT test. Then another student made a comment, “Remember when Ms. \_\_\_ helped us cheat, like when we were in 4<sup>th</sup> grade”. Other students’ commented “yes”. These comments were not addressed by staff.

ADE recommends that George Gervin Prep Academy focus on overall improvements to its Achievement Assessment program, including developing and implementing consistent test security procedures, ensuring training of all Test Administrators regarding test security procedures and responsibilities as well as test administration procedures, ensuring students have had appropriate practice with sample tests, and preparing classrooms/testing areas for testing ahead of time.

Respectfully,



Audra Ahumada, Deputy Associate Superintendent  
Assessment Section  
Arizona Department of Education

Cc: Members of the George Gervin Youth Center Inc., Board  
Arizona State Board of Education  
Arizona State Board for Charter Schools  
Karen Hartman-Tellez, Education Unit Chief Counsel



## Arizona State Board for Charter Schools

*Physical Address:*

1616 West Adams Street, Ste. 170  
Phoenix, AZ 85007  
(602) 364-3080

*Mailing Address:*

P.O. Box 18328  
Phoenix, AZ 85009

June 24, 2019

George Gervin Youth Center, Inc.  
Barbara Hawkins, Charter Representative  
40 West Baseline Road  
Tempe, AZ 85283

Sent via email: [bdhawkins@gervin-school.org](mailto:bdhawkins@gervin-school.org)

### **RE: 30 Day Failure to Submit – George Gervin Youth Center, Inc. – Entity ID 90884**

Dear Charter Representative,

On April 1, 2019, George Gervin Youth Center, Inc. (“Charter Holder”) was notified of its 30-day follow-up requirement as part of an onsite visit conducted March 7, 2019. The Charter Holder requested and was granted a submission deadline extension from May 1, 2019 until May 10, 2019. The Charter Holder did not submit all the required information detailed in the final report on or before the due date of May 10, 2019. As a result of not submitting timely, the Charter Holder’s operational performance dashboard has been recorded to reflect Measure 2.e.: Timely Submission.

In accordance with A.A.C. R7-5-505, the Charter Holder is required to demonstrate that all identified noncompliance issues have been addressed by the specified deadline. Therefore, as a final opportunity, by July 1, 2019, the Charter Holder must address these noncompliance issues by providing the submission requirements outlined in the table below.

Failure to provide required follow-up, as described below, by **July 1, 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 issue(s) 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.

The table below outlines the outstanding noncompliance issues.

Compliance Item	Findings	Required Submission
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<p><b>Teacher Salary Posting</b></p>	<p>Initial submission requirement:</p> <ul style="list-style-type: none"> <li>• A screenshot of or link to the updated website home page with the required teacher salary posting.</li> </ul> <p><u>The Charter Holder posted the correct information pursuant to A.R.S. § 15-189.05. However, the statute requires the information to be prominently posted on the School’s website home page. The submission was deemed insufficient due to the salary information being posted on the “Careers-Human Resources” page instead of on the School’s home page.</u></p>	<p>Current submission requirement:</p> <ul style="list-style-type: none"> <li>• A screenshot of or link to the updated website home page with the required teacher salary posting.</li> </ul>
<p><b>Enrollment Policy</b></p>	<p>Initial submission requirement:</p> <ul style="list-style-type: none"> <li>• An updated copy of the Enrollment Packet</li> <li>• An updated copy of the Scholar/Parent Handbook</li> </ul> <p><u>The Charter Holder submitted a revised copy of the Enrollment Packet. The submission was deemed insufficient because the revised Scholar/Parent Handbook was not submitted.</u></p>	<p>Current submission requirement:</p> <ul style="list-style-type: none"> <li>• An updated copy of the Scholar/Parent Handbook</li> </ul>



## Arizona State Board for Charter Schools

*Physical Address:*

1616 West Adams Street, Ste. 170  
Phoenix, AZ 85007  
(602) 364-3080

*Mailing Address:*

P.O. Box 18328  
Phoenix, AZ 85009

July 5, 2019

George Gervin Youth Center, Inc.  
Barbara Hawkins, Charter Representative  
40 West Baseline Road  
Tempe, AZ 85283

Sent via email: [bdhawkins@gervin-school.org](mailto:bdhawkins@gervin-school.org)

**RE: 7 Day Failure to Submit – George Gervin Youth Center, Inc. – Entity ID 90884**

Dear Charter Representative,

On April 1, 2019, George Gervin Youth Center, Inc. ("Charter Holder") was notified of its 30-day follow-up requirement as part of an onsite visit conducted March 7, 2019. On June 24, 2019, the Charter Holder was issued a second notification outlining the missing submissions based on the 30-day follow-up letter. The missing submissions were due to Board staff by July 1, 2019. Board staff received documentation from the Charter Holder in response to the second notification on June 27, 2019.

Upon reviewing these submissions, Board staff determined that the Charter Holder did not submit all of the required information detailed in the June 24, 2019 notification letter. As a result of not submitting timely, the Charter Holder's operational performance dashboard has been recorded to reflect Measure 2.e.: Timely Submission.

In accordance with A.A.C. R7-5-505, the Charter Holder is required to demonstrate that all identified noncompliance issues have been addressed by the specified deadline. The Charter Holder has not demonstrated compliance as of the issuance of this letter.

**Therefore, the Charter Holder will be placed on the August 12, 2019 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.**

**Further, because the Charter Holder is currently out of compliance with the terms of its contract until the issues identified below are addressed, any requests submitted that are not addressing the issues will be rejected and closed until the noncompliance issues have been addressed.**

**The table below outlines the outstanding noncompliance issues:**

Compliance Item	Findings	Required Submission
<p><b>Enrollment Policy</b></p>	<p>Initial submission requirement:</p> <ul style="list-style-type: none"> <li>• An updated copy of the Enrollment Packet</li> <li>• An updated copy of the Scholar/Parent Handbook</li> </ul> <p>The Charter Holder submitted a revised copy of the Scholar/Parent Handbook. The submission was deemed insufficient because the required corrections were not made.</p> <p>The issues identified with the Scholar/Parent Handbook in the April 1, 2019 Site Visit report are still present in the revised handbook.</p> <ul style="list-style-type: none"> <li>• Page 30 of the revised handbook states, “The Administration has full authority to take disciplinary action that may lead to expulsion, pursuant to A.R.S. §15-901(A)(2). Alternatively, we may enter into attendance contracts with a Scholar and that Scholar’s parents or guardians, or take other appropriate action as the Administration may determine rather than expulsion. However, if a Scholar’s expulsion is recommended, the matter shall be placed for hearing before the GGPA Board or Superintendent of Schools or Authorized Administrative Designee.”</li> <li>• Page 30 of the revised handbook states, “An unofficial withdrawal occurs when a Scholar has stopped attending school for a period of 10 consecutive days but the parent/guardian has not communicated a desire to officially withdraw from GGPA. Per the Arizona Department of Education’s procedures, the school is required to withdraw the Scholar from the school, pursuant to A.R.S. §15-901(A)(2).”</li> </ul>	<p>Current submission requirement:</p> <ul style="list-style-type: none"> <li>• An updated copy of the Scholar/Parent Handbook</li> </ul>