Issue

American Leadership Academy, Inc. submitted new requests to add a new site in Florence (presented in the charter holder's notification portfolio ("Portfolio"): b. Notification Request - New School Site) and increase the enrollment cap from 3000 to 4500 (presented in Portfolio: c. Notification Request - Enrollment Cap) students which were previously denied by the Board on July 8, 2013.

Background

July 8, 2013 The Board denied the request for a new site considered at the July meeting for the reason that the charter holder has not demonstrated the capacity to implement operational systems that comply with statutory and contractual responsibilities regarding attendance reporting at its current sites as evidenced by the information contained in the July meeting report. Further, the Board directed staff to monitor the charter holder's attendance reporting at least through February of the 2013-2014 school year prior to consideration of expansion by this charter for a subsequent school year.

The Board denied the request for an increase in the enrollment cap for the reason that the charter holder has not demonstrated the capacity to implement operational systems that comply with statutory and contractual responsibilities regarding attendance reporting at its current sites as evidenced by the information contained in July meeting report.

All meeting materials related to the previous submission that were provided to the Board for the July 8, 2013 meeting and the recording of the portion of the meeting related to consideration of these matters can be found at Agenda Item I.1 on the following link. July Meeting.

July 12, 2013 Board staff engaged in conversations with ALA's legal counsel regarding ALA's options moving forward.

July 19, 2013 Board staff received a request from ALA's legal counsel that the Board reconsider the denied requests. The July 19 letter and supporting documents are contained in Portfolio item d: Letter of July 19, 2013.

July 31, 2013 Board staff sent a letter (presented in Portfolio item e: Letter of July 31, 2013) to ALA denying the request for reconsideration because the information included in the July 19 request lacked detail and consistency, which was consistent with Board staff's prior experience in collecting information from ALA during its review of their attendance processes.

August 1, 2013 The Arizona Department of Education releases Arizona's 2012-2013 A-F letter grades. The four K-6 ALA elementary schools receive As. The 7-12 school receives a C.

The *Florence Reminder* released a story about a delay in a school site opening, quoting Andrew Cook who is identified as the director of the ALA Anthem South (the denied school site) as saying, "We just had a confluence of a lot of things hitting at one time, pushing off against each other," Mr. Cook is also quoted as saying, "It was a matter of making sure we had our bus routes buttoned down, making sure all of our curriculum was here, and making sure we had time to do everything and do it right." and "We could have pushed it and made it happen. But it was important to us that when we do this, we do it right. So we pushed it back to the 13th." Florence Reminder Article Link

August 2, 2013 Board staff received a call from a different attorney requesting an opportunity to work out a solution.

August 6, 2013 Board staff discussed the matter with the original legal counsel.

August 7, 2013 Board staff provided ALA with an opportunity to submit new requests that included a proposal for a third party to monitor its attendance over the course of the next year.

August 8, 2013 ALA submitted requests for new site in Florence and an increase the enrollment cap. The documents are consistent with those previously submitted (available in the charter holder's notification portfolio considered on July 8, 2013). ALA also provided a Memorandum with Exhibits to be included for the Board's consideration (presented in Portfolio item f: ALA Memorandum with Exhibits).

Memorandum with Exhibits

History- In addition to providing background information, the History section of the memorandum references Exhibit A, a reproduction of the list generated by the student information system which was used to identify students that should be withdrawn in accordance with the new policy. According to the information included in the memorandum, the reproduction includes student AIMS scores which demonstrate students were un-enrolled independent of academic aptitude. No analysis to support the statement was provided. Staff requested a copy of the original report. (Note: The original report identifies students by name and was not included in the Board materials.) With the information provided in the original report and access to student AIMS scores (not those reported in Exhibit A), Board staff was able to conduct its own analysis of the data and found the following:

- Based on information from the original report provided by the school, the school's attendance system generated a list of 229 students that had 8 or more absences. From the original report, the school identified 59 students that were considered for withdrawal. In a separate communication the school's representative stated dashes to the left of the student identifier indicated withdrawn students. An assumption was made that the students on the list that were not withdrawn due to prior knowledge of student circumstances, as stated in the History portion of the memorandum, were those that were crossed out in the original report.
- From the information provided, and using Board staff's assumption, 14 students were not withdrawn because of prior knowledge of student circumstances, including 3 students who had been withdrawn prior to the original report's date.
- Of the 14 students not withdrawn because of prior knowledge of student circumstances, only 3 students impacted the letter grades (full academic year [FAY] students and in the grades used for the calculation of A-F grades), and the impact was positive.
- As reported by the school, the remaining 45 students were withdrawn and re-enrolled. Forty-four of the 45 students included on the original report were the same as those previously identified by Board staff. Arizona Department of Education reports show the 45th student was withdrawn on February 21, 2013 and was not re-enrolled.
- Based on the analysis conducted by Board staff using actual AIMS data, of the 44 students, 34 were FAY students in grades used for the calculation of letter grades.
- Of the 34 kids, Board staff's analysis found 58% scored approaches or falls far below in the Spring AIMS math test.
- Of the total test takers at the school, Board staff's analysis found 39% scored approaches or falls far below in the Spring AIMS math test.

Conclusion: The 34 students that were considered for withdrawal had a higher percentage of students that scored approaches or falls far below in math than all FAY test takers at the school. The removal of these 34 students from the pool of total test takers would have disproportionately reduced the number of students scoring approaches or falls far below in math at the school. This would have resulted in a disproportionate increase in the percentage of FAY students scoring meets or exceeds on the Spring AIMS math test for the school.

Measures taken to ensure compliance – ALA has stated that the Student/Parent handbook has been revised to comply with applicable State statutes. Board staff reviewed the ATTENDANCE AND TARDIES section of the handbook on the ALA website and found no discrepancies with State statute. The ALA website for the Queen Creek High School campus reflects a change in the school director to Arch Archunde.

Additional measures – ALA has proposed that, if the Board approves the new site and increase in enrollment cap requests, ALA will retain a third-party auditor at ALA's expense to monitor the attendance procedures and reporting accuracy for the 2013-2014 school year.

Board Options – New Site Notification Request

1. The Board may deny the New Site Notification Request. The following language is provided for consideration: I move to deny the request to add a new site to the charter contract of American Leadership Academy, Inc. for the reason that the charter holder has failed to comply with statutory and contractual responsibilities regarding student attendance reporting at its current sites as evidenced by the information contained in this report and the report prepared for the July 8, 2013 meeting.
2. The Board may deny the New Site Notification Request unless certain conditions are met. The following language is provided for consideration: I move to deny the request to add a new site to the charter contract of American Leadership Academy, Inc. for the reason that the charter holder has failed to comply with statutory and contractual responsibilities regarding student attendance reporting at its current sites as evidenced by the information contained in this report and the report prepared for the July 8, 2013 meeting. If, however, American Leadership Academy and the Board, through its Executive Director, reach an agreement, in writing, designed to address and correct the charter holder's student attendance issues identified by the Board's staff to the satisfaction of the Executive Director and that includes a provision that the charter holder locate and pay an independent auditor approved by the Executive Director to monitor the charter holder's compliance with state law pertaining to student attendance reporting for the 2013-2014 school year, the Board gives its Executive Director the authority to execute an agreement on its behalf and then approve a new school site.
3. The Board may approve the New Site Notification Request. The following language is provided for consideration: I move to approve the request to add a new site to the charter contract of American Leadership Academy, Inc.

Board Options – Enrollment Cap Notification Request

1. The Board may deny the Enrollment Cap Notification Request. The following language is provided for consideration: I move to deny the request to increase the enrollment cap of the charter contract of American Leadership Academy, Inc. for the reason that the charter holder has failed to comply with statutory and contractual responsibilities regarding student attendance reporting at its current sites as evidenced by the information contained in this report and the report prepared for the July 8, 2013 meeting.
2. The Board may deny the Enrollment Cap Notification Request unless certain conditions are met. The following language is provided for consideration: I move to deny the request to increase the enrollment cap of the charter contract of American Leadership Academy, Inc. for the reason that the charter holder has failed to comply with statutory and contractual responsibilities regarding student attendance reporting at its current sites as evidenced by the information contained in this report and the report prepared for the July 8, 2013 meeting. If, however, American Leadership Academy and the Board, through its Executive Director, reach an agreement, in writing, designed to address and correct the charter holder's student attendance issues identified by the Board's staff to the satisfaction of the Executive Director and that includes a provision that the charter holder locate and pay an independent auditor approved by the Executive Director to monitor the charter holder's compliance with state law pertaining to student attendance reporting for the 2013-2014 school year, the Board gives its Executive Director the authority to execute an agreement on its behalf and then approve the increase in the enrollment cap.
3. The Board may approve the Enrollment Cap Notification Request. The following language is provided for consideration: I move to approve the request to increase the enrollment cap of the charter contract of American Leadership Academy, Inc. from 3000 to 4500.