

### Issue

During a September 2015 1<sup>st</sup> year site visit, Academy of Mathematics and Science, Inc., which operates Academy of Mathematics and Science Camelback, was unable to provide evidence that all of its employees had been properly fingerprinted.

- On September 1, 2015, Academy of Mathematics and Science, Inc. was unable to provide evidence of a valid fingerprint clearance card for two instructional teachers. The employees were on campus at the time of the site visit.
- In accordance with [A.R.S. §15-185\(I\)](#) and the Board’s [Policy Statement on Civil Penalties for Fingerprinting Violations](#), on September 1, staff issued the “Notification of first time noncompliance with fingerprinting requirements under A.R.S. §15-185.I” letter.
- Within the 48-hour timeframe Academy of Mathematics and Science, Inc. provided evidence that the Department of Public Safety (DPS) had received a fingerprint clearance card application for the two instructional teachers.

### Communications with School

On September 1, Board staff conducted a first year site visit of Academy of Mathematics and Science Camelback. The school was unable to provide evidence that two instructional teachers had a valid fingerprint clearance card as required by A.R.S. §15-183(C)(5).

- On September 1, during the 1<sup>st</sup> year site visit, Debbie Yarbrough, Director of Phoenix School Programs and Expansion stated that two instructional teachers had already submitted their fingerprint clearance card application. Board staff was provided a copy of an Application for a Fingerprint Clearance Card dated August 7, 2015 for the first teacher and a copy of a money order for \$67.00 and a fingerprinting receipt from the Office of the Sheriff in Clayton County, Georgia dated August 3, 2015 for the second teacher. Ms. Yarbrough explained, that the second teacher had submitted her fingerprints and application in the state of Georgia.
- A.R.S. §15-183(C)(5) allows a charter school to hire personnel that have not yet received a fingerprint clearance card if the school complies with obtaining proof of the submission of a fingerprint clearance card application to DPS and complies with A.R.S. §15-183(C)(5) (a – f). At the time of the site visit, the school could not provide proof of the submission of the applications to DPS.
- On September 1, during the 1<sup>st</sup> year site visit, staff provided the notification required under A.R.S. §15-185(I).
- In accordance with A.R.S. §15-185(I) and the Board’s Policy Statement on Civil Penalties for Fingerprinting Violations, staff issued the “Notification of first time noncompliance with fingerprinting requirements under A.R.S. §15-185.I” letter and reviewed the letter, the Board’s policy statement and the civil penalty law’s requirements with Aisha Collins, Principal of Academy of Mathematics and Science Camelback and Ms. Yarbrough. The notification letter included a deadline of Thursday, September 3 at 1:25 p.m. for Academy of Mathematics and Science, Inc. to provide evidence to the Board office that an application for the appropriate fingerprint check had been received by DPS and thereby avoid a civil penalty of \$1,000 per occurrence.
- On Wednesday September 2, at 2:15 p.m., Ms. Yarbrough, sent an email to Board staff which included evidence that DPS has received a fingerprint clearance card application for both of the instructional teachers.
- In the email dated September 2, Ms. Yarbrough wrote that the Arizona DPS official stated that the application for one of the instructional teachers had been “returned as the date of the money order

did not match the date of the application.” For the second instructional teacher, the official noted what Board staff had noted and that was “no data on record” with DPS.

- On September 25, 2015, Board staff confirmed that the fingerprint clearance cards for both instructional teachers were valid with DPS.

### **Board Options**

In accordance with the Board’s policy statement, the Board must review all possible first time occurrences and make the final determination as to whether each will count as a first time occurrence.

Option 1: Having considered the statements of the representatives of the Charter Holder today, I move, based on the information contained in the Board materials and presented today that the Board find the following:

- 1) That Academy of Mathematics and Science, Inc. failed to comply with the fingerprinting requirements prescribed in A.R. S. §15-183(C)(5) for the instructional teachers; and
- 2) That for civil penalty purposes under A.R.S. §15-185(l), this constitutes the first time Academy of Math and Science, Inc. is out of compliance with statutory fingerprinting requirements; and
- 3) That Academy of Mathematics and Science, Inc. provided proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and
- 4) That no civil penalty be imposed at this time.

Further, the Board directs staff to:

- Apprise the Charter Holder of the Board’s findings and decision in this matter; and
- Notify the Charter Holder that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed.

Option 2: Notwithstanding staff’s recommendation to not impose a civil penalty, the Board may determine that a first time violation of A.R.S. §15-183(C) has not occurred.