

# **CSAS** Charter School Administration Services

20820 Greenfield Rd. • Oak Park, MI 48237 • (248) 569-7787 • fax: (248) 228-3714

December 15, 2010

RECEIVED

DEC 22 2010

DeAnna Rowe, Executive Director  
Arizona State Board for Charter Schools  
1700 W. Washington Street, #164  
Phoenix, Arizona 85007

Re: Academy of Arizona

Dear Ms. Rowe:

Enclosed please find the following:

1. Resolution of the Academy of Arizona Board of Directors approving the Consent Agreement for the voluntary surrender and termination of its Charter Contract; and
2. A copy of the Consent Agreement which has been signed (original signature) by Academy of Arizona Board President Leicester Allen.

Please contact me if you should have any questions or require additional information.

Very truly yours,

**CHARTER SCHOOL ADMINISTRATION SERVICES**

  
RANDALL J. SOVERINSKY  
Legal Counsel

(Voice Ext: 3157 • [rsoverinsky@charteracademies.com](mailto:rsoverinsky@charteracademies.com))

RS/gs

cc: Leicester Allen  
Andrew Burks

**RESOLUTIONS OF THE DIRECTORS  
OF ACADEMY OF ARIZONA**

The following resolution was adopted by the board of directors of **Academy of Arizona**, an Arizona nonprofit corporation and charter school (the "Academy"), at the meeting of the board of directors held on December 10, 2010:

**Approval of Consent Agreement for Voluntary Surrender and Termination of Charter Contract:**

The following is a recital of facts underlying these resolutions:

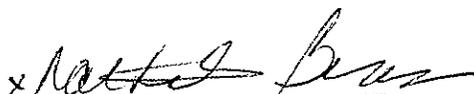
- a. The Academy previously sought the approval of the Arizona State Board for Charter Schools (the "State Board") for the temporary suspension of its charter school operations for the 2010-2011 school year in order to restructure the Academy in an effort to improve its academic performance.
- b. The State Board denied the Academy's request.
- c. The Academy did not open for the 2010-2011 school year and has ceased its operations as an Arizona Charter School.
- d. The State Board has presented the Academy with a consent agreement for the voluntary surrender and termination of the Academy's charter contract (the "Surrender Agreement").
- e. The Academy now wishes to approve and execute the Surrender Agreement.

**Therefore:**

**RESOLVED**, that the Academy hereby approves the attached Surrender Agreement and authorizes Board President, Leicester Allen, to sign the Agreement and take any additional steps necessary to surrender and terminate the Academy's Charter Contract.

Secretary's Certification:

I certify that the foregoing resolution was duly adopted by Academy of Arizona Board of Directors at a properly noticed open meeting held on the 13th day of December, 2010 at which a quorum was present.

By:   
for Board Secretary Nathalia Brooks

**BEFORE THE ARIZONA STATE BOARD  
FOR CHARTER SCHOOLS**

In the matter of:

**ACADEMY OF ARIZONA, INC.** (a  
non-profit corporation)

and

**ACADEMY OF ARIZONA**  
(a charter school).

**CONSENT AGREEMENT FOR  
VOLUNTARY SURRENDER AND  
TERMINATION OF THE  
CHARTER CONTRACT**

This Agreement is entered into by Academy of Arizona, Inc., a nonprofit corporation operating Academy of Arizona, a charter school, and the Arizona State Board for Charter Schools, by and through its authorized representatives, and provides the following terms and agreement:

1. Academy of Arizona (hereafter, "the School") is a charter school established pursuant to Arizona Revised Statutes (hereafter, "A.R.S.") § 15-181 et seq. and sponsored by the Arizona State Board for Charter Schools (hereafter, "the Board").
2. The School operates pursuant to a Charter Contract (hereafter, "Charter") between Academy of Arizona, Inc., a non-profit corporation, organized under the laws of the state of Arizona (hereafter, "the Charter Operator"), and the Board.
3. The Charter was signed by Leicester Allen, as Charter Representative and the person authorized to sign for the Charter Operator.
4. Pursuant to A.R.S. § 15-183 and the Charter, the Board sponsors the Charter Operator to operate one school site to serve students in grades Kindergarten through 8.
5. The Charter between the Charter Operator and the Board was executed on May 25, 2000.
6. The School was designated as one of the State's Persistently Lowest Achieving Schools as defined by the Arizona Department of Education in March 2010.
7. In July 2010, the Charter Operator notified the Board and the parents and legal guardians of the students enrolled at the School that it would not open for the 2010-2011 school year.

8. On August 9, 2010 the Board denied the Charter Operator's request for a temporary suspension of the School's operation.
9. The Charter Operator voluntarily tenders and surrenders its Charter Contract to its sponsor, the Board, with the intent to voluntarily terminate its Charter Contract effective June 30, 2010 for the purpose of further performance.
10. The Charter Operator shall mail a complete copy of each student's educational record to the student's parent or legal guardian.
11. The Charter Operator shall notify the Board of the location of the student records of the School no later than September 17, 2010.
12. The Charter Operator agrees that all necessary student level data has been submitted to the Arizona Department of Education through the Student Accountability Information System ("SAIS").
13. The Charter Operator is entitled to receive state equalization assistance funds for the 2009-2010 school year to which it is entitled under the school funding formula provided in Arizona law, but no more.
14. The Charter Operator is entitled to receive Classroom Site Funds for the 2009-2010 school year to which it is entitled under the provisions of Arizona law, but no more.
15. The Charter Operator agrees to refund any overpayment of state equalization assistance funds in the amount determined by the Arizona Department of Education in the manner directed by the Arizona Department of Education.
16. The Charter Operator agrees to refund any overpayment of Classroom Site Funds monies in the amount determined by the Arizona Department of Education in the manner directed by the Arizona Department of Education.
17. The Charter Operator agrees to submit any outstanding grant reports and to refund any outstanding grant monies or allocation of education funds to the Arizona Department of Education in the manner directed by the Arizona Department of Education.
18. The Charter Operator shall expend the Classroom Site Funds in a manner consistent with its intent as specified in A.R.S. § 15-977.
19. The Charter Operator shall expend the Instructional Improvement Funds in a manner consistent with its intent as specified in A.R.S. § 15-979.
20. The Board accepts the surrender of the Charter Contract of Academy of Arizona, Inc. for the operation of Academy of Arizona.
21. The Charter Contract between the Board and Academy of Arizona, Inc. for the operation of Academy of Arizona is terminated effective June 30, 2010 for the purposes of further

performance.

22. This Agreement is not binding on either party until both the Board and the Charter Operator's Governing Board accept it by a majority vote at a public meeting. This Agreement is effective immediately upon its approval and execution by the authorized representatives of the Board for Academy of Arizona, Inc. and the Board.

23. If the Board rejects this Agreement or any part of it, then this Agreement is null and void, and not binding on the Charter Operator or the Board.

24. Academy of Arizona, Inc. understands that it has the legal right to consult with an attorney prior to entering into this Agreement.

25. Each party shall be responsible for its own attorneys' fees and costs in this matter.

\_\_\_\_\_  
Norm Butler  
President  
Arizona State Board for Charter Schools

Date: \_\_\_\_\_

x Leicester L. Allen  
Leicester Allen

Date: 12-13-10

As Charter Representative  
and the person authorized to sign on behalf of Academy of Arizona, Inc.