TOM HORNE
ATTORNEY GENERAL

OFFICE OF THE ARIZONA ATTORNEY GENERAL
CIVIL DIVISION/EDUCATION AND HEALTH SECTION

KIM S. ANDERSON
ASSISTANT ATTORNEY GENERAL
DIRECT: (602) 364-0402
KIM.ANDERSON@AZAG.GOV

August 1, 2013

Allsport Academy Charter School
Attention: Charter Representative Moses Montoya
601 East Fort Lowell Road
Building #4
Tucson, AZ 85705

Also sent by email to moses5555@aol.com

Allsport Academy
Attention: Statutory Agent Raquel Montoya
Sent by email to RMontoya@allsportacademy.org

Re: Notification to staff and parents

Dear Mr. Montoya and Ms. Montoya:

The Notice of Intent to Revoke Charter and Notice of Hearing filed in this matter and received by you on June 24, 2013 ordered the following (*See* pages 13-14):

> **IT IS FURTHER ORDERED** within forty-eight (48) hours of receipt of this Notice of Intent to Revoke Charter and Notice of Hearing, Allsport shall notify, in writing, all staff and all parents or guardians of students enrolled in the School that a Notice of Intent to Revoke Charter and Notice of Hearing has been received, the School location at which a copy of the Notice may, upon request, be inspected, and the date, time, and location of the hearing set in this matter.
>
> **IT IS FURTHER ORDERED** that within twenty (20) days of receipt of this Notice, Allsport shall provide to the Board copies of all correspondence and communications used to comply with the preceding provision of this Order above.
>
> **IT IS FURTHER ORDERED** that within twenty (20) days of receipt of this Notice, Allsport shall provide the Board with the names and mailing addresses of parents or guardians of all students enrolled at the School.

To date, the Arizona State Board for Charter Schools has not received copies of the above-referenced correspondence and communications used to notify all staff and all parents or guardians of students enrolled in the charter school that: a Notice of Intent to Revoke Charter and Notice of Hearing has been received, the school location at which a copy of the Notice may, upon request, be inspected, and the date, time, and location of the hearing set in this matter. Nor has the Board received, to date, the names and mailing addresses of parents or guardians of all students enrolled at the School.

Please provide this information to DeAnna Rowe, Executive Director, Arizona State Board for Charter Schools, **no later than August 8, 2013**. Failure to submit this information may result in action by the Charter Board.

I am not aware that Allsport Academy has retained counsel in this matter and, therefore, have directed this correspondence to you. The Notice also advises you of Rule 31(a) and (b), Rules of the Arizona Supreme Court, in which appearance in an administrative proceeding is considered the practice of law, which under most circumstances may only be undertaken by an active member of the Arizona State Bar. Under Rule 31(d)(11) of the Rules of the Arizona Supreme Court:

> Unless otherwise specifically provided for in [Ariz. R. S. Ct. 31], in proceedings before the Office of Administrative Hearings, a legal entity may be represented by a full-time officer, partner, member or manager of a limited liability company, or employee, provided that: the legal entity has specifically authorized such person to represent it in the particular matter, such representation is not the person's primary duty to the legal entity, but secondary or incidental to other duties relating to the management or operation of the legal entity; and the person is not receiving separate or additional compensation (other than reimbursement for costs) for such representation.

If you are proceeding to hearing and the corporate entity Allsport Academy is not represented by an attorney in this matter, please advise me of the status of Allsport Academys' authorization of a representative under Rule 31(d)(11) of the Rules of the Arizona Supreme Court. Specifically, the name of the "full-time officer" or "employee" whom Allsport Academy has "specifically authorized to represent it in the [above-referenced administrative proceeding and whose] representation is not the person's primary duty to [Allsport Academy], but secondary or incidental to other duties relating to the management or operation of [Allsport Academy and who] is not receiving separate or additional compensation (other than reimbursement for costs) for such representation," as well as a copy of Allsport Academy's authorization (e.g., Board minutes, Board resolution, etc…) to that effect.

Thank you for your attention to these matters.

Sincerely,

Kim S. Anderson
Assistant Attorney General
Education and Health Section

Cc: DeAnna Rowe
P0012013001456/3496049