BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF ARIZONA

In the Matter of: **ALLSPORT ACADEMY**, a nonprofit Corporation, operating **ALLSPORT ACADEMY**, a charter school.	No. 13F-FSRV-001-BCS **NOTICE OF FILING CLOSING STATEMENT OF HEARING OF SEPTEMBER 3, 2013**

Closing Statement by Allsport Academy

In response to the Motion made by the Arizona Schools Charter Board ("Charter Board"), in its Notice of Intent to Revoke Charter, wherein Exhibits presented attempt to identify Allsport Academy as a failing charter school.

The first question I would like to pose is: "What is Success?"

The answer to this question cannot be defined, as it's as limitless as the number of stars that occupy our Universe. Narrowing the question of success to academic success for middle school students or K12, has potentially the same infinite number of answers. However, the AZ Charter Board has developed an Academic Performance Framework and Guidance book that outlines the "measuring stick" for which charter schools are held accountable.

It would appear that the Charter Board would have a great interest in

helping the charter schools they sponsor (within "their portfolio") to become as successful as feasibly possible. Yet, the number of small charter schools closed in the last three years merits an overview of the monitoring and support processes that are provided to small charter schools.

For example, in my previous career I was a mortgage consultant and had many individuals come to me wanting to refinance their residence(s). In order to provide my clients with the best suited loan, I had to investigate their needs or wants, the length of time they wanted to extend their mortgage, etc. Having this information, I would then "educate" them on their options. In the fifteen years I did mortgages, I can't remember doing two loans that were the same.

The Charter Board relies on the Arizona Department of Education ("ADE") to provide training, which they do via seminars throughout the state in small and large groups as well as webinars in many content areas. These trainings are specific to programs such as Title 1, Title II, National School Lunch, Leadership, the implementation of Common Core, and the new national assessments PARCC, etc.

These two agencies are supposed to be "partners" to the schools under their umbrella and "partners" collaborate on programs and projects for the common good. These agency partners should have dialogue to assure they are

speaking the same language and setting the same goals and targets as they work with individual schools to assist with growth and improvement.

This has not been the case with our school.

As noted in School's Exhibit #2, Allsport received a review visit on March 8 & 9, 2012, where the Solution's Team reviews various aspects of school's performance and then provides a Summary of Evidence in pages 9 - 11. *Not mentioned in the report but thoroughly discussed in the Exit Interview, ADE recommends that the School choose* <u>*two areas*</u> *from the Summary to implement and improve upon the next school year. Also discussed but not part of the report were the reasons school had such a transient population and specific concerns regarding lack of financial resources. At this point we were slowly discovering that our "at risk" populations was increasing because we were spending so much time re-teaching and counseling with students. The School's move to an undesirable location was due to dissolution of a business partnership and the previous property's landlord's desire to sell the building we occupied. The Solution Team did not offer any information or suggestions regarding an "Alternative School", which we later found would have made a tremendous difference in the "failing" status, the School was categorized in.*

In order to follow the suggestions made by the Solution's Team (SY11), we

chose to: (1) hire a consultant to (a) provide professional development, (b) implement student assessments and interventions, (c) provide training of data analysis to staff. This consultant became responsible for teacher training on student assessments, intervention schedules and monitoring for growth and re-teach curriculum. While these systems were put in place, the school witnessed the intervention proceedings and did not find any concerns at that time. Unfortunately, the School has to rely on the AIMS tests which occur at the end of the 2nd semester and results of these tests are distributed the latter part of June. (2) The School then took the opportunity to move from its then current location to a new site, which had previously been occupied as a school with classrooms and administrative offices. (Charter schools often times open their operations in strip malls and make necessary build-up improvements.)

During the Fall of 2012, ADE provided a specific training on curriculum development and implementation. Attending this training (Mega Conference), I learned first-hand from other school districts specific strategies to undertake when developing a proprietary comprehensive curriculum. ADE's trainers reinforced our development plan and we knew we were on the right track. *(This was also discussed extensively with the Title 1 representatives.)* Prior to this and as mentioned in the Solution's Team reports, it is stated that School did not have

a written core curriculum.

Since the School's inception in 2002, the School has used Tucson Unified School District's ("TUSD") curriculum which is accessible from their website and has been used at our School. The first group of ADE visitors that came in 2009, thoroughly reviewed each grade's curriculum binders showing content areas and TUSD's name on every page. However, our School did not use TUSD's mapping and pacing guides. *(Apparently this lack of material was continually construed as "not having curriculum". Additionally, we began the implementation of Common Core in Language Arts and Math that contributed to additional diversion from TUSD's curriculum as we continued to explore more project-based lessons, to more effectively engage our student population.)*

As a participant in ADE's Continuous Improvement Plan, Title 1 Program, the School was categorized in Cycle 4, Monitoring. This means that representative from ADE come to the School to conduct a thorough review of the following. 1) Continuous Improvement Plan details, i.e., Procedures, Policies, Timeline Schedules, Areas of Responsibility with responsible party; 2) intervention programs, list of Title 1 students with benchmarks (Board Exhibit #11, page 240) "push-in/pull-out" intervention schedules; 3) Teacher lesson plan reviewed showing description of differentiated instruction (Board Exhibit #12, A,

pp 250-258); 4) Extensive review of Faculty qualifications including the review of college transcripts for content area; 5) Informal and Formal Teacher Evaluations (Board Exhibit #13, page 284 & 286); and 6) Professional Development topics (Board Exhibit #13, A, page 297 and Professional Development Evaluations (Board Exhibit #14, page 305) for suggestions and improvements on future trainings.

All of the above areas were examined in great detail by the Title 1 representatives and everything was approved and according to the timeline set for School's continued growth and outline improvements.

Why then did the Solution's Team not identify these same items in their report of October, 2012? Later that year, the Solution's Team representative deferred to Title 1 for their report on our school's progress to revisit the School to determine if progress was continuing.

The Solution's Team's final report (School Exhibit #10), clearly reflect the School's progress from the Baseline to End-of-Year recommendations. Following the School's Governing Board approval, two issues were immediately voted on for implementation: 1) Hiring a full time principal to adequately provide leadership; and, 2) The purchase of Beyond Textbooks' as the new school curriculum.

In April, 2012 the School's Site Team attended a presentation by Vail School District on their Beyond Textbooks curriculum. All faculty members present were very excited about the comprehensive curriculum which included the project based lessons the School had been desperately searching for. It also included a method on how our small School could collaborate with other teachers in other school districts throughout the state on specific content areas, they could share ideas, lessons, projects, etc. where the School could benefit from the larger districts' resources.

The School's Governing Board reviewed the recommendations made by the School's Site Team and Faculty and approved the purchase and implementation of Beyond Textbooks curriculum. This curriculum has been a contributing factor in many school districts throughout the state becoming more successful and effective with their core instruction.

It appeared to us that after struggling with the school's curriculum for several years, we finally had most of the pieces in place to become a viable progressive charter school.

Our decision for the next phase in improvement was shared with the Solution's Team representative and we were very excited about our progress and the next steps to be implemented for SY2014.

Unfortunately, the measuring stick had not changed.

It was such a surprise to everyone at our School to have to return from the Charter Board meeting on May 13th, and share with everyone that the Charter Board had made a recommendation to revoke our School's Charter. We had worked so hard. We all knew that we still had growth and many more projects to undertake, but as I mentioned earlier, we finally had all the pieces well within reach. Additionally, the visit made by the Charter Board in April where they had reviewed material and data submitted to them, the Charter Board representative made a commitment at the conclusion of the visit that made us believe we were in line with our progress. The Solution's Team representative had stated that we were right on track.

In reviewing all the testimony and reports from ADE Solution's Team, the Title 1 representatives and the Charter Board, it is clear that each interprets data according to a different guideline. Specifically, Martha Morgan's testimony states that our School was in its 3rd Year of School Improvement, while the Solution's Team in its meeting with our School identified our School as being in its First Year of School Improvement. The reason for this, I believe, is that ADE in their guidelines are to provide schools leadership support for **three years**, following a visit, which identifies a school as under-performing or in school

improvement. This had not been provided to Allsport with its prior two visits. When our consultant first inquired to ADE for follow-up, ADE representative stated to our consultant, that ADE did not have the manpower at the time and the "School was not that bad" to warrant a follow-up monitoring visit.

There are so many other examples of misinterpretation within the documents, but I cannot dispute what has been put to ink, especially because corrections clarified at later meetings/interviews were not revised accordingly.

All internal documents such as classroom informal and formal assessments show students make academic gains. The question then is "what is enough"? According to the current "measuring stick" or the Academic Performance Framework (Board Exhibit #4), we are not a performing school.

As mentioned during the Hearing of September 3rd, I began my education in "school academics" three years ago. Prior to this, as a mortgage consultant, I educated homeowners on the best programs available to suit their needs, life styles and whenever required, lifetime goals. So, I ask myself, with all the individuals the School had visiting over the last three years, why did not one of them suggest another option for our School? They saw our student population and recognizing the dilemma the school was facing in trying to help students who were <u>two-to-three years behind grade level</u>, were our intervention programs

going to be enough? On the onset, students showed progress, but not sufficient progress to test at their grade level and acquire a Meets or Exceeds score during their AIMS tests.

Once again I need to ask, why didn't our partners, Charter Board representatives or ADE representatives ever SUGGEST or RECOMMEND that the School research an Alternative School status? The school has had a minimum of 10 Arizona school educators come to visit the School and not one of them ever mentioned the option of an Alternative School.

Would the School be in its current situation had anyone made such a recommendation? During a phone conversation with ADE School Improvement representative, prior to its announcement of the new grades to be posted for schools throughout Arizona (August 30, 2013), I requested that a review of our School's data be compared with the Alternative School "measuring stick" but I was told that it could not be done.

Therefore, we will never know if our school would have been considered "successful" or "performing" under a different measuring stick, because we have not been given the opportunity to be reviewed under those guidelines (Alternative Schools).

So, you may be asking yourself why the School didn't file for a change of status previously. Unfortunately, we (I) was not aware. Imagine my shock when in reviewing old documents in preparation for the Hearing, I read that Eastpointe High, the school that originally started Allsport, had filed for their "Alternative" status, prior to the School's transfer in 2004.

Your Honor, we did not close down our School at the end of May because our staff and faculty knew that we were making a difference in Arizona's educational system. We all understood the School was under scrutiny but we welcomed it because we wanted to improve.

As a mother of seven children and four adopted children, it has been my personal mission in life to help children. I have volunteered at all of my children's schools and I'm certain I hold the record for attending more after school sports events than any other mother I'm aware of.

Three out of my own seven children needed to have a "different type of school". In 2001, when I was facing a cross roads with my fourth child who was especially talented in soccer but was a SPED student receiving services at one of the best school districts in Tucson, I reached out to a gentleman who ran the high school alternative school for the district. I told him I wanted to homeschool my child so that he could concentrate on his "athletic" gift. That gentleman asked

me if I knew of other parents that would be interested in having their children participate in a school with more athletic activity. I responded that I didn't know, but I could do some research and get back to him. The result is our School.

As mentioned in the Hearing, I did not join the School's daily operations until 2007. When I did, it was in the business side not the academics. At the inception of the school, the gentleman mentioned above handled the School's curriculum and operations. Unfortunately, his health was failing and he passed away in 2004.

When I joined the School's daily operations in 2007, I became aware of certain things that were quite different than regular district schools where I had spent a lot of time volunteering. One of those was that a charter school could not provide lunch for its students unless it was a nonprofit. Our students were from lower economic status and too many of them came to school hungry. So, I bought lunch meats and bread and made sandwiches to give out until I was told that I couldn't do that because of sanitary laws, etc., etc.

After two years of watching a continued stream of students arrive at school without lunches, the School filed for a nonprofit status so that we could implement the National School Lunch program for our students. We currently have a 95% Free and Reduced population.

Our School provides transportation (even though we do not get any funding for this service, like regular districts) to our students who come to us from distances as far as 20 miles, or a one-way commute of one-hour-and-a-half. One of our long commute students was so interested in athletics that he just graduated from the University of Denver, Colorado in Sports Medicine. Another one of our students is an Athletic Coach at Grand Canyon University. The list could go on and on.

Having acquired our new nonprofit status, I began to look into other programs such as tutoring before and after school and Title 1 programs that could help our students.

Perhaps I have acquired my knowledge too late in the game, as our School is now slated for closure. According to the Charter Board, the School should have filed for its renewal at the same time the original founder began his school (1999), even though our School has not completed its 15 years of operation. As I researched Charter School Law, I found that charters may renew their charters earlier than the 15 year requirement, but I could not find anywhere in the Law where is stated that "it must" file with the original start-up operator/school.

In any case, the newly implemented standards by the Charter Board in both the Academic Performance Framework and Financial Performance

Framework, make it impossible for the School to get a renewal under the its current situation. Our only hope would be to have a change of status (and have the 15 years count with the School's inception in SY02). However, the Charter Board has already stated that our renewal is tied with the original founder and our time will expire in September, 2014.

At this time, your Honor, we kindly request that you allow our School to complete the school year -- May, 2014.

We have worked diligently to implement all the programs as we followed the School's Continuous Improvement Plan. The next steps were the implementation of new curriculum and the hiring of a Principal to provide strong leadership for our School, as was outlined in the final Solution's Team report (School Exhibit #10).

The focus of our School has always been to help and improve the Student as is stated in our school credo: "Mind, Body and Spirit". We (husband and myself) have invested more than time and energies to the growing efforts of our School. There is a clear misunderstanding by the Charter Board in believing that our School's financial improvement shown in Charter Exhibit #16, page 336 was due to the School obtaining a loan for the School. The fact is that Mr. Montoya

and I forgave a loan that we made to the School in the amount of $198,100. When we stated over the years that we had invested in our youth, we truly had.

None of the discrepancies found at our School by our "partners" were ever intentional in any way. We tried to improve and implement new programs as fast as was physically possible.

Our wish is to close our doors with dignity. We have parents and students that have pledged their support and we have pledge our support to them. We have a partnership with the University of Arizona as they research data on "active" youth. We have financial obligations to the property we lease and would appreciate the time to bring transition and closure to our operation.

Lastly, I want to express my appreciation for the opportunity of being able to make my closing statements in writing rather than verbal. I could not sit/stand before anyone right now without breaking down. I have had the enormous privilege of being part of a wonderful organization with our School. Helping children and their families, not only with their academic needs, but their overall welfare has been a personal blessing for me and my family.

Thank you for your time and consideration.

Raquel Montoya