

Arizona State Board for Charter Schools

1700 W. Washington Street, Room 164
Phoenix, AZ 85007



Phone: (602) 364-3080
Fax: (602) 364-3089

December 7, 2011

BASIS Schools, Inc.
Mrs. Kristen Jordison, Charter Representative
Dr. Michael Block, Charter Representative
Dr. Craig Barrett, Charter Representative
11485 N. 136th St.
Scottsdale, AZ 85259

RE: Notification of first time noncompliance with fingerprinting requirements under A.R.S. § 15-185.I

HAND DELIVERED TO SCHOOL

Dear Mrs. Jordison, Dr. Block, and Dr. Barrett:

On December 7, 2011, staff of the Arizona State Board for Charter Schools ("Board") conducted a site visit to BASIS Flagstaff. During this visit, staff reviewed the school's compliance with fingerprinting requirements as prescribed in A.R.S. § 15-183.C.5 and A.R.S. § 15-512.

The school could not provide valid fingerprint clearance cards in accordance with A.R.S. § 15-183.C.5 for the following:

Heather Quinn-Wagner

The school could not provide evidence of compliance with A.R.S. § 15-183.C.5 or § 15-512, as applicable, for the following personnel:

A.R.S. § 15-185.I grants the Board the authority to impose a civil penalty of \$1,000.00 per occurrence if a charter school fails to comply with the fingerprinting requirements prescribed in A.R.S. § 15-183.C.4 or A.R.S. § 15-512, as applicable.

This letter serves as written notice for civil penalty purposes under A.R.S. § 15-185.I of your school's first time failure to comply with statutory fingerprinting requirements. Pursuant to

"To foster accountability in charter schools, which will improve student achievement through market choice."

A.R.S. § 15-185.I, your school has 48 hours from the receipt of this notification to provide proof to the Board's office that an application for the appropriate fingerprint check as required by either A.R.S. § 15-183.C.5 or A.R.S. § 15-512 has been received by the Arizona Department of Public Safety for each individual listed on this letter's first page and currently employed at your school. At its meeting in January, 2012, the Board will determine whether the school has failed to comply with statutory fingerprinting requirements, whether the school's noncompliance with statutory fingerprinting requirements is a first time occurrence, whether the school has demonstrated compliance with the requirements of A.R.S. § 15-185.I within 48 hours of written notification, and whether a civil penalty of \$1,000.00 per occurrence will be imposed. Based on the violations noted above, the civil penalty could be as much as \$1000.00.

Provided with this letter are copies of A.R.S. § 15-185.I and the Board's Policy Statement on Civil Penalties for Fingerprinting Violations.

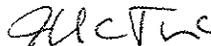
If you have any questions, please contact me at (602) 364-3080.

Sincerely,



Hugh Thompson
Educational Program Specialist

The signatures and information below satisfy the requirements of the Board in A.R.S. § 15-185.I, to provide written notification identifying the date of the deadline by which your school must provide proof of compliance with statutory fingerprinting requirements.

 _____ ASBCS Staff Signature	<u>Dec. 7, 2011</u> Date	<u>11:49</u> (a.m.) / p.m. Time
 _____ School Representative Signature	<u>12/7/11</u> Date	<u>11:52</u> (a.m.) / p.m. Time

BASED ON THE DATE AND TIME STATED ABOVE, YOUR 48-HOUR DEADLINE TO PROVIDE PROOF OF COMPLIANCE WITH STATUTORY FINGERPRINTING REQUIREMENTS AS STATED IN A.R.S. § 15-185.I AND TO AVOID CIVIL

PENALTIES IS Dec. 9, 2011 **BY** 11:52 am.
(date) (time)

F A X

BASIS Flagstaff

1700 N. Gemlnl Drive
Flagstaff, AZ 86001
928.214.
Web Site



To: Hugh Thompson
Educational Program Specialist
Fax number: (602) 364-3089

From: Kara Kelty, Head of School
Fax number: 928.774.5503

Date: 12/7/2011

Regarding:
Notification of First Time Noncompliance with
fingerprinting requirements under ARS 15-
185.1

Phone number for follow-up:
928.699.8570

Comments:
Hard Copy being
overnighted.

Number of pages=7 including cover sheet

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"To foster accountability in charter schools, which will improve student achievement through market choice."

7011 0110 0001 0214 5112
2115 4120 1000 0110 7012

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Certified Fee	2.85
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.73



Sent To: **Indigent Team One**

Street, Apt. No., or PO Box No.: **MAIL DROP 2950**

City, State, ZIP+4: **PO BOX 78430 PHOENIX, AZ 85005-8430**

PS Form 3800, August 2005 See Reverse for Instructions

Hugh Thompson

From: Kara Kelty <karakelty@basisflagstaff.org>
Sent: Friday, December 30, 2011 3:05 PM
To: Hugh Thompson
Cc: Kristen.jordison@basiseducation.net; Craig.r.barrett@intel.com; mkbblock@aol.com; Johanna Medina; Carolyn Mcgarvey
Subject: Re: Correction to Letter regarding First Year Site Visit Results for BASIS Flagstaff and Civil Penalties process update
Attachments: heather quinn wagner clearance card-1.pdf
Follow Up Flag: Follow up
Flag Status: Completed

Hugh,

Attached is a copy of an updated fingerprint clearance card for Heather Quinn Wagner. It was approved on December 23rd, 2011. Heather Quinn was fingerprinted on December 7th, 2011, the same date you visited BASIS Flagstaff. We called the DPS office in Flagstaff and in Phoenix to find out the most expedient way to comply with the *Notification of First Time Noncompliance with Fingerprinting Requirements under ARS 15-185.1* and we were advised by DPS to have Ms. Quinn fingerprinted at the Coconino County Sheriff's office because DPS no longer provides fingerprinting services at any office. Once the IVP fingerprints are taken at the City/County facility, the employee is **NOT** allowed to retain custody of the fingerprints, as disclosed at the bottom of the IVP application per A.R.S 15-106:

***Give the yellow and pink copies of this application back to the applicant.**

***Seal the white copy, the fingerprint card, and payment in the provided envelope and mail to DPS.**

"A chain of custody must be maintained: do not give any other materials back to the applicant for any reason once their prints have been taken."

I do not understand why there wasn't a record of Ms. Quinn's fingerprint application when you inquired to DPS on December 22nd, since her application was approved the very next day on December 23rd. I can only assure you that we followed the protocol of DPS and the steps outlined in the **Application for a Fingerprint Clearance Card** by having Ms. Quinn fingerprinted on December 7th at the Coconino County Sheriff's office and relinquishing custody of the fingerprint card.

Please let me know if you have any further questions or need additional information.

We hope you visit BASIS Flagstaff again.

Sincerely,

Kara Kelty

Kara Kelty
Head of School

BASIS Flagstaff
karakelty@basisflagstaff.org

On Thu, Dec 22, 2011 at 5:20 PM, Hugh Thompson <Hugh.Thompson@asbcs.az.gov> wrote:



Arizona State Board for Charter Schools

1700 W. Washington Street, Room 164

Phoenix, AZ 85007

[\(602\) 364-3080](tel:(602)364-3080)

December 22, 2011

BASIS Schools, Inc.

Mrs. Kristen Jordison, Charter Representative

Dr. Michael Block, Charter Representative

Dr. Craig Barrett, Charter Representative

11485 N. 136th Street, Suite 109

Scottsdale, AZ 85259

Dear Mrs. Jordison, Dr. Block and Dr. Barrett:

On December 15, I sent you a letter regarding the first year site visit of BASIS Flagstaff, conducted by ASBCS staff on December 7, 2011. In that letter, I noted seeing 4 classes of 6th grade, and observed 92 students. In a telephone conversation on December 19, Ms. Kelty notified me that BASIS Flagstaff actually has 5 classes of 6th grade, and that the numbers I reported for attendance were incorrect. On a review of my notes, I found that I had, in fact, observed 5 classes of 6th grade, and that the numbers for that day should be:

	Observed	Attending	Absent	ADM
5	101	106	4	102
6	114	118	5	113
7	100	106	5	101
8	76	82	4	78
9/10	53	58	4	54
Total	444	470	22	448

The overall discrepancy between students counted and reported remains under 5%, the threshold used to determine whether additional information is required. No follow-up is required.

During my December 19 telephone conversation with Ms. Kelty, we also discussed the matter of the Civil Penalties process regarding the English teacher whose Fingerprint Clearance Card had expired. On December 7, I received a fax from Ms. Kelty including a copy of the FCC application, a submission checklist, a certified mail receipt for a parcel addressed to the DPS fingerprinting unit, and a copy of a notarized background check consent form. During the 12/19 call, I asked some clarifying questions regarding that fax. Mr. Hubalik, who also participated in the call, informed me that the certified mail receipt was not for the application, but was only for the consent form, which was sent under separate cover. Ms. Kelty described how when IVP fingerprints are taken at the City/County facility, the employee retains custody of the fingerprints, and submits the application. I informed Ms. Kelty that, on December 19, I had called the fingerprinting unit of DPS, and they had no record in their system that the English teacher's application had been received.

As of December 22, 2011, the ASBCS office has not received proof from BASIS Schools, Inc. that an application for a fingerprint check required by ARS §15.183.C.5 has been received by the Department of Public Safety, pursuant to ARS §15.185.I. As stated in the letter hand delivered to BASIS Flagstaff on December 7, the Board will consider this matter at its meeting in January 2012.

Sincerely,

Hugh Thompson

Educational Program Specialist

Arizona State Board for Charter Schools

1700 W. Washington St., #164

Phoenix, AZ 85007

[\(602\) 364-3087](tel:6023643087)

hugh.thompson@asbcs.az.gov

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