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**AGENDA ITEM: Good Cause Extension Request – BNE Ashur**

**Issue**

BNE Ashur was granted a charter on January 25, 2010 to serve grades K-6. As part of the application, the applicant agrees and signs a statement acknowledging that the charter holder must begin providing educational services within 12 months of execution of the contract. At the time the contract was signed on May 27, 2010, BNE Ashur planned to open its charter school for the 2010-2011 school year.

As included in the [request](#), due to a variety of reasons, including but not limited the charter holder not receiving a grant to cover start-up costs, low enrollment and reductions in State kindergarten funding BNE Ashur is requesting a Good Cause Extension for the opening of its charter school to August 2011. Although BNE Ashur received an August payment, the charter holder never did begin providing educational services to students in fiscal year 2011. Board staff has confirmed that BNE Ashur has returned to ADE the funding it received in fiscal year 2011.

If the Board approves the extension of the opening of the charter school, in accordance with the Board's [Policy Statement for a Good Cause Extension of a Charter Contract](#), Board staff shall review the charter holder's approved application and the current application administrative checklist to determine whether additions or substantive changes are necessary to bring the application current with policy, rule, state or federal law. The holder must submit the requested changes to the Board staff 90 days prior to the opening of the school. State aid funding will not initiate until the Board staff have determined that the requested submission is complete and sufficient and all other requirements of the Board have been fulfilled.

**Board Options**

1. Approve the Good Cause Extension for the opening of the charter school for BNE Ashur until August 2011 and require the charter holder submit any documentation necessary to bring the application current with policy, rule, state or federal law at least 90 days prior to opening of the charter school.
2. Deny the request for a Good Cause Extension. If the request is denied, the charter holder has the option to reapply for a charter through the application process.

Staff Recommendation

Staff's recommendation is Option 1 above.