

## AGENDA ITEM: Caliber College Prep High School (Central), Inc. – Request for a Good Cause Extension

### **Issue**

Caliber College Prep High School (Central), Inc. is requesting a Good Cause Extension to the signing and execution of its charter contract, citing delays in the construction project for the school facility as the reason for the delay.

### [Policy Statement for a Good Cause Extension to the Charter Contract](#)

### **Background**

Caliber College Prep High School (Central), Inc. was granted a charter at the [January 10, 2011, Board meeting](#) to open a school in Tucson for the 2011-12 school year, serving grades 9-12, with an identified location at the Arizona Academy of Leadership charter school located at 225 N. Country Club. As part of the new application, the approved applicant agrees and signs a statement acknowledging that they must execute the charter contract within twelve (12) months of the date of approval. As a condition to signing the charter contract, the approved applicant must provide proof of a secured facility.

On January 18, 2012, Board staff sent a letter to Tonya Strozier, Authorized Representative of Caliber College Prep High School (Central), Inc., informing the applicant that they had missed the deadline of January 10, 2012 for executing the charter contract. The letter also reminded the approved applicant that, as part of the application, the authorized representative signed a statement acknowledging that if approved to operate a charter school, the contract must be executed within twelve months of the date of approval by the Board and that a one-time good cause extension request could be submitted no later than March 10, 2012.

On January 31, 2012, Board staff received [a letter](#) from Tonya Strozier, Authorized Representative, with an update to the status of the Caliber College Prep High School (Central), Inc. charter. She stated that, "Preparation of the facilities has taken longer than anticipated due to contractor and city permitting delays." The Authorized Representative is planning to open the school on August 2013.

On February 15, Board staff requested additional information regarding the circumstances related to the acquisition of the school facility. On February 17, Board staff received [a letter](#) from Tonya Strozier explaining the reasons construction was delayed and she stated it took approximately 5-6 months. According to the Authorized Representative, "First, Caliber engaged an architect to provide architectural plans for the build-out of a facility which turned out to take a significant amount of time, effort and persistence to receive architectural plans from the architect."..."Second, once the plans were finalized, approved by the landlord and submitted to the City of Tucson for permitting, the City of Tucson took nearly two and a half months to approve the plans and issue permits for construction." The Authorized Representative also states that they experienced delays related to difficulties in securing financing for the project. As a final factor, once the City of Tucson issued permits, the landlord requested changes to the same plans that had already been approved. This led to having negotiations with landlord and the contractor to accommodate and/or respond to the changes requested by the landlord.

### **Board Options:**

Option 1: The Board may approve the Good Cause Extension. Staff recommends the following language for consideration: I move, based on the information contained in the Board materials and presented today, that the Board approve the one time Good Cause Extension to the signing and execution of the charter contract for Caliber College Prep High School (Central), Inc. such that the contract is executed in time for the 2013-14 school year. Further that, as a condition of signing, the approved applicant shall submit any documentation necessary to bring the new application package current with policy, rule, state or federal law at least 90 days prior to the signing of the contract. Should the approved applicant not meet the new application requirements at the time set for the signing of the contract, the matter must be brought back to the Board prior to the execution of a charter contract.

Option 2: The Board may deny the request for a Good Cause Extension. The following language is provided for consideration: I move, based on the information contained in the Board materials and presented today, that the Board deny the request for a Good Cause Extension to the signing and execution of the charter contract for Caliber College Prep High School (Central), Inc. for the reasons that Caliber College Prep High School (Central), Inc. failed to present a

information that demonstrated there were unforeseen circumstances related to the acquisition of a school facility or other evidence of good cause when it...