
AGENDA ITEM: Compliance Matters – Sierra Summit Academy, Inc.

Issue

Since providing the charter holder with notice of the Board’s action denying the request for a temporary suspension of the charter school operation by Sierra Summit Academy, Inc. and a draft Surrender Agreement, as of November 7, 2011, there has been no communication from Sierra Summit Academy, Inc., except confirmed “read receipts” for emails sent by Board staff.

Background

Sierra Summit Academy did not open its school for the 2011-2012 school year. Board staff collected information and prepared a [report](#) for the Board based on multiple communications with the charter holder’s representatives which was considered by the Board on October 12, 2011.

On October 12, 2011, the Board voted to deny the request for Temporary Suspension of Charter School Operation of Sierra Summit Academy, Inc. on the basis that the charter holder is not in good standing with the Arizona Corporation Commission, the charter holder received and retained state equalization funds for the operation of a charter school in FY 2012 for which it was not entitled, the charter holder failed to provide a plan to resume operation of the charter school as required by the Board’s policy for the Temporary Suspension of Charter School Operation, and the academic performance of the charter school does not meet or demonstrate progress toward the Board’s level of adequate academic performance. Further the Board directed staff to work with the charter holder on the terms of a surrender agreement to be considered by the Board at the next regularly scheduled meeting. If such an agreement could not be reached, staff was directed to provide the Board with documentation to consider a Notice of Intent to Revoke the charter at a future Board meeting.

On October 18, 2011, staff prepared and sent Sierra Summit Academy, Inc. a Surrender Agreement for consideration with a request to be contacted if there were any questions. The email with the attached Surrender Agreement required a response by November 4, 2011.

As of November 7, 2011, no additional information has been received from Sierra Summit Academy, Inc.

As of November 16, 2011, the charter holder has not submitted the 2011 annual financial audit.

Board Options

1. The Board may determine that it is appropriate to delay the processing of a Surrender Agreement until such time as Sierra Summit Academy, Inc. responds to the Board’s October 12 action.
2. The Board may vote to issue a Notice of Intent to Revoke the charter contract of Sierra Summit Academy, Inc. for failing to comply with its charter contract and A.R.S. § 15-183 (E)(3) when it ceased providing educational services to students, failing to be in good standing with the Arizona Corporation Commission, and failing to timely submit the annual financial audit in accordance with A.R.S. § 15-183(E)(6).

Staff Recommendation

Option 2.