
AGENDA ITEM: Compliance Matters – Excel Preparatory Academy, Inc.**Issue**

Excel Preparatory Academy, Inc. (EPA) did not comply with specific requirements made at the October 12, 2011 Board meeting and did not open its school for the 2012-2013 school year.

Background

Excel Preparatory Academy Inc., a non-profit corporation, entered into a charter contract with the Board on April 13, 2011 to operate one school site – Excel Preparatory Academy. The charter contract was solely for grade 9. A School Closure Notification request was submitted on August 23, 2011, and approved on August 25, 2011. A [request for temporary suspension](#) was submitted on August 18, 2011 and approved by the Board on October 12, 2011.

Communication between staff and the charter holder since the approval of the temporary suspension is summarized below.

- October 13, 2011
 - The charter holder was [notified by letter](#) that the temporary suspension had been approved by the Board. The letter also described requirements specified by the Board, including documents to be submitted by January 1, 2012.
- June 19, 2012
 - The charter representative was contacted by email, asking him to reply to some clarifying questions by email or telephone.
 - A “delivery receipt” was received through the email system, but a response from the charter representative was not received.
- Since the summer of 2012, the website for the school has stated the school is enrolling students for the 2012-2013 school year. The voicemail for the school states that the school is enrolling 9th and 10th grade students for 2011.

Compliance

As of October 4, 2012, EPA is not in good standing with the Arizona Corporation Commission due to:

- Delinquent Annual Report 08/07/2012,
- 2012 Annual Report was due on 05/04/2012, and
- Undeliverable Address.

Board Options

Option 1: The Board may vote to issue a Notice of Intent to Revoke the charter contract of Excel Preparatory Academy, Inc. Staff recommends the following motion language: I move to issue a Notice of Intent to Revoke the charter contract of Excel Preparatory Academy, Inc. for failing to comply with A.R.S. § 15-183 (E)(3) and its charter contract when it failed to provide educational services to students, and failed to be in good standing with the Arizona Corporation Commission.

Option 2: The Board may determine that it is appropriate to delay the issuance of a Notice of Intent to Revoke the charter contract of Excel Preparatory Academy, Inc. until such time as the charter holder responds to the Board’s October 12, 2011 action. (No action/motion necessary)