
AGENDA ITEM: Compliance Matters – Founding Fathers Academies, Inc.

Issue

Based upon information presented at the July meeting, the Board voted to issue a Notice of Intent to Revoke the charter contract of Founding Fathers Academies, Inc. for failing to comply with its charter contract and state and federal law when it failed to provide a learning environment that improves pupil achievement in accordance with A.R.S. §15-181(A) and failed to comply with laws related to the education of students with disabilities under A.R.S. § 15-183(E)(7). Since the July meeting, ADE, Exceptional Student Services (ESS) has notified Board staff that Founding Fathers Academies, Inc. has completed its Corrective Action Plan and that ESS has conditionally closed its monitoring.

Background

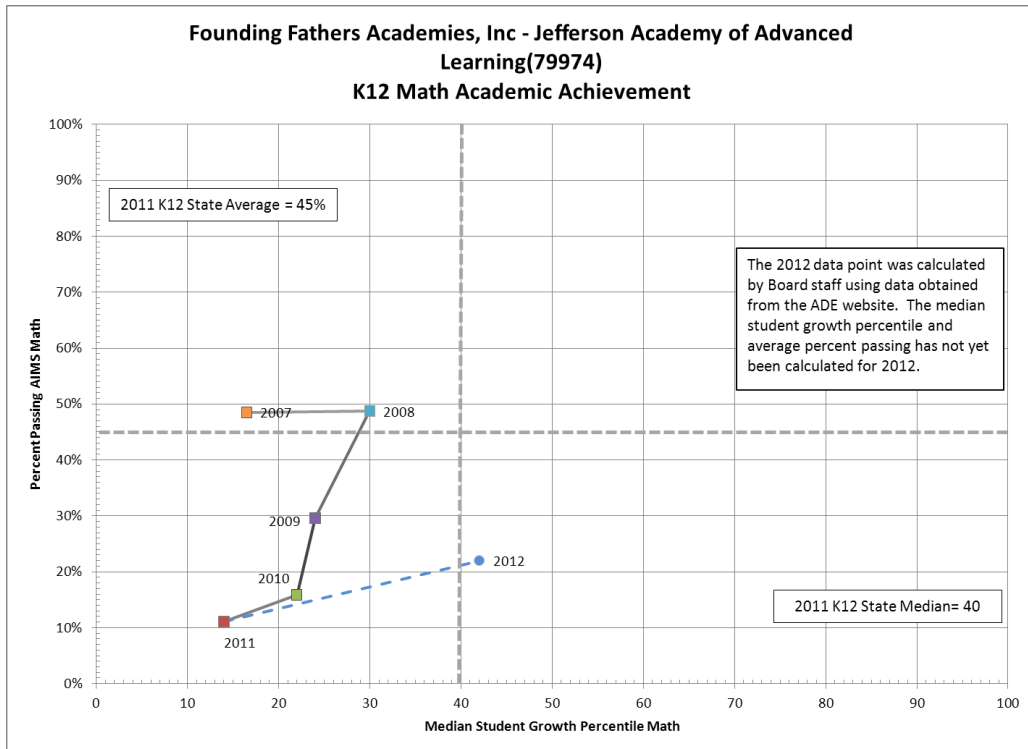
On July 9, 2012, the Board voted to issue a Notice of Intent to Revoke the charter of Founding Fathers Academies, Inc. for failing to comply with its charter contract and state and federal law when it failed to provide a learning environment that improves pupil achievement in accordance with A.R.S. §15-181(A) and failed to comply with laws related to the education of students with disabilities under A.R.S. § 15-183(E)(7). The Board also voted to withhold 10% of Founding Fathers Academies, Inc.'s monthly State aid apportionment until compliance is demonstrated by the charter holder submitting a complete performance management plan and satisfactorily closing out its Corrective Action Plan as required by ADE's Exceptional Student Services. The information considered by the Board as well as an audio recording of the discussion is available at http://asbcs.az.gov/board_information/meeting_info/2012/July.asp.

On July 17, 2012, Board staff sent a [letter](#) to Founding Fathers Academies, Inc. via email with information regarding the 10% withholding, including the requirements of a Corrective Action Plan that would demonstrate compliance. On July 18, Board staff received a Read Receipt from the charter representative indicating the message had been read.

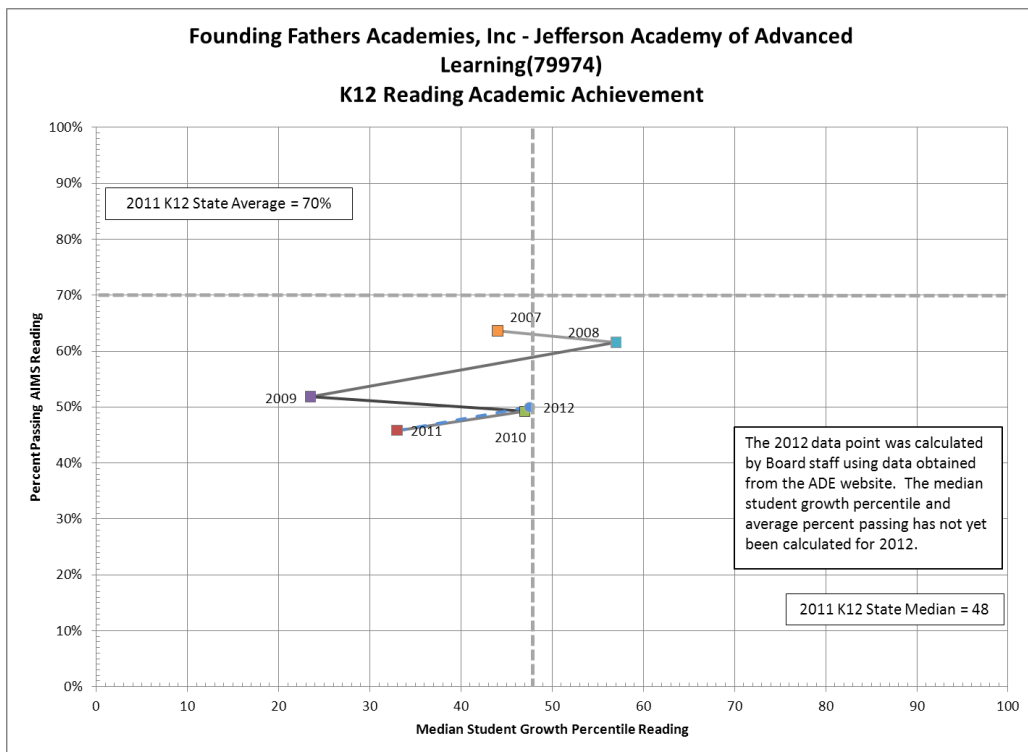
On August 1, 2012, Board staff met with ESS in clarification of information for the Notice of Intent to Revoke charter. On August 6, 2012, Board staff was notified in a [letter](#) from ADE, Exceptional Student Services (ESS) that Founding Fathers Academies, Inc. met the monitoring requirements through completion of follow-up on its Correction Action Plan and ADE/ESS conditionally closed its monitoring.

At the time of this report, Founding Fathers Academies, Inc. had not submitted any of the required information for the Performance Management Plan to demonstrate compliance for returning the 10% withholding.

Jefferson Academy of Advanced Learning, the school operated by Founding Fathers Academies, Inc., received a FY2012 letter grade of D, as reported by the Arizona Department of Education. The updated graphs reflecting the school's percent passing and median growth percentile are included below.



Note: Except for the 2012 data point, this chart is based on data obtained from the ADE in Oct. 2011. Proficiency and growth percentiles are only reported for FAY students.



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Board Options

Option 1: The Board may choose to amend the Notice of Intent to Revoke the charter holder's charter contract to remove the reference to violations of laws related to the education of students with disabilities. The 10% withholding would continue until the Performance Management Plan is received and the matter will proceed to hearing for failing to provide a learning environment that improves pupil achievement. Staff recommends the following motion language: I move, based upon new information contained in the staff report and provided today, that the Board proceed in issuing a Notice of Intent to Revoke the charter contract of Founding Fathers Academies, Inc. on the basis of its failure to comply with its charter contract and state law when it failed to provide a learning environment that improves pupil achievement in accordance with A.R.S. § 15-181(A). I further move that the remainder of the Board's July 9, 2012 motion regarding the withholding of 10% of Founding Fathers Academies, Inc.'s monthly State aid apportionment until its demonstration of compliance be affirmed.

Option 2: The Board may choose to rescind the portion of the approved July 9, 2012 motion to issue a Notice of Intent to Revoke the charter holder's charter contract and continue to withhold 10% of its monthly State aid apportionment until the Performance Management Plan is received. The following language is provided for consideration: I move that the Board rescind the portion of the approved July 9, 2012 motion to issue a Notice of Intent to Revoke the charter holder's charter contract but that the Board continue to withhold 10% of its monthly State aid apportionment until the Performance Management Plan is received.