

Guide to Amending a Charter

Arizona State Board for Charter Schools

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Arizona State Board for Charter Schools

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Introduction

The Guide to Amending a Charter (“The Guide”) is a comprehensive document for charter holders that includes information about all components and requirements of the amendment and notification request process. The purpose of this document is to provide guidance and answer common questions about when and how to submit requests. This guidance includes a “Terms to Know” section to further clarify language used in the requests, as well as guidelines for the various attachments required for submitting certain requests. Additionally, it serves to provide clarification to charter holders about the procedures Board staff follows for processing and evaluating requests once they have been submitted.

Pursuant to ARS §15-183(G), charter contracts may be amended or modified by mutual agreement, in writing, between the Charter Holder and the Arizona State Board for Charter Schools (“Board”). Charter amendments and modifications requiring prior written approval by the Board are made by filing an amendment or notification request. The Charter Holder shall not take action or implement the modification requested until approved by the Board.

The Board has developed procedures and rules for submitting amendments and notifications for approval. This guide provides information about those rules and procedures, as well as the specific situations that warrant use of these processes. *Charter modifications that are not included as part of the amendment and notification request process may be implemented without the approval of the Board.*

Although this guide is intended to be a comprehensive resource for charter holders, not all scenarios can be anticipated. If you are unable to find information in regard to your particular scenario, contact Board staff at 602-364-3080.

The following chart identifies which requests are Amendments and Notifications.

Amendments	Notifications
Arizona Online Instruction (AOI)	Charter Holder Governance
Charter Holder Status	Charter Holder Location
Charter Mission	Charter Representative
Enrollment Cap	School Closure
Grade Level Change to Charter	School Governing Body
Instructional Days	School Name Change
New School	School Location
Program of Instruction	School Specific Change in Grades Served
Procurement Laws Exception	
USFRCS Exception	

Bolded amendments are expansion requests

Amendment Process

General Overview

Charter contracts can be amended through the amendment and notification request process. When a charter holder determines that it intends to make a change to its contract, the Charter Representative must file a request prior to implementing the change.

A request is either classified as an amendment or a notification. The chart below describes the differences between an amendment and notification.

Amendments	Notifications
Make a material change to the charter contract	Notify the Board of a non-material change in the charter's operations
A Compliance Check will be conducted for each request	A Compliance Check may be conducted
Placed on the Board agenda	May be signed off by the Executive Director

The Board provides instructions, specific to each individual request on its website. The request instructions for each amendment or notification include eligibility requirements, information about form fields and attachments, and checklists for completeness. However, additional guidance to assist the Charter Holder in meeting these requirements is found in The Guide.

All amendment and notification requests must be submitted electronically through [ASBCS Online](#) by the Charter Representative. To access and submit a request through the system, use the following steps:

1. Log in at <https://online.asbcs.az.gov> using your username and password.
2. Under the "Charter Holders" heading, click "Select a Charter".
3. Click on the correct Charter Holder name for the request being submitted.
4. In the gray bar at the top, click on "Submit Form" to go to the list of amendments and notification online forms.
5. Click on the specific amendment or notification to be taken to the online form.
6. The online form contains instructions for submission; however, the instructions found in this guide and on the appropriate Request Instructions Form supersede these instructions.

The general steps taken in the amendment and notification request process are outlined in the chart below.

Amendment Submission	The Charter Representative submits the request using a form in ASBCS Online.
Administrative Review	The request is reviewed for administrative completeness to ensure the components listed in the administrative completeness review checklist meet the criteria. The Board has 20 business days for administrative review. The Charter Holder is notified by email of the result of the review.
Substantive Review	The request is reviewed for substantive completeness to determine if all components of the request have been addressed using the substantive completeness review checklist. The Board has 40 business days for substantive review. The Charter Holder is notified by email of the result of the review.
Board Consideration	If a request is substantively complete, it may be considered for approval by the Executive Director, or placed on the agenda of a regular Board meeting.

Timeframes

Requests must be submitted timely so that they may be processed within the timeframe provided in Rule. Review the submission windows below to determine the deadline for submitting an amendment request to be considered by the Board by a specified date. If a request is deemed administratively or substantively incomplete, the information contained in the chart below will not apply.

Submission Window	Board Meeting Date* Date meeting will be held at 1616 W. Adams Street, Ste. 170, unless otherwise indicated on the posted agenda
August 24, 2016	November 21, 2016 (Third Monday)
September 14, 2016–October 13, 2016	December 12, 2016
October 14, 2016–November 14, 2016	January 10, 2017 (Tuesday)
November 15, 2016–December 14, 2016	February 13, 2017
December 15, 2016–January 17, 2017	March 13, 2017
January 18, 2017–February 16, 2017	April 10, 2017
February 17, 2017–March 21, 2017	May 15, 2017 (Third Monday)
March 22, 2017–May 17, 2017	June 12, 2017
N/A	July—No Meeting Scheduled
May 18, 2017–June 16, 2017	August 14, 2017
June 17, 2017–July 17, 2017	September 11, 2017
July 18, 2017–August 15, 2017	October 10, 2017 (Tuesday)
August 16, 2017–September 14, 2017	November 21, 2017 (Tuesday)
September 15, 2017–October 16, 2017	December 11, 2017

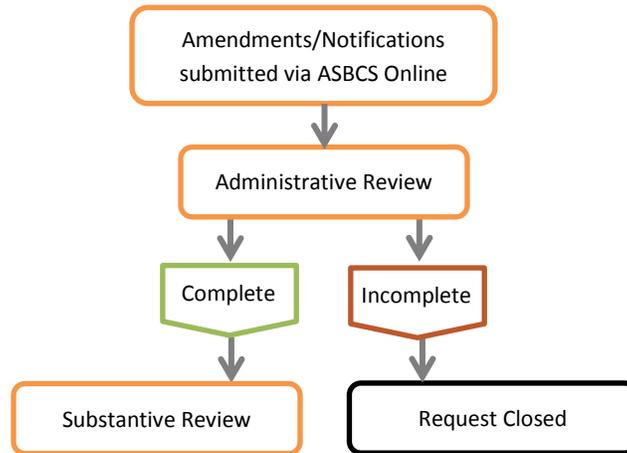
*Board meeting dates are subject to change in the event a quorum of the Board is not available. Check the Board's [website](#) for updates.

Once a request has been submitted, the Board has 60 business days to process it. Board staff will process amendments in a timely manner in the order in which they are received. If additional information is required during the substantive completeness review, the “clock” is stopped, and starts again once the request has been resubmitted. Any time the clock stops, it may delay the Board’s consideration of the request.

Administrative Completeness Review

To ensure that all required components of a request have been submitted, an administrative completeness review is conducted. An administrative completeness criteria checklist for each request is provided in the instructions for each individual request. The checklist will be used by Board staff in the administrative review.

The diagram below demonstrates the steps in the Administrative Review Process:

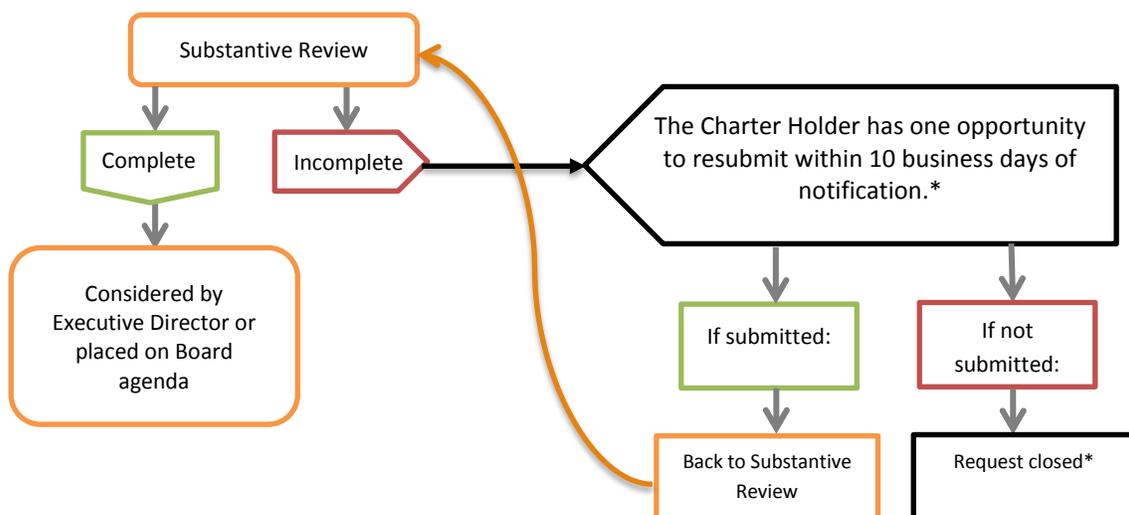


Substantive Completeness Review

To ensure that all components of the request have been addressed, a substantive completeness review is conducted. A substantive completeness criteria checklist for each request is provided in the instructions for each individual request and used by Board staff.

- A required document or narrative prompt will be evaluated as “acceptable” or “not acceptable” by Board staff.
- An “acceptable” narrative response
 - Addresses every applicable part of the prompt;
 - Provides a clear and detailed response; and
 - Is consistent among the components of the request.

The diagram below demonstrates the steps in the Substantive Review Process:



Compliance Checks

A compliance check may occur as part of the amendment and notification request approval process. Please refer to the Board’s [Policy Statement on Conducting Compliance Checks](#) for further information on this process.

In October 2014, the Board adopted its Operational Performance Framework, which uses information from a variety of sources, to evaluate a charter holder's operational performance. When a compliance check is conducted during the substantive review process, areas found to be non-compliant will be reported in accordance with the Operational Framework.

Expansion Requests

Expansion requests are amendments that expand a current charter holder’s operations by increasing the number of students, range of grade levels, etc. As a result, expansion requests have eligibility criteria, undergo a staff recommendation review, and have additional submission requirements.

The following are expansion requests:

- Arizona Online Instruction Program of Instruction
- Enrollment Cap (Increase only)
- Grade Level Change to Charter (Increase only)
- New School

Eligibility Criteria

The expansion process is open to any charter holder if 75% or more of its schools eligible to receive an Overall Rating have an Overall Rating of “Meets Standard”, “Above Standard”, or “Exceeds Standard” in the most recent year. An Overall Rating is determined for each charter school operated by the Charter Holder in accordance with the following matrix.

1a. A-F Letter Grade State Accountability*	1b. State Designation for School Improvement		
	Not Identified for Support	Identified for Improvement and/or Targeted Support	Identified for Improvement and/or Comprehensive Support
A	Exceeds Standard	Does Not Meet Standard	Falls Far Below Standard
B	Above Standard	Does Not Meet Standard	Falls Far Below Standard
C	Meets Standard	Does Not Meet Standard	Falls Far Below Standard
D	Does Not Meet Standard	Does Not Meet Standard	Falls Far Below Standard
F	Falls Far Below Standard	Falls Far Below Standard	Falls Far Below Standard

Staff Recommendation Criteria

Recommendation criteria will be used to determine whether or not Board staff will recommend the Board approve the request. The criteria to receive a staff recommendation for each specific request are included in the individual request instructions. A charter holder must fulfill all listed criteria to receive a staff recommendation for expansion.

Curriculum Samples

Curriculum samples are an additional submission requirement for the Grade Level Change to Charter Amendment Request. This requirement only applies to charter holders who operate one or more schools that did not receive an Overall Rating of “Exceeds Standard” or “Above Standard” in the most recent year. If all schools under the charter received an Overall Rating of “Exceeds Standard” or “Above Standard” in the most recent year, no curriculum samples will be required. For further information about curriculum sample guidelines, see the Grade Level Change to Charter Amendment Request Instructions and Curriculum Sample Instructions and Template on the ASBCS website.

Financial Performance Eligibility

The New School and Arizona Online Instruction Program of Instruction Amendment Requests require a review of the financial performance of the Charter Holder as described in the [Financial Performance Framework and Guidance](#) (“FPFG”), available on the ASBCS webpage (<https://asbcs.az.gov>). Before submitting the request, follow the instructions in the [Accessing Financial Performance Dashboards](#) section on the Board’s website to determine whether the Charter Holder meets the Board’s financial performance expectations for the latest audit submitted to the Board (if the latest audit submitted to the Board is not reflected in the dashboard or no financial dashboard is found, contact Board staff). If the Charter Holder does not meet the Board’s financial performance expectations, the submitted request must include a financial performance response as described in Appendix C of the FPFG, along with a start-up budget, first-year operational budget and budget assumptions for the new school or program. For more information regarding the budget requirements, please see Appendix B of the FPFG (pages 15–16). For more information on preparing the financial performance response, please see the resources available under “[Financial Performance Response](#)” on the ASBCS webpage.

Attachment Guidelines

General Guidance

Amendment and notification requests require the attachment of documents. Each request identifies the specific attachments required for the individual request, as well as the administrative and substantive completeness requirements for each document. This section provides general guidance about formatting, uploading, and saving attachments.

Formatting

When a document is created and saved, fonts must be no less than 11 point. All attachments must be saved in PDF format prior to attaching. If the attachment is a scanned image, the image must be legible.

Scanned images must be no less than 100% of the original size, except for building floor plans or architectural renderings.

Uploading and Saving Files

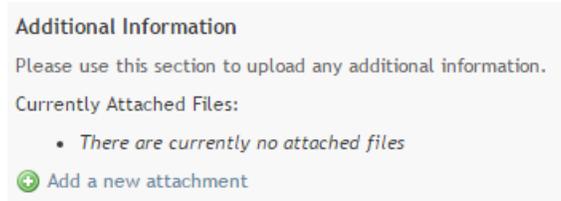
Before uploading and saving a document, ensure that it meets all criteria, is thoroughly proofread, and contains accurate information.

In sections allowing only a single document:



- Click on **Choose File**. A window will open allowing you to select the document on your computer. Click on the document and click **Open**. Once the path and name appears in the box, click **Save and Continue**. The document name will be changed to reflect the section title. Once saved, click **View uploaded file** to ensure that the correct document was uploaded. To revise the document before submitting, upload and save again – the previous version will be automatically removed.

In sections allowing multiple document uploads:



- Many sections require multiple documents to be uploaded. In these sections, for each document, click **Add a New Attachment**. Click on **Browse**. A window will open allowing you to select the document on your computer. Click on the document and click **Open**. Write a **Brief Description** of the file in the box (e.g. 4th Grade Reading, Bylaws). Once the path and name appears in the box, click **Add Attachment**. Click **Save and Continue**, at which point the document name will be modified, with a prefix at the beginning and a number at the end. Once saved, click **View/download file** to ensure that the correct document was uploaded. To revise a document before submitting, click **remove** to delete the old one before uploading the new one.

Note: Once you click **Open**, the document will be saved to your browser, NOT to the ASBCS Online system. You must click **Save and Continue** to transfer the document to the ASBCS Online system. Documents uploaded but not saved may timeout, and will need to be uploaded again.

Attachments

This section provides information about the content of the attachments that are required throughout the requests. Each individual request has an “Attachments” section that identifies which of these specific attachments is required with the submission. Note that numerous requests include the same attachments, as noted below. Many of the attachments are forms that must be filled out and/or signed, then scanned and uploaded with each request. These forms can be found in Appendix B: Forms, unless otherwise noted.

Affidavit

An Affidavit, Disclosure, and Consent for Background and Credit Check must be completed for each new Charter Representative or Principal added by the notification request. Each form must be signed and dated by the individual named on the form. The form must be notarized before it is scanned and uploaded with the request.

Included in the following:

- Charter Holder Governance Notification
- Charter Holder Status Amendment
- Charter Representative Notification

Agricultural Land Regulation Assurance and Understanding

Arizona Revised Statute §15-183 (U) states, “Charter schools may not locate a school on property that is less than one-fourth mile from agricultural land regulated pursuant to section 3-365, except that the owner of the agricultural land may agree to comply with the buffer zone requirements of section 3-365. If the owner agrees in writing to comply with the buffer zone requirements and records the agreement in the office of the county recorder as a restrictive covenant running with the title to the land, the charter school may locate a school within the affected buffer zone. The agreement may include any stipulations regarding the charter school, including conditions for future expansion of the school and changes in the operational status of the school that will result in a breach of the agreement.”

An Agricultural Land Regulation Assurance and Understanding form must be completed and signed by the Charter Representative. If the school is located less than one-fourth mile from agricultural land, additional documentation is required, as indicated on the form.

Included in the following:

- New School Amendment
- School Location Notification

Background Information Sheet

Both pages of the Background Information Sheet must be completed for each new Charter Representative or Principal added by the request. Information included on the Background Information Sheet must be consistent with that found on the résumé and transcripts.

Included in the following:

- Charter Holder Governance Notification
- Charter Holder Status Amendment
- Charter Representative Notification

Board Minutes

Board minutes demonstrate that the proposed change has been approved by the Charter Holder. Ensure that minutes:

- Comply with A.R.S. §38-431.01 (Open Meeting Law);
- Demonstrate that the Board is in alignment with what is on file with ASBCS; and

- Clearly indicate approval of the proposed change.

Included in all requests

Curriculum Samples

Curriculum samples provide a representation of a program of instruction aligned to Arizona’s College and Career Ready Standards and to the methods of instruction described in the charter. The curriculum samples provide an opportunity for the Charter Holder to demonstrate the capacity to develop a curriculum aligned to these Standards in the areas of Reading, Writing, Math, and Science.

More specific directions regarding formatting, page limits, choosing standards, and expectations for addressing instructional rigor can be found on the Curriculum Sample Template (found on the ASBCS website, in the ASBCS Online Help Files, and in the Grade Level Change to Charter Amendment Request Instructions).

Included in the Grade Level Change to Charter Amendment (Increase Only).

Daily Instructional Schedules

Provide the instructional schedule for each grade level served by the school for which the change is requested. A.R.S. §15-901(1) states that “lunch periods and recess periods may not be included as part of the instructional hours unless the child’s individualized education program requires instruction during those periods and the specific reasons for such instruction are fully documented.” Ensure that the schedules clearly identify which time periods are instructional, and which are not. If the school calendar identifies any alternative daily schedules (e.g. early release days), ensure that instructional schedules include the time periods for these days.

Included in the Instructional Days Amendment.

Declaration of Payment, Benefit, or Consideration

A Declaration of Payment, Benefit, or Consideration must be completed, signed, and uploaded for each Charter Representative, Principal, or Governing Body Member added or removed by the request. The form must indicate whether the individual is receiving any payment, benefit, or consideration as part of the role for which the individual is being added or removed. If payment, benefit, or consideration is a component of the transition, an explanation **must** be included on the form.

Included in the following:

- Charter Holder Governance Notification
- Charter Holder Status Amendment
- Charter Representative Notification
- School Governing Body Notification

Enrollment Matrix

On the Enrollment Matrix, the Charter Holder will identify three year enrollment projections. An Enrollment Matrix must be completed and uploaded for each school operated by the charter, identifying the current and target enrollments, should the request be granted. In the case of a New School

Amendment, the Charter Holder must also submit an Enrollment Matrix describing the subsequent three fiscal years for the proposed school.

Included in the following:

- Enrollment Cap Amendment
- Grade Level Change to Charter Amendment
- New School Amendment
- School Location Notification
- School Specific Change in Grades Served Notification (Increase only)

The image below provides an example of a completed Enrollment Matrix.

School Name: ABC Charter School

Grade Level	Number of Students			
	Current—FY17	Target—FY18	Target—FY19	Target—FY20
K	0	0	0	0
1	0	0	0	0
2	0	0	0	0
3	0	0	0	0
4	0	0	0	0
5	0	0	0	0
6	72	72	72	72
7	72	72	72	72
8	72	72	72	72
9	0	24	48	72
10	0	0	24	48
11	0	0	0	24
12	0	0	0	0
Total Enrollment	216	240	288	360

Facility Documentation

Certificate of Occupancy

A Certificate of Occupancy must include the address of the charter school and indicate that the facility is approved for educational use.

Included in the following:

- Enrollment Cap Amendment (Increase only)
- New School Amendment
- School Location Notification
- School Specific Change in Grades Notification (Increase only)

Fire Marshal’s Inspection Report

A Fire Marshal’s Inspection Report that includes the address of the school and an indication that the facility is approved for educational use must be uploaded. Please note that the Board only accepts State

Fire Marshal's Inspection Reports unless the issuing entity is on the State's Letter of Appointment ("LOA") list.

An LOA is an agreement entered into by the fire chiefs of a city, town, county, volunteer fire company, or protective district to act within their area of jurisdiction on behalf of the Arizona State Fire Marshal. Jurisdictions have the authority to issue permits, review plans for construction, remodeling, alterations, and additions of state, county, and public school buildings and grounds and the inspections performed in conjunction therewith; as well as regularly scheduled inspections of state and county owned buildings and all public and private schools. For a list of jurisdictions that have entered into an LOA, please visit the State Fire Marshal's website at <http://www.dfbls.az.gov/ofm/MOU.aspx>.

Included in the following:

- Enrollment Cap Amendment (Increase only)
- New School Amendment
- School Location Notification
- School Specific Change in Grades Notification (Increase only)

Capacity Documentation

Some requests require that documentation demonstrates a building has appropriate capacity to implement the request as submitted. For these requests, if the Certificate of Occupancy and/or Fire Marshal's Inspection Report do not list the building capacity, additional documentation (e.g. floor plans with classroom square footage, architectural drawings indicating internal building dimensions) and a description of how the space is sufficient for the appropriate number of students is required. Hand-drawn images will not be accepted.

Included in the following:

- Enrollment Cap Amendment (Increase only)
- New School Amendment
- School Location Notification
- School Specific Change in Grades Notification (Increase only)

Occupancy Compliance Assurance and Understanding Form

If the Charter Holder is unable to submit a Certificate of Occupancy and Fire Marshal's Inspection Report for a school location, this form may be signed by the Charter Representative and uploaded with the request to demonstrate an understanding that those documents are required to be submitted prior to the school's opening date, and the state equalization payment will be withheld until the appropriate documentation has been received.

Included in the following:

- New School Amendment
- School Location Notification

Lease Agreement, Proof of Purchase, or Builder Contract

A charter holder is required to maintain ownership, a lease, or other suitable agreement covering the use of all facilities. Upload a copy of documentation that demonstrates a secured facility for the school's use.

Included in the following:

- New School Amendment
- School Location Notification

Liability Insurance Coverage

A charter holder must obtain and maintain insurance in accordance with the laws of the State of Arizona. A Certificate of Liability Insurance that includes the school’s description must be uploaded with the request.

Included in the following:

- New School Amendment
- School Location Notification

Financial Documentation

If a charter holder does not meet the Financial Performance Eligibility Requirements (see page 7 of this guide), financial documentation is required as part of the request. The financial documentation must include the following:

- A financial performance response that addresses each measure for the most recent audited fiscal year presented in the dashboard where the Charter Holder received a “Does Not Meet Standard” or a “Falls Far Below Standard”. For additional information regarding the financial performance response, please see Appendix C of the [Financial Performance Framework and Guidance](#).
- A start-up budget to cover expenses projected to occur during the start-up period (until August 1 of the year the school opens).
- An operational budget to cover the first year of operations.
- For each budget, a separate document describing assumptions for each line item, to include disaggregated costs, and basis for determining those costs. Demonstrate through the assumptions that the amounts listed are viable and adequate for the start-up period and first year of operation.

Included in the following:

- Arizona Online Instruction Program of Instruction Amendment
- New School Amendment

Fingerprint Clearance Card

A scanned copy of the front and back of the individual’s valid Fingerprint Clearance Card (“FCC”), issued by the Arizona Department of Public Safety should be submitted. Applications for a FCC or evidence of submission of an application for a card are not accepted.

Included in the following:

- Arizona Online Instruction Program of Instruction Amendment
- Charter Holder Governance Notification
- Charter Holder Status Amendment
- Charter Representative Notification
- New School Amendment

Narrative

Upload a PDF of the Charter Holder’s written document that addresses all prompts in a manner that meets the substantive completeness requirements.

Included in the following:

- Enrollment Cap Amendment
- Grade Level Change to Charter Amendment
- Instructional Days Amendment
- New School Amendment
- Program of Instruction Amendment
- School Closure Amendment
- School Location Notification
- School Specific Change in Grades Notification (Increase only)

Policy for Accounting

For a USFRCS Exception, schools must submit an accounting policy. Schools should seek the advice of financial experts when developing specific procedures to ensure they comply with generally accepted accounting principles (“GAAP”) and budgeting and annual financial reporting requirements. A Sample Accounting Policy is found on the ASBCS website to provide general guidance when creating this policy to meet the charter’s own needs and procedures. Upload a PDF of the Charter Holder’s Policy for Accounting.

Included in the USFRCS Exception Amendment.

Policy for Procuring Goods and Services

For a Procurement Laws Exception, schools must submit a procurement policy. A Sample Procurement Policy is found on the ASBCS website to provide general guidance when creating this policy to meet the charter’s own needs and procedures. Upload a PDF of the Charter Holder’s Policy for Procuring Goods and Services.

Included in the Procurement Laws Exception Amendment.

Résumé

A current résumé for each individual being added as a Charter Representative or Principal must be uploaded. The résumé must align with the information included on the Background Information Sheet and transcripts.

Included in the following:

- Charter Holder Governance Notification
- Charter Holder Status Amendment
- Charter Representative Notification

School Calendar

Provide the school calendar for the fiscal year in which the Charter Holder intends to implement the request. Ensure that the calendar indicates any days which operate on an alternate daily schedule (e.g. early release days).

Included in the Instructional Days Amendment.

Staffing Chart

On the Staffing Chart, the Charter Holder will identify an anticipated three year staffing plan. On the first page, identify the number of staff members including administrative, instructional, and non-instructional staff, as well as the sum total at the bottom of the chart. The second page includes a chart identifying the leadership team. On this chart, identify specific individuals to demonstrate how existing leadership will be leveraged to implement the changes brought on by the request.

Included in the following:

- Enrollment Cap Amendment
- Grade Level Change to Charter Amendment
- School Specific Change in Grades Notification (Increase only)

The images below provide an example of both components of a completed Staffing Chart.

School Name: ABC Charter School

Position	Number of Staff Members			
	Current—FY17	Anticipated—FY18	Anticipated—FY19	Anticipated—FY20
Administration	1	1	1	1
Teachers/Instructional Staff				
Kindergarten	0	0	0	0
1 st	0	0	0	0
2 nd	0	0	0	0
3 rd	0	0	0	0
4 th	0	0	0	0
5 th	0	0	0	0
6 th	3	3	3	3
7 th	3	3	3	3
8 th	3	3	3	3
9 th	0	2	2	3
10 th	0	0	2	2
11 th	0	0	0	1
12 th	0	0	0	0
Specialty Staff (Music, Art, PE, etc.)	3	3.5	4	4
Special Education	1	1	1	1
Paraprofessional	1	1	2	2
Additional Staff				
List title: Instructional Coach	0	0	1	1
List title: Office Staff	1	1	2	2
List title: Lunch Staff	1	1	2	2
List title:				
Total Number of Staff Members	17	19.5	26	28

School Name: ABC Charter School

Title	Leadership Team			
	Current—FY17	Anticipated—FY18	Anticipated—FY19	Anticipated—FY20
Principal	Morgan Olmos	Morgan Olmos	Morgan Olmos	Morgan Olmos
Instructional Coach	N/A	N/A	Michelle Mills	Michelle Mills
6 th Grade Lead	Ed Freeman	Ed Freeman	Ed Freeman	Ed Freeman
7 th Grade Lead	Michelle Mills	Michelle Mills	TBD	TBD
8 th Grade Lead	Hayley Pfeiffer	Hayley Pfeiffer	Hayley Pfeiffer	Hayley Pfeiffer

Transcripts

If a postsecondary degree is noted on the Background Information Sheet and résumé of an individual being added as a Charter Representative or Governing Board Member, the request must include scanned copies of transcripts from the granting institution, or an official, watermarked report from the National Student Clearinghouse. If postsecondary documentation is not being provided by the individual as part of the request, a No Postsecondary Transcript Form must be completed and uploaded.

Included in the following:

- Charter Holder Governance Notification
- Charter Holder Status Amendment
- Charter Representative Notification

Appendices

A. Terms to Know

B. Forms

A. Terms to Know

Charter contract—The legally binding agreement between the Arizona State Board for Charter Schools and the entity approved to operate the school(s).

Charter Representative—An individual with the power to bind a charter holder contractually according to the Charter Holder’s Articles of Incorporation, operating agreement, or by-laws.

Concrete resources—Financial support or tangible items provided to staff to aid in implementation of curriculum or professional development strategies.

Criteria—The standard by which Board staff determinations will be made for administrative and substantive completeness reviews, and a staff recommendation for approval to the Board.

Curriculum—The content, programs, and materials that teachers will utilize with students to allow achievement of educational outcomes and mastery of standards.

Curriculum sample—A written description of instructional strategies, student activities, and assessment items (including a copy of the summative assessment items and answer key or scoring rubric, whichever applicable), and a description of the necessary materials/resources, which will provide the opportunity for a student starting at a specified level of knowledge and skill to attain mastery of the chosen Standard (English Language Arts and Math)/Performance Objective (Science).

Education Service Provider (“ESP”)—Any number of organizations that contract with or have a governance relationship with the entity to provide comprehensive services. The major types of ESPs that serve charter schools are the education management organization (“EMO”) and charter management organization (“CMO”). For the purposes of a request:

- An ESP is considered a CMO if it has a governance relationship with the Charter Holder in which the Charter Holder is a subsidiary of the ESP, the Charter Holder board has members that are members or employees of the ESP, and/or the ESP has ultimate executive authority over the Charter Holder, including the power to appoint board members and/or close a school operated by the Charter Holder.
- An ESP is considered an EMO if it will contractually provide operations and management to the Charter Holder, but the Charter Holder chooses the affiliation and is independent of the ESP.

Fingerprint Clearance Card (FCC)—A card issued by the Arizona Department of Public Safety after a state and federal criminal records check has been conducted.

Fiscal Year—The twelve month period that begins on July 1st and ends on June 30th.

Governing Body—The body responsible for the policy decisions of the school, as described in A.R.S. § 15-183 (E)(8).

Instruction—The methodology used by teachers to present curriculum to students.

Post-Secondary—Coursework completed after a high school degree has been earned.

Principal—An individual that serves on the corporate and/or governing board of a charter holder.

Procurement Laws—State procurement requirements identified in A.R.S. §§15-213 and 15-189.02 and the administrative rules adopted by the State Board of Education prescribing school procurement practices.

Rigor—An expectation set by the Arizona College and Career Ready Standards that includes a level of conceptual understanding, procedural skill and fluency, and application the student must master at that grade level.

Target Area—The anticipated area in which the school intends to operate.

Target Population—The anticipated student population of the school.

Uniform System of Financial Records for Charter Schools (“USFRCS”)—Internal control structure policies and procedures for accounting, financial reporting, and budgeting developed by the Office of the Auditor General.

B. Forms

- Affidavit, Disclosure and Consent for Background and Credit Check
- Agricultural Land Regulation Assurance and Understanding
- Background Information Sheet
- Declaration of Payment, Benefit, or Consideration
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Arizona State Board for Charter Schools

Affidavit, Disclosure, and Consent for Background and Credit Check

Complete this form for each new Charter Representative and Principal listed in the request. Duplicate as needed and print each form separately. Have each form signed and dated by the new Charter Representative or Principal and notarized.

Name: _____ Social Security Number*: _____

Street Address: _____

City: _____ State: _____ Zip: _____

Phone: _____ Date of Birth: _____ Place of Birth: _____

With my signature below, permission is hereby granted to the Arizona State Board for Charter Schools or its authorized representative bearing this release or a copy thereof, to conduct a background and credit check to obtain information about me in connection with a request of the following Charter Holder(s): _____

Please check the appropriate answer to each question below.

<p>1. Have you ever been convicted of or pled “no contest” for any violation of law other than minor traffic offenses? If either event has occurred, you must answer YES. If the conviction has been set aside, the charges must be disclosed. Please give details on a separate signed, notarized and dated sheet.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>2. Have you ever been convicted of, admitted committing, or are you awaiting trial on any of the following criminal offenses in this state or similar offenses in another jurisdiction: (1) Sexual abuse of a minor, (2) Incest, (3) First or second degree murder, (4) Kidnapping, (5) Arson, (6) Sexual assault, (7) Sexual exploitation of a minor, (8) Contributing to the delinquency of a minor, (9) Commercial sexual exploitation of a minor, (10) Felony offenses involving sale, distribution or transportation of, offer to sell, transport or distribute marijuana or dangerous or narcotic drugs, (11) Felony offenses involving the possession or use of marijuana or dangerous or narcotic drugs, (12) Misdemeanor offenses involving the possession or use of marijuana or dangerous drugs, (13) Burglary in the first degree, (14) Burglary in the second or third degree, (15) Aggravated or armed robbery, (16) Robbery, (17) A dangerous crime against children as defined in A.R.S. § 13-705, (18) Child abuse, (19) Sexual conduct with a minor, (20) Molestation of a child, (21) Manslaughter, (22) Aggravated assault, (23) Assault, or (24) Exploitation of minors involving drug offenses? If YES, submit certified court record and details of incident(s), signed, notarized and dated.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>
<p>3. Have you ever declared bankruptcy? Please give details on a separate signed, notarized and dated sheet.</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>

I DO SOLEMNLY SWEAR OR AFFIRM THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE. FURTHERMORE, SHOULD ANY PART OF THE INFORMATION HEREIN PROVIDED PROVE TO BE FALSE, I RECOGNIZE THAT IT SHALL BE JUST CAUSE FOR THE ARIZONA STATE BOARD FOR CHARTER SCHOOLS TO DENY THE REQUEST SUBMITTED BY THE ABOVE LISTED CHARTER HOLDER(S).

Signature _____

Notary: Subscribed and sworn before me this _____ day of _____ Year _____

County of _____ State of _____

Notary Public Signature _____ My Commission Expires _____

*Disclosure of your social security number is voluntary and is requested by the Arizona State Board for Charter Schools pursuant to its legislative authorization under A.R.S. § 15-182(E) in order to verify the information supplied in your request and to determine your qualifications to operate a charter school. No statute or other authority requires that you disclose your social security number for that purpose. Failure to disclose your social security number may, however, result in a denial of your request.



Arizona State Board for Charter Schools

Agricultural Land Regulation Assurance and Understanding

Arizona Revised Statute §15-183 (U) states, “Charter schools may not locate a school on property that is less than one-fourth mile from agricultural land regulated pursuant to section 3-365, except that the owner of the agricultural land may agree to comply with the buffer zone requirements of section 3-365. If the owner agrees in writing to comply with the buffer zone requirements and records the agreement in the office of the county recorder as a restrictive covenant running with the title to the land, the charter school may locate a school within the affected buffer zone. The agreement may include any stipulations regarding the charter school, including conditions for future expansion of the school and changes in the operational status of the school that will result in a breach of the agreement.”

Charter Holder Information	
Name of Charter Holder Entity	
Name of Charter School	

Check box below to indicate which statement applies	
<input type="checkbox"/>	The charter school is not located less than one-fourth mile from agricultural land.
<input type="checkbox"/>	The charter school is located less than one-fourth mile from agricultural land and attached is the written agreement with the owner agreeing to comply with the buffer zone requirements and evidence that the agreement has been filed in the office of the county recorder as a restrictive covenant running with the title to the land.
<input type="checkbox"/>	The charter school is located less than one-fourth mile from agricultural land and the entity is currently working with the owner to create a written agreement to comply with the buffer zone requirements and will record the agreement in the office of the county recorder as a restrictive covenant running with the title to the land. I acknowledge that if these documents are not submitted prior to occupancy, the school’s opening date may be postponed and/or the Board may take action as allowed by statute and the charter contract.

Signature
<p>BY SIGNING BELOW, I UNDERSTAND AND AFFIRM THAT THE FOREGOING INFORMATION PROVIDED BY ME FOR THE ABOVE LISTED CHARTER HOLDER IS TRUE AND CORRECT. FURTHERMORE, IF ANY PART OF THE INFORMATION PROVIDED PROVES TO BE FALSE, I RECOGNIZE THAT IT SHALL BE JUST CAUSE FOR REVOCATION OF THE CHARTER BY THE ARIZONA STATE BOARD FOR CHARTER SCHOOLS.</p> <p>Charter Representative Signature: _____ Date: _____</p>



Arizona State Board for Charter Schools

Background Information Sheet

Provide the following information for each new Charter Representative or Principal listed in the request. This form may be duplicated as many times as necessary.

Full Name (First, Middle, Last)		Other Names Used (Maiden names, AKA, etc.)	
Social Security Number (xxx-xx-xxxx)*		Date of Birth (Month/Day/Year)	
Residential Address			
City	State	Zip	Phone Number
Mailing Address (if different from above)			
City	State	Zip	Phone Number
Email Address			

List each CITY, STATE and ZIP CODE you have lived in within the past seven years, including your current address.

City	State	Zip Code	From Mo/Yr	To Mo/Yr

* The voluntary disclosure of your social security number is requested by the Arizona State Board for Charter Schools pursuant to its legislative authorization under A.R.S. § 15-182(E) in order to verify the information supplied in your request. No statute or other authority requires that you disclose your social security number for that purpose. Failure to disclose your social security number may, however, result in a denial of your request.

Continue on page 2

Background Information Sheet, Page 2

Charter Representative/Principal Name: _____

If applicable, list the **highest-level** post-secondary institution attended and degree earned or coursework/certification completed. If no post-secondary education is indicated on your resume, write N/A in "Institution Name". Ensure that this information is consistent with that contained in the résumé and transcript information provided with this request.

Institution Name	Dates Attended	Degree Earned	Major
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List the last FIVE YEARS of employment. List and describe any gaps in employment within the last five years.

Company Name		Position Held		
Address	City	State	Zip Code	Phone Number
Date Employed From: (Month/Year)	Date Employed To: (Month/Year)		Supervisor/Contact:	

Company Name		Position Held		
Address	City	State	Zip Code	Phone Number
Date Employed From: (Month/Year)	Date Employed To: (Month/Year)		Supervisor/Contact:	

Company Name		Position Held		
Address	City	State	Zip Code	Phone Number
Date Employed From: (Month/Year)	Date Employed To: (Month/Year)		Supervisor/Contact:	

Company Name		Position Held		
Address	City	State	Zip Code	Phone Number
Date Employed From: (Month/Year)	Date Employed To: (Month/Year)		Supervisor/Contact:	

Duplicate and add employment fields as necessary.



Arizona State Board for Charter Schools

Declaration of Payment, Benefit or Consideration

Complete this form for each individual listed in the request. Have each form signed and dated by the individual listed below and upload as described in the appropriate instructions.

Charter Holder Information	
Name of Charter Holder Entity	
Name of individual being added/removed	

Check box below to indicate the type of request	
<input type="checkbox"/>	Adding Charter Representative <i>(An individual with the power to bind a Charter Holder contractually and the primary point-of-contact for communications regarding the Charter Holder)</i>
<input type="checkbox"/>	Adding Charter Principal <i>(Any officer, director, partner, or member of the corporate board of the Charter Holder)</i>
<input type="checkbox"/>	Adding School Governing Body Member
<input type="checkbox"/>	Removing Charter Representative
<input type="checkbox"/>	Removing Charter Principal
<input type="checkbox"/>	Removing School Governing Body Member

Check box below to indicate which statement applies	
<input type="checkbox"/>	For the specific request listed above, I have received no payment, benefit, or consideration in the transition.
<input type="checkbox"/>	For the specific request listed above, I have received payment, benefit, or consideration in the transition. Explain: _____ _____ _____ _____ _____ (If more space is needed for this explanation, please upload an additional page)

Signature	
Signature: _____	Date: _____



Arizona State Board for Charter Schools

Enrollment Matrix

Complete the table to provide the current and target enrollment, indicating the proposed timeline for implementing the request.

Directions*:

- In each box under the “Number of Students” columns, identify the number of students served per grade for the current and upcoming three fiscal years.
- In the “Total Enrollment” row, provide the total enrollment for each fiscal year.
- Copy and paste the chart for each school operated by the Charter Holder.

School Name:				
Grade Level	Number of Students			
	Current—FY__	Target—FY__	Target—FY__	Target—FY__
Kindergarten				
1 st				
2 nd				
3 rd				
4 th				
5 th				
6 th				
7 th				
8 th				
9 th				
10 th				
11 th				
12 th				
Total Enrollment				

*To view an example of a completed Enrollment Matrix, review page 11 of The Guide to Amending a Charter.



Arizona State Board for Charter Schools

Occupancy Compliance Assurance and Understanding

The Arizona State Board for Charter Schools (“Board”), at a meeting held on June 8, 2009, approved a revised policy that requires new and existing charter holders to submit a copy of a valid Certificate of Occupancy and current Fire Marshal’s Inspection Report for each location where educational services will be provided prior to the initiation of state equalization payments.

The Board will request that the Arizona Department of Education (“ADE”) withhold state equalization assistance payments for 1) new charter schools that have signed a charter contract, 2) new schools under existing charter contracts, and 3) schools under existing charter contracts moving from one location to another, until the school has submitted valid copies of the required Certificate of Occupancy and current Fire Marshal’s Inspection Report for the new educational facility.

Once Board staff has verified that the appropriate documents for each school location have been received, the Board office will notify the Charter Holder and the ADE School Finance Unit’s Charter School Payment Manager that the school is eligible for payment. The ADE School Finance Unit will mark the school eligible for payment and a payment will generate in the next payment cycle if all other requirements of ADE School Finance have been met. Schools eligible for payment by the 20th of any month will generate a payment for the next month’s payment cycle. Schools marked eligible after the 20th of any month will not generate a payment in next month’s payment cycle. No off-system payments will be made.

Charter Holder Information	
Name of Charter Holder Entity	
School Location(s) for which the request applies	

Signature
<p>By signing below, I understand the Board’s policy and that I am required to submit an educational use Certificate of Occupancy and a current Fire Marshal’s Inspection Report to the Board office for each school facility operated by the Charter Holder. These documents must be verified by Board staff prior to occupancy of the building and prior to receipt of equalization payments for students enrolled at this school.</p> <p>I acknowledge that if these documents are not submitted prior to occupancy, the school’s opening date may be postponed and/or the Board may take action as allowed by statute and the charter contract.</p> <p>Charter Representative Signature: _____ Date: _____</p>



Arizona State Board for Charter Schools

Sample Accounting Policy

Below is a sample accounting policy. It is presented as general guidance to charter schools seeking an exception to the Uniform System of Financial Records for Charter Schools (“USFRCS”). Schools should also seek the advice of a financial expert(s) when developing specific procedures to ensure they comply with generally accepted accounting principles (“GAAP”) and budgeting and annual financial reporting requirements.

Sample Accounting Policy

(Charter Holder/School Name) will follow accounting policies and procedures that comply with generally accepted accounting principles (“GAAP”). This includes using an accounting system that provides for the proper recording and reporting of financial data and following standard internal control procedures. The school will utilize a chart of accounts that has been developed to align with the chart of accounts found in the Uniform System of Financial Records for Charter Schools (“USFRCS”) for the purposes of complying with budgeting and annual financial reporting. Revisions will be made periodically for changes in laws, regulations and accounting pronouncements that cover charter school accounting, financial reporting and compliance with state and federal laws.



Arizona State Board for Charter Schools

Sample Procurement Policy

Below is a sample procurement policy statement. It is presented as general guidance to charter schools seeking an exception to state procurement rules. Schools should also seek the advice of a financial expert(s) when developing alternative policies and procedures to ensure they comply with generally accepted accounting principles, budgeting and annual financial reporting requirements.

Sample Procurement Policy

(Charter Holder/School Name) will follow accounting policies and procedures that comply with generally accepted accounting principles ("GAAP"). Any procurement of goods and services shall be made by the procurement officer/authorized agent, in the best interest of the school, upon considering the totality of the circumstances surrounding the procurement, which may include but not be limited to, price, quality, availability, timelines, reputation and prior dealings.

(Charter Holder/School Name) shall not purchase any goods or services from any member of the governing board, an immediate family member of any member of the governing board nor from any entity in which any member of the governing board or an immediate family member of a governing board member may benefit from such a procurement, unless authorized by the governing board after a full disclosure of the potential benefits, and after the consideration set forth in paragraph 1 above.

(Charter Holder/School Name) understands that the policy cited above applies to purchases made using non-federal funds. As a condition of the receipt of certain federal funds, federal procurement requirements still apply.



Arizona State Board for Charter Schools

Staffing Chart

Complete the table to provide the current and anticipated staffing for the school(s) operated by the Charter Holder. Include staff members needed if the request is granted.

Directions*:

- In each box under the “Number of Staff Members” columns, identify the number of staff members for each position/category for the current and upcoming three fiscal years.
- Copy and paste the chart for each school operated by the Charter Holder.

School Name:				
Position	Number of Staff Members			
	Current—FY__	Anticipated— FY__	Anticipated— FY__	Anticipated— FY__
Administration				
Teachers/Instructional Staff				
Kindergarten				
1 st				
2 nd				
3 rd				
4 th				
5 th				
6 th				
7 th				
8 th				
9 th				
10 th				
11 th				
12 th				
Specialty Staff (Music, Art, PE, etc.)				
Special Education				
Paraprofessional				
Additional Staff				
List title: _____				
Total Number of Staff Members				

*To view an example of a completed Staffing Chart, review page 15 of The Guide to Amending a Charter.



Arizona State Board for Charter Schools

No Postsecondary Transcript Form

Complete this form for each individual listed in the request that has not received, or cannot retrieve, his or her postsecondary degree transcripts. The information provided on this form should be consistent with that contained in the Background Information Sheet and résumé provided with the request.

Charter Holder Information	
Name of Charter Holder Entity	
Name of added individual	

Check box below to indicate the type of notification	
<input type="checkbox"/>	Adding Charter Representative <i>(An individual with the power to bind a charter holder contractually and the primary point-of-contact for communications regarding the Charter Holder)</i>
<input type="checkbox"/>	Adding Charter Principal <i>(Any officer, director, partner, or member of the corporate board of the Charter Holder)</i>

Check box below to indicate what statement applies	
<input type="checkbox"/>	I have not received a degree from a postsecondary education institution.
<input type="checkbox"/>	I am currently attending a postsecondary education institution; therefore, I have not yet received a postsecondary degree.
<input type="checkbox"/>	<p>I have received a degree from a postsecondary education institution. However, I have attempted to obtain the requested information, but am unable to retrieve my transcripts or degree verification due to the following circumstances.</p> <p>Explain:</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p> <p>(If more space is needed for this explanation, please upload an additional page)</p>

Signature	
Signature: _____	Date: _____