
AGENDA ITEM: Consideration of Revocation or Restoration of a Failing School

Arizona LEARNS

In November of 2001, Arizona voters approved Proposition 301 which, among other things, provided funds to the Arizona Department of Education (ADE) to develop “a system to measure school performance based on student achievement, including student performance on the AIMS test.” The legislative requirements for the accountability system are stated in section 15-241 (ARS § 15-241) of the Arizona Revised Statutes. The accountability system created to satisfy the statute is referred to as Arizona LEARNS. The school evaluation given by ADE to each school is referred to as the school’s achievement profile. Arizona law (ARS § 15-241) mandates that the Arizona Department of Education shall compile an annual achievement profile for each public school.

The achievement profile for a school serving grades 3-8 consists of the following performance measures:

1. A status measure based on the performance of students on all three sections of the AIMS (reading, writing, and mathematics) in the current year.
2. A measure of improvement in aggregate student performance on the AIMS compared to the baseline year.
3. A measure of growth in individual student performance. This is the Measure of Academic Progress (MAP).
4. A measure of student performance on the state’s English language proficiency assessment: AZELLA.
5. A measure of whether the school made Adequate Yearly Progress (AYP) as defined by the No Child Left Behind Act of 2001. In order to comply with the federal requirement that the state have an integrated accountability system, a school’s AYP determination is factored into the calculation of its achievement profile.

Schools are awarded scale score points based on their performance on measures one through five. Scale score points are then summed up for each school and compared to a scale that relates scale score points to the five profile labels: excelling, highly performing, performing plus, performing, and underperforming.

In accordance with A.R.S. § 15-241(O), if a school remains classified as an underperforming school for a third consecutive year, the department of education shall visit the school site to confirm the classification data and to review the implementations of the school’s improvement plan. The school shall be classified as failing to meet academic standards unless an alternate classification is made after an appeal. Pursuant to A.R.S. § 15-241(U), if a charter school is designated as a school failing to meet academic standards, the department of education shall immediately notify the charter school’s sponsor. The charter school’s sponsor shall either take action to restore the charter school to acceptable performance or revoke the charter school’s charter. A Failing Schools Flow Chart has been included for your reference.

Background Information (Ha:san Educational Services, Inc.)

Ha:san Educational Services, Inc., an Arizona non-profit corporation, operates Ha:san Middle School (School). Ha:san Educational Services, Inc. was granted a charter and began operation in the fall of 2006, serving approximately 55 students in grades six through eight. Ha:san Educational Services, Inc. also holds a separate charter to operate a High School (-12). The high school is currently designated as Performing. At the time of the failing school site visit on November 4, 2009, the Corporation Commission listed Jasper Kinsley, Jr. (Vice President), Delbert Ortiz (Vice President), and Alison Reeves (Secretary) as officers. Directors are Donna Braun, Jasper Kinsley, Sr., and Alison Reeves. The Charter Representative is Shawn Listo, who is also the onsite Technology Coordinator for the school. The Governing Body is comprised of Adam Andrews, Jessica Estrada, Jennifer Garcia, Sylvia Hendricks, Elvira Hubbell, Jasper Kinsley, Jr., and Connie Sanzo. Other charter/school leadership includes Jerry Olivias, Director of Ha:san Middle School, who has held this position for the past two years.

A recent change in officers and directors, as of January 21, 2010, is listed on the Corporation Commission website. Officers are Shawn Listo (Vice President), Jessica Estrada (Vice President), Alison Reeves (Vice President and Treasurer), and Donna Braun (Vice President and Secretary). Directors are Shawn Listo, Jessica Estrada, Alison Reeves, Donna Braun, and Frank Prezelski. These changes have not been provided by Ha: san Educational Services, Inc. to the Board via the amendment and notification process required per the charter contract. Therefore, appropriate background checks and consideration by the Board have not occurred.

Ha:san Middle School is located in Tucson, Arizona and primarily serves Tohono O’odham youth and Native American students. At the time of the failing school site visit on November 4, 2009, the School reported an enrollment of 60 students. The following chart lists some examples of State and Federal approximate revenues received by Ha:san Educational Services, Inc. from FY 2007 – FY 2010.

Revenue Category	FY 2010	FY 2009	FY 2008	FY 2007
100 th Day Actual Student Count	58 estimated	50.435	56.891	54.987
State Equalization Assistance	\$359,387	\$306,592	\$340,533	\$318,130
Classroom Site Fund	\$19,799	\$29,626	\$32,325	\$26,382
Federal Impact Aide	\$204,546	\$208,487	\$228,762	0
Federal Title I LEA	0	\$24,158	0	0
Federal Title II Improving Teacher Quality	0	\$1,328	0	0
Federal IDEA Monies	\$1,000	\$8,608	\$8,474	\$10,253
Total	\$584,732	\$578,799	\$610,094	\$354,765
Per Pupil Revenue	\$10,082	\$11,476	\$10,724	\$6,452

In the fall of 2007 Ha:san Middle School was designated as a first year underperforming school in accordance with A.R.S. §15-241. The School was required to notify the parents of the students attending Ha:san Middle School of the underperforming classification and create an Arizona School Improvement Plan (ASIP). Following the submission of the ASIP, which was due on January 15, 2008, the Arizona Department of Education (ADE) scheduled a Solutions Team to visit the School and meet with stakeholders. This visit took place on April 2 - 3, 2008. Using the *Standards and Rubrics for School Improvement*, the team answered three questions:

1. Does the school's Arizona School Improvement Plan appear to be a sound plan for improving student performance?
2. Do the structures and conditions appear to be in place for successful implementation of the school's Arizona School Improvement Plan?
3. What recommendations can be provided that will assist the school with the implementation of its Arizona School Improvement Plan?

Ha:san Middle School received a copy of the Solution Team's Statement of Findings to use as technical assistance to validate or to re-direct the School's improvement efforts as well as offer specific recommendations for moving forward. An underperforming school may revise its ASIP at any time, using new data to evaluate and revise its goals and benchmarks as appropriate. In addition, an ASSIST Coach is assigned to offer support for school improvement efforts. The School did not provide evidence of a revised ASIP since the original submission due on January 15, 2008.

The school was designated as a second year underperforming school in the fall of 2008 and subsequently Failing to Meet Academic Standards in 2009. This failing designation led to a joint evaluation of the School by staff from ADE's School Effectiveness Division and the Arizona State Board for Charter Schools (ASBCS). The remainder of this report includes findings from the failing school site visit conducted on November 4, 2009, in which interviews with school personnel and the leadership team members were conducted, the School was provided the opportunity to produce evidence of progress made toward school improvement. The findings include the review of all areas required in A.R.S. 15-241.U. A summary and staff recommendation follows.

Summary of Findings

- In the fall of 2007, the School was designated as a first year underperforming school in accordance with A.R.S. § 15-241.
- The School was designated as a second year underperforming school in the fall of 2008.
- The School was designated as Failing to Meet Academic Standards in the fall of 2009.
- In FY 2009 the School did not make adequate yearly progress (AYP).
- The joint failing school site visit on November 4, 2009 by ADE, and ASBCS reveals minimal or no evidence on all seven (7) outcomes that include twenty (20) indicators in this report.
 - 60% of the outcomes failed to meet the criteria
- 80% of the instructional staff is non-highly qualified in the core content area they are assigned to teach.
- The School has not developed an explicit, written curriculum for Reading, Writing, and Math that is aligned with Arizona Academic Standards.

Findings

Outcome 1: Has the school properly implemented its school improvement plan?

- The school is not actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- The priorities of the Solutions Team Statement of Findings have not been addressed.
- The ASIP has not been revised and adjusted to address ongoing needs based on data.

Outcome 2: Is the school curriculum aligned with Arizona Academic Standards?

- To a minimal extent the school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- There is not a process for monitoring, evaluating, and reviewing the curriculum in place.
- To a minimal extent there is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.

Outcome 3: Does the school provide teacher training/professional development?

- Teacher training activities are not linked to the ASIP goals. Professional development activities are not evaluated to determine effectiveness and relativity to the ASIP.
- Professional development activities are not evaluated to determine effectiveness and relativity to the ASIP.
- To a minimal extent follow-up occurs after training sessions to provide feedback and to ensure that training is applied in the classroom.
- There is no plan to evaluate on-going, job-embedded professional development. (teacher training programs)

Outcome 4: Has the school prioritized its budget?

- To a minimal extent resources are allocated to match the identified student needs outlined in the ASIP.
- To a minimal extent procurement of instructional materials and resources is consistently compliant with school calendar and instructional timelines.
- School-wide comprehensive professional learning is not funded to support continuous improvement of school staff learning.

Outcome 5: Does the school provide other proven strategies to improve academic performance?

- To a minimal extent systems and procedures are in place to create and maintain a safe school environment, a positive climate and productive culture that sustains the instructional and school improvement process.
- The school does not have a comprehensive assessment plan that utilizes data in a variety of ways to measure student performance and plan for teaching and learning.
- To a minimal extent the school provides scientific research-based, intensive intervention strategies for those students who are identified as *Falls Far Below* or *Approaches the Standard* in Reading, Mathematics, or Writing.

Outcome 6: Has the school demonstrated improvement in its ability to meet grade level academic standards in Mathematics and/or Reading and increase student academic achievement based on a review of the measures used to calculate AZ LEARNS achievement profiles?

- AIMS reading scores in 6th, 7th, and 8th grades decreased from 2008 to 2009.
- AIMS math scores decreased in 6th grade from 2008 to 2009.
- AIMS math scores increased in 7th and 8th grade from 2008 to 2009.
- 2009 AIMS reading and mathematics student scores were less (anywhere from 18% to 68%) than the State average as displayed in the table below:

	Reading (State Avg.) 2009	Reading Ha:san 2009	Math (State Avg.) 2009	Math Ha:san 2009
8 th grade	69%	45%	63%	20%
7 th grade	73%	55%	73%	40%
6 th grade	70%	17%	68%	0%
% students scoring at the meets or exceeds levels on AIMS in 2009.				

- 2007, 2008, and 2009 AIMS reading and mathematics student scores:

	Reading 2007	Reading 2008	Reading 2009	Math 2007	Math 2008	Math 2009
8 th grade	33%	56%	45%	11%	19%	20%
7 th grade	44%	60%	55%	38%	25%	40%
6 th grade	21%	29%	17%	16%	18%	0%
% students scoring at the meets or exceeds levels on AIMS.						

Outcome 7: Does the charter and school have the capacity/sustainability for continued improvement?

- To a minimal extent the roles and responsibilities of corporate entity, governing body and school leadership are consistently and appropriately implemented.
- There is no evidence that the leadership is capable of supporting the school site in the allocation of resources (fiscal, human, physical and time); and in the ongoing monitoring and technical assistance necessary for the school to progress on their ASIP goals.
- There is no evidence that school leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.
- There is no evidence that the instructional staff is capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.

Board Options

- Make a determination to refer the matter to hearing for consideration of revocation of the charter.
OR
- Provide an opportunity for the charter operator to enter into a Consent Agreement to restore the charter to acceptable performance by Fall 2010 for the Board's consideration at its next meeting.

Staff Recommendation

Refer the matter to hearing for consideration of revocation of the charter.

I move that, pursuant to A.R.S. § 15-241(U), the Board refer this matter to hearing for consideration of revocation of the charter of Ha:san Educational Services, Inc.. The hearing will be held by this Board in accordance with the uniform administrative hearing procedures contained at A.R.S. §§ 41-1092 through -1092.12. The Board will consider the evidence and testimony and then make Findings of Fact, Conclusions of Law, and issue a Final Order.

I further move that:

- Within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of Ha:san Middle School the Notice of Intent to Revoke and the Notice of Hearing and provide a school location where the copy may be reviewed;
- Within 20 days of receipt of the Notice the charter operator shall provide copies of all correspondence and communications used to comply with the preceding provision; and
- Within 20 days of receipt of the Notice the charter operator shall provide the Board with the names and mailing addresses of parents/guardians of all students registered with the school.

Ha:san Educational Services, Inc.

Site: Ha:san Middle School

Background Information

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Findings

OUTCOME 1: Has the school properly implemented its school improvement plan?

Background: ADE provides training and a template for completing the prescribed format for the ASIP. Additional support may be requested for completing the plan. As stated previously, a Solutions Team does provide a Statement of Findings, which includes priority recommendations to assist the school in successfully implementing and sustaining its ASIP.

Based on a review of the information available it has been determined that:

- The school is actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- To some extent the school is actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- To a minimal extent the school is actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.
- The school is not actively and with consistency, reliability, and commitment implementing the Arizona School Improvement Plan (ASIP) as outlined by the specific steps, actions and prescribed timeline.

The determination is supported by the following facts:

- According to the Director's comments in the leadership team interview, last year he was acclimating to the School and identifying what was working and what was not.
- Review of expenditure reports for FY 2009 show paid registration fees for the current Director, Jerry Olivias, to attend the September 2008 Fall Process Forum which provides guidance to administrators on the school improvement process, to include completing and submitting the ASIP.

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- At the time of the failing school visit, the original ASIP, created in January 2008 had not been revised. On the day of the site visit, November 4, 2009, the Director said he located the website for accessing and updating the plan the day before.
- A staff meeting agenda item for October 30, 2009 “Go over most recent ASIP submitted to State”.
- According to interview responses on November 4, 2009, teachers shared that the School has not worked with the ASIP since the original submission for the 2007-08 school year, which was due on January 15, 2008.
- The School did not provide documentation to demonstrate implementation of the ASIP or progress on meeting goals.
 - Benchmark assessments were written in the original ASIP in 2007-08 as a way to monitor progress on the goals; however, the Director stated during the leadership interview that the School is in the beginning stages of creating benchmark assessments this quarter (Fall 2009).
 - The ASIP action plan identified 25 professional development days for the purpose of supporting staff in implementing research-based math and reading strategies, reading comprehension, and bi-cultural curriculum development. However, staff meeting and professional development agendas provided do not include specific details on research-based math and reading strategies, reading comprehension, and bi-cultural curriculum development.

- The priorities of the Solutions Team Statement of Findings have been addressed.
- To some extent the priorities of the Solutions Team Statement of Findings have been addressed.
- To a minimal extent the priorities of the Solutions Team Statement of Findings have been addressed.
- The priorities of the Solutions Team Statement of Findings have not been addressed.

The determination is supported by the following facts:

- Priority recommendations made by the Solutions Team in April of 2008 included increasing student growth by 10%, attaching the monitoring of student progress to the tutoring plan, tracking of student progress should include who, what, when, and why, and aligning the professional development plan with student achievement goals. The Director report these recommendations have not been addressed.
 - There is no documented evidence of the School completing or submitting a revised ASIP since January 15, 2008.

- The ASIP has been revised and adjusted to address ongoing needs based on data.
- To some extent the ASIP has been revised and adjusted to address ongoing needs based on data.
- To a minimal extent the ASIP has been revised and adjusted to address ongoing needs based on data.
- The ASIP has not been revised and adjusted to address ongoing needs based on data.

The determination is supported by the following facts:

- The Director stated in the leadership team interview he inherited the 2007-08 ASIP when he arrived approximately two years ago and had not worked on revising the plan in written form.
- The School did not provide evidence that the ASIP has been revised since the original 2007-08 ASIP submission which was January 15, 2008.

OUTCOME 2: Is the school curriculum aligned with Arizona Academic Standards?

Background: Beginning with the 2004-2005 school year, charter schools were required to submit Declarations of Curricular and Instructional Alignment to the ADE. The three parts of the Declaration ensured that the Governing Board of the charter had adopted a curriculum aligned to the Arizona Academic Standards (“Standards”), and that the charter administration 1) provided instructional materials aligned to the Standards, as well as 2) provided opportunities for teachers to receive training related to the Standards, and 3) utilized an evaluation tool to assess whether teachers integrated the Standards into their instructional practices. *The School did not submit the appropriate Declarations to ADE in a timely manner for any of the past three years. This was confirmed by ADE on November 30, 2009.*

Based on a review of the information available it has been determined that:

- The school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- To some extent the school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- To a minimal extent the school has developed an explicit, written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.
- The school has not developed a written curriculum for at least Reading, Writing, and Math that is aligned with Arizona Academic Standards down to the performance objective level.

The determination is supported by the following facts:

- Notes from the School Improvement and Intervention meeting on August 13, 2008 between Brian Miller, ASSIST Coach, and Jerry Olivas, Director, captured curriculum mapping as one of three priorities. As of the failing school site visit on November 4, 2009, curriculum maps for 6th – 8th grade in all core content areas were not completed.
 - During the interviews with the teachers, responses indicated the curriculum was not a completed formal written document. The Arizona Academic Standards are the guide for teaching and lesson planning. Teachers also

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disclosed they are responsible for locating teaching materials and ensuring alignment with the standards.

- Discussion from the leadership team interview revealed teachers are beginning to work on curriculum maps this year for reading, math, writing, and science. The anticipated schedule to complete the maps is this upcoming summer.
- Dan Bojorquez, the school's teacher mentor, shared he has looked at Sunnyside and Tucson Unified School District pacing guides and has used these since there is no such document in place for the School. However, not all teachers are using these guides.
- During an ASBCS site visit on February 21, 2008 for the purpose of second-year observation, the School could not provide documentation of a comprehensive program of instruction aligned to the Arizona Academic Standards. ASBCS staff followed up with requests for teacher lesson plans, assessments, and student work as well as a proposal to monitor during first quarter in the new school year.
- Language Arts and Mathematics unit plan templates collected from the November 4, 2009 failing school visit do not demonstrate alignment with the Arizona Academic Standards.

- A systematic process for annually monitoring, evaluating, and reviewing the curriculum is in place.
- To some extent there is a systematic process for annually monitoring, evaluating, and reviewing the curriculum in place.
- To a minimal extent there is a process for monitoring, evaluating, and reviewing the curriculum in place.
- There is not a process for monitoring, evaluating, and reviewing the curriculum in place.

The determination is supported by the following facts:

- No documentation was provided that describes a systematic process for monitoring, evaluating, and reviewing the curriculum.
 - During the interviews with the teachers it was mentioned that there was a systematic process. However, when asked to explain the process used, no one could offer an explanation. The discussion focused on individual binders that held the Arizona Academic Standards and how individual teachers were evaluated on using the Standards.
 - The Director stated in the leadership team interview he plans to use the current contracted psychologist to assist with an internal review and assist leadership in curriculum and lesson planning.
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- There is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.
 - To some extent there is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.
 - To a minimal extent there is a comprehensive curriculum that fully integrates the fine arts, social studies, and science *for elementary grades served*.

- The curriculum does not integrate the fine arts, social studies, and science *for elementary grades served.*

The determination is supported by the following facts:

- The leadership team shared that subjects are integrated, not separated. They also shared the science and native language teachers are working together and Language Arts is integrated into social studies' lessons.
 - A review of the curriculum documents provided on the November 4, 2009 failing school site visit reveal Social Studies as the only area to include other disciplines, as evidenced in the 2009-10 Social Studies Detailed Yearly Plan.
- During the teacher interview, responses indicated there is not a written comprehensive curriculum document, however, everyone works together.
- During three (3) classroom observations on the November 4, 2009 failing school site visit, Fine Arts, Social Studies, and Science content was not aligned with the appropriate Arizona Academic Standards.
- A review of the 2009-10 student schedule shows Art, Social Studies, and Science content being taught two days per week, for a total of 180 minutes per week per subject. This schedule exceeds the recommended minutes per week for Art by 120 minutes.

OUTCOME 3: Does the school provide teacher training/professional development?

Background: After the school identifies a school improvement goal, one of the questions asked in the plan is, "What professional development will staff need to implement the interventions/reforms?" The information below is directly tied to the information in the school's ASIP pertaining to identified teacher training/professional development.

Based on a review of the information available it has been determined that:

- Teacher training activities are linked to the ASIP goals.
- To some extent teacher training activities are linked to the ASIP goals. Professional development activities are somewhat evaluated to determine effectiveness and relativity to the ASIP.
- To a minimal extent teacher training activities are linked to the ASIP goals. Professional development activities are minimally evaluated to determine effectiveness and relativity to the ASIP.
- Teacher training activities are not linked to the ASIP goals. Professional development activities are not evaluated to determine effectiveness and relativity to the ASIP.

The determination is supported by the following facts:

- According to the 2009-10 school calendar, every Friday is a teacher work day.
- Dan Bojorquez, Teacher Mentor, shared teacher training is scheduled during some staff meetings on Fridays. Staff meetings are scheduled for approximately one hour.
- The 2009-10 Professional Development Calendar, dated 07/09/09, lists activities such as Portfolios, SPED, Yaqui Culture, Gang Awareness, Grading Day, Parent/Teacher

Conferences, and TBD. These topics are not aligned with the student achievement goals or the Solutions Team Statement of Findings priority recommendations.

- The 2007-08 ASIP identified 25 professional development days focused on reading, math, and bicultural curriculum, however, the 2009-10 Professional Development Calendar, dated July 9, 2009, does not identify scheduled days for reading, math, or bicultural curriculum. This calendar was provided during the November 4, 2009 failing school site visit.
- Staff meeting and professional development agendas provided do not include specific details on identified professional development for research-based math and reading strategies, reading comprehension, and bi-cultural curriculum development.
 - August 14, 2009 Staff Meeting, Agenda Item #14 states: “Analyze data, Look at the AIMS results, Develop Detailed Yearly Plan, and Develop Benchmark Assessments.” This agenda item was repeated on the August 21, 2009 agenda. No support materials were provided, with the exception of sign-in sheets.

- Professional development activities are evaluated to determine effectiveness and relativity to the ASIP.
- To some extent professional development activities are somewhat evaluated to determine effectiveness and relativity to the ASIP.
- To a minimal extent professional development activities are minimally evaluated to determine effectiveness and relativity to the ASIP.
- Professional development activities are not evaluated to determine effectiveness and relativity to the ASIP.

The determination is supported by the following facts:

- No documentation was provided that evaluation of professional development activities is taking place.

- Follow-up occurs after training sessions to provide feedback and to ensure that training is applied in the classroom.
- To some extent follow-up occurs after training sessions to provide feedback and to ensure that training is applied in the classroom.
- To a minimal extent follow-up occurs after training sessions to provide feedback and to ensure that training is applied in the classroom.
- Follow-up does not occur after training sessions to provide feedback and to ensure that training is applied in the classroom.

The determination is supported by the following facts:

- The Director stated in the leadership team interview he sends emails to the staff to follow-up on professional development activities.
- The Director stated in the leadership team interview he needs to visit classrooms on a regular basis and provide feedback.

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- There is an effective plan to evaluate on-going, job-embedded professional development. (teacher training programs)
- To some extent there is a plan to evaluate on-going, job-embedded professional development. (teacher training programs)
- To a minimal extent there is a plan to evaluate on-going, job-embedded professional development. (teacher training programs)
- There is no plan to evaluate on-going, job-embedded professional development. (teacher training programs)

The determination is supported by the following facts:

- The Director's classroom informal observation feedback (five examples given to ASBCS) is not in alignment with the ASIP goals or professional development being provided to teachers. On the five examples of feedback provided to teachers, the following is reported on the forms provided: performance objective on board, team teaching, student work is posted in classroom, and portfolios.
- There is no formalized process for evaluating on-going, job-embedded professional development as evidenced by the teacher and leadership interview responses or proof in a written document.

OUTCOME 4: Has the school prioritized its budget?

Background: Whether it is the review, development or purchase of instructional materials, providing teacher training/professional development, purchase of technology, or contracting with consultants, the identified interventions in the ASIP will generally require additional funds or the reallocation of existing funds. Multiple funding sources are available for charters that could be used for school improvement. Sources are, but are not limited to, Classroom Site Funds, Instructional Improvement Funds (Indian Gaming Revenues), Title I School Improvement grants, and State Equalization payments.

Based on a review of the information available it has been determined that:

- Resources are allocated to match the identified student needs outlined in the ASIP.
- To some extent resources are allocated to match the identified student needs outlined in the ASIP.
- To a minimal extent resources are allocated to match the identified student needs outlined in the ASIP.
- Resources are not allocated to match the identified student needs outlined in the ASIP.

The determination is supported by the following facts:

- Dan Bojorquez, Teacher Mentor, reported his position of mentoring, working with special education students, and assisting in the math lab is new.
- The leadership team shared tutoring is offered to address student needs. Teachers are paid for the additional time.
 - Staff was unable to locate tutoring compensation in the site budget provided.

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- It was confirmed with grants management that State tutoring monies in 2009 (\$2,500) or 2010 (\$3,500) have not been expended by the school.
 - The Lexia reading program will be purchased this year for reading intervention services as stated in the leadership team interview.
 - The Director reported that access to a part-time special education consultant who saw students one time per week is an obstacle.
 - The School had not applied for Title I funds at the time of the failing school site visit per the Business Manager and grants management. Confirmation from ADE indicated the School was eligible to apply for Title I funds in the amount of \$28,000.
-
- Procurement of instructional materials and resources is consistently compliant with school calendar and instructional timelines.
 - To some extent procurement of instructional materials and resources is consistently compliant with school calendar and instructional timelines.
 - To a minimal extent procurement of instructional materials and resources is consistently compliant with school calendar and instructional timelines.
 - Procurement of instructional materials and resources is not consistently compliant with school calendar and instructional timelines.

The determination is supported by the following facts:

- At the end of each school year, the leadership team reported teachers inform administration of their future classroom material needs.
 - Ongoing teaching supply purchases are made when teachers identify a need.
- Teachers commented during interviews there was a lack of money so resources were limited. However, the school leadership stated they have not accessed available resources on a consistent basis such as Title I funds and school improvement funds.
- Library books were available on site but access is minimal, according to teachers, due to no designated library space or librarian to assist.
- The Leadership Team stated its intent to purchase Study Island as an additional instructional resource. As of the date of the failing school site visit, Study Island had not been purchased.

- School-wide comprehensive professional learning is adequately funded to support continuous improvement of school staff.
- To some extent school-wide comprehensive professional learning is funded to support continuous improvement of school staff learning.
- To a minimal extent school-wide comprehensive professional learning is funded to support continuous improvement of school staff.
- School-wide comprehensive professional learning is not funded to support continuous improvement of school staff learning.

The determination is supported by the following facts:

- The 2009-10 Profit and Loss Detail budget shows the following professional development fees paid.
 - \$320.00 for the middle school director to attend Pima County Regional Support Center training (specific details were not included) and the Arizona Charter Schools Association Conference

- \$500.00 for two teachers to attend the Arizona Charter School Association Conference
 - No details were provided to determine if the training aligned with the ASIP and/or the individual teacher's professional development plans.
- The 2008-09 Profit and Loss Detail budget shows the following professional development fees paid, however, no specific details were included to indicate how this training aligned with the ASIP:
 - \$17.00 for one teacher to attend positive classroom discipline workshop
 - \$797.51 for one teacher to participate in Pima Community College coursework
 - \$2000.00 to Pima County Regional Support Center
 - \$405.00 to CCAIE for attendance at an American Indian Education conference in California
 - \$475 for one teacher to attend the Arizona Charter School Association Conference and continuing education units (CEU's).
- The 2008-09 Title II budget had \$1,328.00 in professional development funds for reimbursing one teacher for college coursework to become highly qualified.
 - There are three teachers that are not highly qualified.
- The 2008-09 Title I budget had \$233 in professional development funds to hire a professional presenter for instructional improvement in math and/or reading.
 - No details were provided if this professional development occurred.
- Teachers commented during their interview time they are encouraged to attend professional development if they identify a session of interest.

OUTCOME 5: Does the school provide other proven strategies to improve academic performance?

Background: Analyzing the data generated through student performance assessments and utilizing that data to plan for additional teaching and learning activities may result in improved academic performance. Additionally, having a safe and positive climate conducive to learning may also improve academic performance. Included in the needs assessment portion of the ASIP are guiding questions for both evaluating classroom and school assessments and the school's climate and culture. The School's historical compliance with fingerprint clearance card requirements for teachers may provide additional evidence of efforts to provide a safe learning environment.

Based on a review of the information available it has been determined that:

- Systems and procedures are in place to create and maintain a safe school environment, a positive climate, and a productive culture that sustains the instructional and school improvement process.

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- To some extent systems and procedures are in place to create and maintain a safe school environment, a positive climate and productive culture that sustains the instructional and school improvement process.
- To a minimal extent systems and procedures are in place to create and maintain a safe school environment, a positive climate and productive culture that sustains the instructional and school improvement process.
- There are no systems and procedures are in place to create and maintain a safe school environment, a positive climate and productive culture that sustains the instructional and school improvement process.

The determination is supported by the following facts:

- The leadership team responses disclosed student meetings, announcements, dress code, student initiated peer groups, and zero tolerance of inappropriate behavior has been implemented this year.
 - The Middle and High School share the same policies and procedures for consistency as mentioned in the leadership team interview.
 - All classroom doors are locked from the exterior as a safety measure as observed during the failing school site visit tour on November 4, 2009.
-
- The school has a comprehensive assessment plan that utilizes data in a variety of ways to measure student performance and plan for teaching and learning.
 - To some extent the school has a comprehensive assessment plan that utilizes data in a variety of ways to measure student performance and plan for teaching and learning.
 - To a minimal extent the school has a comprehensive assessment plan that utilizes data in a variety of ways to measure student performance and plan for teaching and learning.
 - The school does not have a comprehensive assessment plan that utilizes data in a variety of ways to measure student performance and plan for teaching and learning.

The determination is supported by the following facts:

- Solutions Team Statement of Findings (2 - 3, 2008) reported a need for benchmark assessments, based on the state standards, to be developed and implemented.
 - Per the Director, Jerry Olivas, “there is not a written school-wide assessment plan, only in practice.” There has not been any substantial training with teachers for implementation.
 - Dan Bojorquez, teacher mentor, reported benchmark assessments and portfolios are being implemented this year.
 - Responses from the teacher interviews included curriculum benchmarks are in the development process, but not in use. Assessments are the teacher’s responsibility. There is no comprehensive plan because of school size.
- The leadership team shared during the failing school visit that the School budgeted funds to buy Study Island later this school year.
 - In the School Improvement and Intervention meeting notes from an August 13, 2008 meeting between Brian Miller, ASSIST Coach, and Jerry Olivas, Director, a written comment was “discussion occurred on use of a student assessment tool, Study Island.”

- Teachers use AIMS sample tests to measure classroom student performance. This was confirmed during the leadership team interview and classroom observation of eighth grade science on the day of the failing school site visit.
- The school provides intensive scientific research-based intervention strategies for those students who are identified as *Falls Far Below* or *Approaches the Standard* in Reading, Mathematics, or Writing.
- To some extent the school provides scientific research-based, intensive intervention strategies for those students who are identified as *Falls Far Below* or *Approaches the Standard* in Reading, Mathematics, or Writing.
- To a minimal extent the school provides scientific research-based, intensive intervention strategies for those students who are identified as *Falls Far Below* or *Approaches the Standard* in Reading, Mathematics, or Writing.
- The school does not provide scientific research-based, intensive intervention strategies for those students who are identified as *Falls Far Below* or *Approaches the Standard* in Reading, Mathematics, or Writing.

The determination is supported by the following facts:

- The leadership team stated peer tutoring, one-on-one tutoring, mentorship, math lab, and individualized support are intervention strategies being implemented this year.
 - No evidence was provided on scientific research-based, intensive intervention strategies or curriculum being used with identified students.
- No documents were provided on incorporating a structure for individual student progress monitoring and linking it to the student tutoring plan as recommended by the Solutions Team in April of 2008.
- The School provides Language Arts and Mathematics instruction two days per week for a total of 210 minutes per week as evidenced by the 2009-10 student schedule. This is 90 minutes less per week than the 300 weekly minutes for Language Arts and Mathematics instruction as recommended by the Arizona Department of Education.

OUTCOME 6: Has the school demonstrated improvement in its ability to meet grade level academic standards in Mathematics and/or Reading, and increase student academic achievement based on a review of the measures used to calculate AZ LEARNS achievement profiles?

Background: Although a school may not meet the requisite criteria to be identified as a Performing, Performing Plus, Highly Performing or Excelling school, a review of the data elements and academic measures (independent of the AZ LEARNS formula) may demonstrate that the school has improved its ability to meet State standards in specific subjects and grades and demonstrated specific changes in academic achievement at the school, grade and/or student level.

The following review of academic data is provided:

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- AIMS reading scores in 6th, 7th, and 8th grades decreased from 2008 to 2009.
- AIMS math scores decreased in 6th grade from 2008 to 2009.
- AIMS math scores increased in 7th and 8th grade from 2008 to 2009.
- 2009 AIMS reading and mathematics student scores were less (anywhere from 18% to 68%) than the State average as displayed in the table below:

	Reading (State Avg.) 2009	Reading Ha:san 2009	Math (State Avg.) 2009	Math Ha:san 2009
8 th grade	69%	45%	63%	20%
7 th grade	73%	55%	73%	40%
6 th grade	70%	17%	68%	0%
% students scoring at the meets or exceeds levels on AIMS in 2009.				

- 2007, 2008, and 2009 AIMS reading and mathematics student scores:

	Reading 2007	Reading 2008	Reading 2009	Math 2007	Math 2008	Math 2009
8 th grade	33%	56%	45%	11%	19%	20%
7 th grade	44%	60%	55%	38%	25%	40%
6 th grade	21%	29%	17%	16%	18%	0%
% students scoring at the meets or exceeds levels on AIMS.						

- The school did not provide any additional student achievement data that was being tracked and utilized for instructional decision-making.

OUTCOME 7: Does the charter and school have the capacity/sustainability for continued improvement?

Background: School improvement is not a quick fix, but rather a process. When a school identifies areas of school improvement (establishes goals) and determines the best means to implement change (action plan), it must also look at its ability to maintain the processes/procedures that have been determined appropriate to cause change (school improvement). No matter what the goal(s), the school must have the capacity (i.e. leadership, staff, financial resources, facility, and expertise) to monitor the effectiveness of the action plan and continue the improvement process.

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Based on a review of the information available it has been determined that:

- Roles and responsibilities of corporate entity, governing body and school leadership are consistently and appropriately implemented.
- To some extent the roles and responsibilities of corporate entity, governing body and school leadership are consistently and appropriately implemented.
- To a minimal extent the roles and responsibilities of corporate entity, governing body and school leadership are consistently and appropriately implemented.
- There is no evidence of the roles and responsibilities of corporate entity, governing body and school leadership being appropriately implemented.

The determination is supported by the following facts:

- Jerry Olivas, Director, submitted in writing during the failing school site visit that an obstacle encountered was “no charter representative at the beginning of 2008-09 year and he (Director) was not able to access resources from the State because no charter rep.”
 - The charter holder successfully amended its charter for a change in the Charter Representative on January 7, 2009. Unsuccessful attempts to change the Charter Representative in August and November of 2008 occurred.
 - The Business Office confirmed that the High School is supplementing the financial resources for the Middle School at this time. The May 2, 2009 Ha:san Educational Services, Inc. Board of Director’s minutes stated a priority is financial solvency and accountability for both schools.
 - The school calendar has 152 student instructional days scheduled this year and core content classes are taught two (2) days per week as indicated on the student schedule provided. For example: Language Arts and Mathematics instruction takes place on Tuesdays and Thursdays. Science and Social Studies classes are scheduled on Mondays and Wednesdays.
 - ASBCS staff could not locate evidence that 2009 AIMS scores or progress on ASIP were reviewed at a Joint Governing Board meeting in the summer or fall of 2009 after scores were made public.
 - The Declaration of Curricular & Instructional Alignment to the Arizona Academic Standards for 2009-10 was signed on 10/29/09, fourteen days past the ADE deadline.
 - For fiscal year 2009, Ha:san Educational Services is subject to a Single Audit. Therefore, the fiscal year 2009 audit is not due until March 31, 2010. The fiscal year 2008 audit indicated that Ha:san had not retained source documentation to support all of its disbursements. Ha:san submitted a sufficient corrective action plan.
 - Ha:san Educational Services, Inc. has not submitted their NCLB LEA Consolidated Plan as confirmed by ADE on February 9, 2009.
 - Ha:san Educational Services has not completed their NCLB Cycle 3 Compliance Monitoring documents as confirmed by ADE on February 9, 2009.
- Leadership is fully capable of supporting the school site in the allocation of resources (fiscal, human, physical and time); and in the ongoing monitoring and technical assistance necessary for the school to progress on their ASIP goals.

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- To some extent the leadership is capable of supporting the school site in the allocation of resources (fiscal, human, physical and time); and in the ongoing monitoring and technical assistance necessary for the school to progress on their ASIP goals.
- To a minimal extent the leadership is capable of supporting the school site in the allocation of resources (fiscal, human, physical and time); and in the ongoing monitoring and technical assistance necessary for the school to progress on their ASIP goals.
- There is no evidence that the leadership is capable of supporting the school site in the allocation of resources (fiscal, human, physical and time); and in the ongoing monitoring and technical assistance necessary for the school to progress on their ASIP goals.

The determination is supported by the following facts:

- The Director is in his second year in this position, and the ASIP has not been revised since the original submission which was due January 15, 2008.
- The Director has not completed an up-to-date needs analysis to determine if goals in the 2007-08 ASIP are in alignment with the current needs of the Middle School.
- The 2007-08 ASIP was reviewed with staff on October 30, 2009 during a staff meeting as evidenced by the 10/30/09 Staff Meeting Agenda provided. The agenda states “Go over most recent ASIP submitted to State.”
- Jerry Olivas, Director, submitted in writing, *Obstacles encountered*, during the failing school site visit on November 4, 2009. The final item (#6) states, “There were many opportunities missed because no one was looking for our best interest when looking for grants and other means of resources available to us. – We still have this problem”.
- A staff meeting held on November 21, 2008 listed agenda item #5 as, “We are running out of money. Our grant monies have not been released.”

- School leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.
- To some extent school leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.
- To a minimal school leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.
- There is no evidence that school leadership demonstrates the skills necessary to lead a continuous school improvement process focused on increasing student achievement.

The determination is supported by the following facts:

- During a site visit on February 21, 2008, conducted by ASBCS staff, the School could not provide documentation of a comprehensive program of instruction aligned to the Arizona Academic Standards. This visit occurred during the second year of operation.
- Minutes from the August 13, 2008 School Improvement and Intervention meeting with Mr. Brian Miller, ASSIST Coach, and Mr. Jerry Olivas, Director, indicate the following items were discussed: Role and responsibilities of an ASSIST Coach, ASIP, Solutions Team Statement of Findings, and AYP and AZ LEARNS labels. As

of November 4, 2009 failing school site visit, the ASIP has not been revised or submitted.

- The School is in Year Three (3) of underperforming, now labeled “failing”, and the ASIP has not been revised to include the second-year site visit feedback from ASBCS (February 21, 2008) or the Solutions Team Statement of Findings priority recommendations (April 2 - 3, 2008).
- A response from the teacher interviews was the School still lacks strong leadership.
 - August 14, 2009 Staff Meeting Agenda item #9 states “I will be more visible in the classrooms than last year.” Last year the School was in Year Two (2) of underperforming status. According to the 2009-10 Student Schedule, there are four main classrooms.
- The School leadership team is small and requires the Director to fulfill many responsibilities.
 - ADE confirmed the Highly Qualified Teacher report (due 11/01/09) had not been submitted as of December 24, 2009.

- Instructional staff is fully capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.
- To some extent the instructional staff is capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.
- To a minimal extent the instructional staff is capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.
- There is no evidence that the instructional staff is capable of supporting the school; utilizing sufficient knowledge of subject matter, instructional techniques and assessments.

The determination is supported by the following facts:

- Four of the five employed teachers are not highly qualified in the content areas they teach as stated by the Director and confirmed by ADE on December 24, 2009. The Social Studies middle school teacher is the only highly qualified teacher to instruct in his assigned role.
- During the failing school site visit on November 4, 2009, observations in the Art, Social Studies, and Science classrooms took place.
 - The performance objectives posted were not supported by the instruction, activity, and/or assessment.
 - Lesson plans for this scheduled failing school site visit were requested after classroom observations were conducted.
 - Lesson plans, unit plans, pacing calendars, scope and sequences, and/or detailed yearly plans did not align with the classroom instruction observed on November 4, 2009.

Summary of Findings

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- In the fall of 2007, the School was designated as a first year underperforming school in accordance with A.R.S. § 15-241.
- The School was designated as a second year underperforming school in the fall of 2008.
- The School was designated as Failing to Meet Academic Standards in the fall of 2009.
- In FY 2009 the School did not make adequate yearly progress (AYP).
- The joint failing school site visit on November 4, 2009 by ADE and ASBCS reveals minimal or no evidence on all seven (7) outcomes that include twenty (20) indicators in this report.
 - 60% of the outcomes failed to meet the criteria
- 80% of the instructional staff is non-highly qualified in the core content area they are assigned to teach.
- The School has not developed an explicit, written curriculum for Reading, Writing, and Math that is aligned with Arizona Academic Standards.

Board Options

- Make a determination to refer the matter to hearing for consideration of revocation of the charter.
OR
- Provide an opportunity for the charter operator to enter into a Consent Agreement to restore the charter to acceptable performance by Fall 2010 for the Board's consideration at its next meeting.

Staff Recommendation

Refer the matter to hearing for consideration of revocation of the charter.

I move that, pursuant to A.R.S. § 15-241(U), the Board refer this matter to hearing for consideration of revocation of the charter of Hasan Educational Services, Inc.. The hearing will be held by this Board in accordance with the uniform administrative hearing procedures contained at A.R.S. §§ 41-1092 through -1092.12. The Board will consider the evidence and testimony and then make Findings of Fact, Conclusions of Law, and issue a Final Order.

I further move that:

- Within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of Hasan Middle School the Notice of Intent to Revoke and the Notice of Hearing and provide a school location where the copy may be reviewed;
- Within 20 days of receipt of the Notice the charter operator shall provide copies of all correspondence and communications used to comply with the preceding provision; and
- Within 20 days of receipt of the Notice the charter operator shall provide the Board with the names and mailing addresses of parents/guardians of all students registered with the school.