# AGENDA ITEM EXECUTIVE SUMMARY: Compliance Matters—North Star Charter School, Inc. (Entity ID: 79701)

Issue

Pursuant to Arizona Revised Statute ("A.R.S.") § 15-183(R) and Arizona Administrative Code ("A.A.C.") R7-5-403(F), if the Board determines a charter holder does not meet the Board's minimum operational performance expectations, it shall consider the charter holder's noncompliance and additional charter oversight as outlined in Article 6 of the A.A.C, including issuing a notice of intent to revoke the charter contract. Pursuant to this rule, North Star Charter School, Inc. ("Charter Holder") has been placed on the agenda for the Board's consideration.

The Charter Holder failed to meet the minimum operational performance expectations set forth in A.A.C. R7-5-403 and the Board's Operational Performance Framework when the Charter Holder received an overall rating for fiscal year 2020 of "Does Not Meet the Board's Operational Performance Standard" due to six of the nine Operational Performance Framework measures being rated "Does Not Meet Standard".

Policy Background—Operational Performance Framework

The Board shall annually assign a charter holder an overall operational performance rating based on measures specified in the Operational Performance Framework, which reflect the degree to which the charter holder achieved the minimum operational performance expectations. A.A.C. R7-5-403(B). The Board shall determine a charter holder meets the minimum operational performance standard if the charter holder receives no measures rated "Falls Far Below Standard" and no more than five measures rated "Does Not Meet Standard" for the evaluated year. A.A.C. R7-5-403(C).

## Charter Holder Background

The Charter Holder was granted a 20-year renewal charter in 2015. The Charter Holder operates one school, Arizona Preparatory Academy (the "School"), serving grades 9-12 in Phoenix and is designated as an alternative school by the Arizona Department of Education ("ADE").

For FY 2020, the Charter Holder is reporting an ADM of 1133.649 as of January 29, 2020. For additional information on the Charter Holder, see *Appendix A: Charter Holder Profile*.

Board staff conducted an unscheduled site visit to the School on September 26, 2019. At the visit, Board staff identified multiple compliance issues leading to marking the Charter Holder's operational dashboard and requiring submissions to bring the Charter Holder into compliance. Several of the issues identify deficiencies in the implementation of the School's dropout recovery program of instruction, policies related to enrollment and attendance, maintenance of student records, required teacher salary posting, and the charter's noncompliance with responding timely to these issues.

See Appendix B: Onsite Visit Final Report for more detail.

Outside of the issues identified during the school site visit, the Charter Holder was also out of compliance in its requirements to submit its fiscal year 2019 school-level reporting form to ADE.

During the school site visit, Board staff met with Amber Starnes, the Site Director of the School.

See Appendix C: Communication Timeline for detailed information about Board contact with the Charter Holder.



## Summary of the Operational Performance Measures Recorded in FY 2020

Measure	Identified at	Original Notification Date	Original Due Date	Status
1.a. Educational Program – Essential Terms	Unscheduled Site Visit ("USV")	10-18-19	11-18-19	<ul> <li>Mission related-issue submitted by due date</li> <li>Most Dropout Recovery Program related issues submitted by due date</li> </ul>
2.b. Enrollment Practices	USV	10-18-19	11-18-19	Updated handbook and enrollment checklist submitted on 1-27-20
2.d. Teacher Resumes	USV	10-18-19	11-18-19	Submitted by due date
2.e. Timely Submissions	USV	10-18-19	11-18-19	Submitted on 1-27-20
2.f. Arizona Department of Education	ADE	9-2019	10-15-19	Submitted on 11-20-19
3. Other Obligations	USV	10-18-19	11-18-19	Teacher salary posting and student records submitted by due date
	Complaint	9-6-19	9-9-19	Student records submitted by due date

## 1.a. Educational Program—Mission Statement

A.A.C. R7-5-303 requires that all charters submit amendment requests to the Board through ASBCS Online when making changes to the charter contract. During a review conducted before the school site visit, Board staff found that the Charter Holder's mission on ASBCS Online was not in alignment with the operating mission on the Charter Holder's website. Because the mission statement of the Charter Holder differs from the mission listed in the charter contract, the Charter Holder is required to update its mission through the Board's amendment process.

The Charter Holder's failure to ensure the School's mission aligns with the charter contract resulted in a rating of "Does Not Meet Standard" for the operational performance framework measure that determines whether a charter holder's educational program and operations reflects the essential terms of the educational program as described in the charter contract.

Subsequently, the Charter Holder timely updated the Charter Holder's website to reflect the mission on file with ASBCS Online.

## 1.a. Educational Program—Program of Instruction

A.R.S. § 15-901.06 allows charter holders that provide instruction to high school students to offer a dropout recovery program for eligible students and requires all charter holders to comply with each requirement listed in sections (A) through (M) of this statute. In June 2016, the Charter Holder was approved by the Board, to amend their program of instruction to offer a dropout recovery program.

On September 11, 2019, Board staff conducted an unannounced site visit to Arizona Jr/Sr High School located in the city of Camp Verde to review student documentation for a separate charter holder. During this visit, Board staff spoke with the school leadership (Lori Boyce, Executive Director) and was informed that Arizona Jr/Sr High School has a contract with the



Charter Holder to operate and manage the dropout recovery program for approximately 170 students enrolled under Arizona Preparatory Academy.

Arizona Jr/Sr High School is a private school which offers online instruction on-site and delivers packets of instructional materials to students which they complete to demonstrate that they have learned the materials within. Arizona Jr/Sr High School offers tuition-free instruction to students who attend their private school and provide instruction to students enrolled with the dropout recovery program offered by the Charter Holder in their capacity as an educational management organization ("EMO"). Shortly before Board staff performed a site visit at the Charter Holder's campus on September 26, 2019, Board staff was informed that the Charter Holder severed their contract with the Arizona Jr/Sr High School effective October 1, 2019.

Based on information collected during both site visits, and during the process of reviewing materials submitted after the site visit to the School, several violations regarding the implementation of the dropout recovery program were identified.

- A.R.S. § 15-901.06(B)(1), require schools that provide a dropout recovery program to provide curricula aligned to the
  academic standards adopted by the state board of education. It is not clear if the instructional packets used by the
  EMO to deliver instruction to students enrolled under the Charter Holder meet the rigor of the academic standards
  since the Charter Holder did not assess if the instructional packets used by the EMO were aligned to the standards
  before they were administered to students and credit towards graduation was awarded.
- A.R.S. § 15-901.06(B)(4) requires schools which operate a dropout recovery program to comply with federal and state
  laws governing pupils with disabilities. Board staff reviewed a student's cumulative file that identified the student had
  formerly received special education services. Subsequently, Board staff requested to view the documentation file
  related to the student's special education services. No documentation was provided and Board staff confirmed with
  the Charter Holder that the student had not been seen by the School's special education teacher in this fiscal year.
- A.R.S. § 15-901.06(E) requires schools to count eligible students in the dropout recovery program as being in attendance in the school's average daily membership calculations pursuant if they are in the first month of enrollment in the program and completes the program orientation during that month; are enrolled in teacher-facilitated courses and meets the expectations for satisfactory monthly progress for the current or previous month; or meets the expectations for program reentry in a revised written learning plan. A student who does not meet expectations for monthly progress for two or more consecutive months shall not be reported as being in attendance until the pupil meets the expectations for program reentry. As the EMO refused to provide the Charter Holder with evidence of completed instructional packets before their contract was terminated, the Charter Holder reported students participating in their dropout recovery program as making satisfactory monthly progress without evidence that they were making satisfactory monthly progress.
- A.R.S. § 15-901.06(I)(1) requires charter schools that contract with an EMO to ensure the EMO is accredited by a
  regional accrediting body. Arizona Jr/Sr High School is not an accredited institution.
- A.R.S. § 15-901.06(I)(2) requires charter schools who contract with an EMO to ensure that teachers provided by the EMO hold a current teaching license from any state and a valid Arizona fingerprint clearance card pursuant to section 15-534, and teachers of core subjects are highly qualified in the subjects to which they are assigned. Documents provided to Board staff on a site visit to Arizona Jr/Sr High School revealed that only one of two core teachers employed by the EMO held a current teaching license.

See Appendix D: <u>Dropout Recovery Program Findings</u> for more detail.

The Charter Holder's failure to ensure the charter's dropout recovery program is delivered in accordance with the charter contract and A.R.S. § 15-901.06 resulted in a rating of "Does Not Meet Standard" for the Operational Performance Framework measure that determines whether a charter holder's educational program and operations reflect the essential terms of the educational program as described in the charter contract.



Subsequently, the Charter Holder timely submitted most of the required documentation related to the dropout recovery program.

On January 13, 2020, a second notification was sent by Board staff, requesting that the School's policy be updated to adhere with A.R.S. 15-901.06 when contracting with an EMO. The Charter Holder's policy on selecting an EMO included criterion that made the Board responsible for approving the EMO as an "approved vendor".

Subsequently, after a second notification, the Charter Holder updated its policy to demonstrate compliance with A.R.S. § 15-901.06 (I)(1).

#### 2.b. Enrollment Processes

Charter holders in Arizona are required to comply with all applicable statutes and rules regarding enrollment practices that do not violate the rights of students. A.R.S. § 15-110; A.R.S. § 15-184.

During the school site visit, and during the process of reviewing materials submitted after the school site visit, several violations regarding enrollment practices were identified.

- A.R.S. §§ 15-872(E) and 15-873(A) detail the available options and timelines for families to submit immunization records
  or a waiver. The School's enrollment packet did not indicate that families have the option to provide documentation
  other than a complete immunization record for enrollment. The packet required the immunization record to be
  submitted at the time of enrollment.
- A.R.S. § 15-828(G) places the responsibility to request a copy of the student's record on the enrolling school and states
  that the request must be made directly to the previous school and within five days after enrollment. The School's
  enrollment packet and enrollment procedures required documentation on discipline, attendance, transcripts and
  testing scores at the time of enrollment.
- A.R.S. § 15-184(F) states, "a charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability." Charter schools may not require parents to identify the student's country of origin or citizenship status for enrollment purposes. The School's enrollment packet requested the student's country of birth.
- A.R.S. § 15-901(A)(1) indicates schools are required to withdraw a student after ten consecutive unexcused absences.
   The School's student/parent handbook indicated that students who are absent for more than 10 days will be subject to withdrawal from the school.

The Charter Holder's failure to comply with all applicable statutes and rules regarding enrollment and attendance practices resulted in a rating of "Does Not Meet Standard" for the operational performance framework measure that determines whether a charter holder appropriately administers student admission and attendance.

On January 13, 2020, a second notification was sent by Board staff, requesting that the School's enrollment packet and student/parent handbook be updated to adhere with A.R.S. § 15-872(E), §15-873(A), §15-828(G), §15-184(F), and §15-901(A)(1).

Subsequently, after a second notification, the Charter Holder submitted an updated enrollment packet and student/parent handbook which complied with all relevant Arizona Revised Statutes described above.

## 2.e Timely Submissions—Site Visit Required Documentation

A.A.C. R7-5-505(F) and (G) require charter holders to demonstrate, by a specified date, compliance with all issues identified after a compliance check and site visit. The Charter Holder failed, to timely submit documentation required to demonstrate compliance with a number of operational issues.



The Charter Holder was notified on October 18, 2019 of its required submissions to demonstrate compliance following the September 26, 2019 site visit and given a deadline of November 18, 2019 to submit. The Charter Holder did not submit all of the required documentation by the specified deadline.

The Charter Holder's failure to timely submit resulted in a rating of "Does Not Meet Standard" under the Operational Performance Framework measure that determines whether a charter holder is complying with its obligations to the Board.

On January 13, 2020, a second notification was sent by Board staff, requesting the required documentation.

See Appendix E: 30 Day Failure to Submit for more detail.

Subsequently, after a second notification, the Charter Holder submitted all of the required documentation.

#### 2.d. Teacher Resumes

A.R.S. § 15-183(F) requires a charter school to keep in the personnel file of all current employees who provide instruction to students at the charter school information about the employee's educational and teaching background and experience in a particular academic content subject area.

During the school site visit, School staff was unable to provide the educational and teaching background and experience for one instructional staff member.

Due to its failure to comply with A.R.S. § 15-183(F), the Charter Holder was rated "Does Not Meet Standard" for the Operational Performance Framework measure that determines a charter holder is transparent in its operations.

Subsequently, the Charter Holder submitted the resume for the instructional staff member in compliance with A.R.S. § 15-183(F).

## 2.f. Arizona Department of Education

To comply with the federal Every Student Succeeds Act, the ADE required charter school to submit a School-Level Reporting form beginning with fiscal year 2019. According to the "Submission and Publication Information" released by the ADE, the School-Level Reporting form should be submitted electronically with the fiscal year 2019 Annual Financial Report, which is due by October 15, 2019.

Based on information provided to the Board by ADE, the Board notified the Charter Holder on October 28, 2019 that the fiscal year 2019 School-Level Reporting form, which was due October 15, 2019, had not been submitted to ADE. The Charter Holder was given a deadline of November 13, 2019 to submit. The Charter Holder failed to submit the form by the given deadline.

The Charter Holder's failure to timely submit resulted in a rating of "Does Not Meet Standard" for the Operational Performance Framework measure that determines whether a charter holder is complying with the reporting requirements of other entities to which the charter holder is accountable.

Subsequently, the Board gave the Charter Holder a final deadline of November 27, 2019 to submit the form. The form was submitted to ADE on November 20<sup>th</sup>.

## 3. Other Obligations—Student Record Retention

Pursuant to A.R.S. 41-151.12(A)(3), only the Arizona State Library Archives and Public Records has the authority to set retention periods, including the sole authority to modify, extend or decrease records retention periods. The retention periods listed within Schedule Number GS-1074 denote the required time that student records must be retained by all Arizona school districts and charter schools.

During the site visit, the School could not provide documentation of the student cumulative files for the students enrolled in the dropout recovery program managed by Arizona Jr/Sr High School. On the same day of the site visit, Board staff spoke with Ms. Boyce, the school leader of Arizona Jr/Sr High School, to request that she send copies of the student cumulative files for



the students enrolled in the dropout recovery program. Initially, Ms. Boyce did not agree with providing the School those copies.

The Charter Holder's failure to obtain a copy of the student cumulative files for approximately 170 of its students resulted in a rating of "Does Not Meet Standard" for the operational performance framework measure that determines whether a charter holder is complying with other obligations.

Subsequently, on September 30, 2019, Board staff notified Ms. Boyce that she would have to provide the Charter Holder the student cumulative files by October 3, 2019. A staff member from the School went to the private school to obtain the student records. No additional follow up was required.

## 3. Other Obligations—Teacher Salary Posting

Pursuant to A.R.S. § 15-189.05(B), each charter school is required to prominently post teacher salary information on its website homepage. During a review conducted before the school site visit, Board staff found that the Charter Holder has a separate charter holder website that does list what statute requires with the exception that it did not include the dollar increase. However, this statute requires each charter school to prominently post the teacher salary information on its school website home page separately from its budget.

The Charter Holder's failure to post the required teacher salary information on its school website resulted in a rating of "Does Not Meet Standard" for the operational performance framework measure that determines whether a charter holder is complying with other obligations.

Subsequently, the Charter Holder timely posted the required teacher salary information in compliance with A.R.S. § 15-189.05.



## **APPENDICES**

- A. Charter Holder Profile
- B. Onsite Visit Final Report
- C. Communication Timeline
- **D. Dropout Recovery Program Findings**
- E. 30 Day Failure to Submit



## Appendix A: Charter Holder Profile

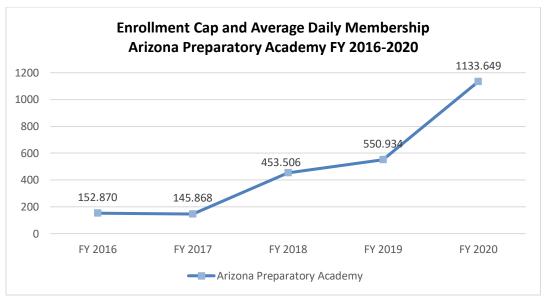
## Governance

The Charter Holder's corporate board also serves as the School's governing body.

Corporate Board Members
Kurt Huzar
Scott Phillips
Pierce Robinson

## **Enrollment and Demographic Data**

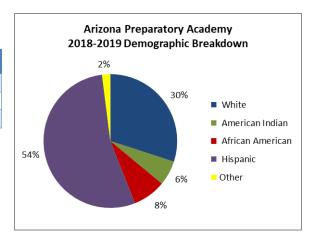
100th Day Average Daily Membership for FY 2016–FY 2019, and FY 2020 ADM as of January 29, 2020.



Because the Charter Holder has an unlimited Enrollment Cap, this data is not represented on the chart.

2018-2019 Subgroup	Data
Free and Reduced Lunch	*
English Language Learners	*
Special Education	7%

\*If the percentage of students is 0% or 100%, or the group includes less than 10 students, the percentage for that group is redacted.



## School Profile

School Name	Arizona	Preparatory A	cademy			
Date Open		August 2003				
Location	Phoenix					
Grades Served	9-12					
FY 19 Letter Grade	В					
FY 18 Overall Rating	Falls Far Below					
	FY 17	FY 19				
ELA AzMERIT (15% <sup>+</sup> )	*	15%	13%			
Math AzMERIT (11%+)	* 8% *					
Science AIMS	*	*	*			

<sup>\*</sup>FY 19 Alternative Schools State Average Passing

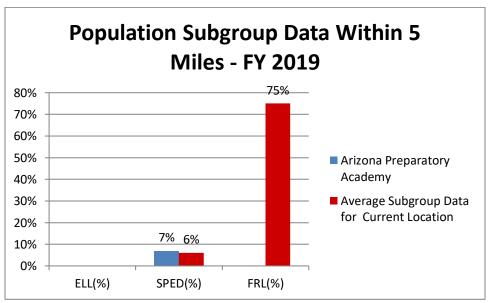
<sup>\*</sup>If the percentage of students is 0% or 100%, or the group includes less than 10 students, the percentage for that group is redacted.

Arizona Preparatory Academy Alternative A-F Letter Grade Points Earned							
	Alternative Academic On Track Credits Alternative Alternative Alternati						
	Proficiency	Persistence	to	Earned	EL	Graduation	<b>CCRI Points</b>
	Points	Points	Graduate	Points	Proficiency	Rate Points	
			Points		and Growth		
					Points		
Points Possible	15	10	10	10	10	10	35
Points Earned	2.58	9.70	9.21	6.13	N/A	2.13	35

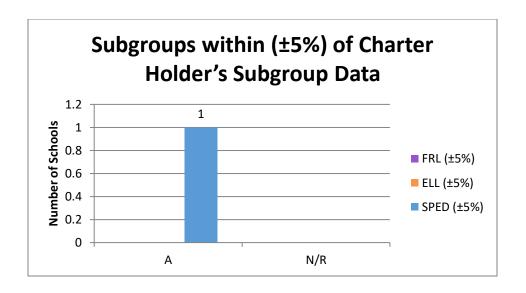
## Other Available Options

Subgroup Data for Nearby Schools

Information includes the Charter Holder's Subgroup data compared to the data of entities within a five-mile radius of the School's location.



\*ELL and FRL data is not available for Arizona Preparatory Academy for 2018-2019



Additional School Choices Serving Grades 9-12 within 5 Miles of Arizona Preparatory Academy

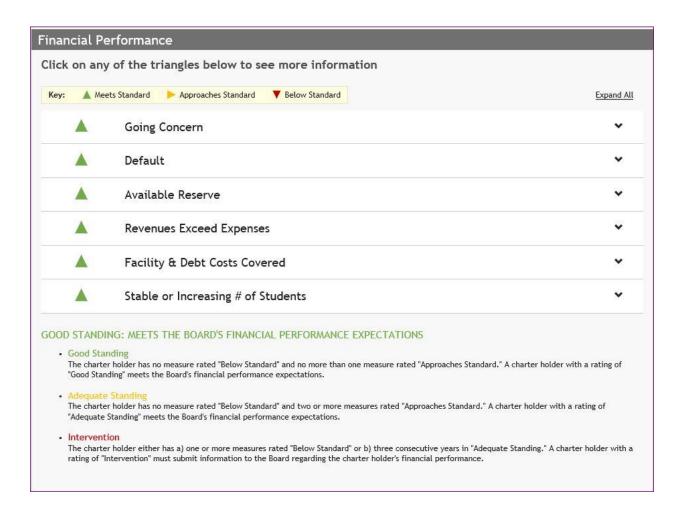
Total	FY 19	Total	FY 19 State Assessment Data Greater than State Average					
Schools	Letter Grade	Charter	ELA (>17%)	Math (>17%)	Science (>28%)			
		Schools						
1	Α	1	0	1	0			
4	N/R	3	0	0	0			

Comparison of Nearby Schools within 5 Miles to Arizona Preparatory Academy

Total	FY 19	Total	FY 18 State Assessment Data Greater than School Name					
Schools	Letter	Charter	AzMERIT ELA (>13%)	AzMERIT Math (>*%)	AIMS Science (>*%)			
SCHOOLS	Grade	Schools						
1	Α	1	1	*	*			
4	N/R	3	0	*	*			
Total Number of Schools Performing Better than School Name (Percentage of Total)								
5		4 (80%)	1 (20%)	*	*			

Because Math and Science assessment data for Arizona Preparatory Academy is not available, comparison to nearby schools is not possible.

#### Academic Performance Edit this section. Arizona Preparatory Academy FY 2017 FY 2018 Alternative Alternative HighSchool 9-12 High School 9-12 Measure Rating Measure Rating 1a. A-F Letter Grade TBD TBD TBD TBD 1b. School Improvement Comprehensive Falls Far Below Comprehensive Falls Far Below **OVERALL RATING** Falls Far Below Standard Falls Far Below Standard



## Operational Performance Dashboard

## Click on any of the measures below to see more information.

#### Effective July 1, 2017 and going forward:

An "\*" means the noncompliance has been addressed under AAC R7-5-505(F), a complete corrective action plan has been received and implementation is required under AAC R7-5-510(C)(1), the charter holder is complying with the terms of an agreement with the Board, or no further action is required at this time.

A "\*\*" means a corrective action plan has been assigned by another entity, the appeal window for action taken by another entity has not closed, appeal of an action taken by another entity is pending, or is an issue of noncompliance in which another entity oversees.

Measure	2016	2017	2018	2019	2020
1.a. Does the delivery of the education program and operation reflect the essential terms of the educational program as described in the charter contract?	Meets	Meets	Meets	Meets	Does Not Meet
1.b. Does the charter holder adhere with applicable education requirements defined in state and federal law?	Meets	Meets	Meets	Meets	
2.a. Do the charter holder's annual audit reporting packages reflect sound operations?	Meets	Meets	Meets	Meets	
2.b. Is the charter holder administering student admission and attendance appropriately?	Meets	Meets	Meets	Does Not Meet	Does Not Meet
2.c. Is the charter holder maintaining a safe environment consistent with state and local requirements?	Meets	Meets	Meets	Meets	
2.d. Is the charter holder transparent in its operations?	Meets	Meets	Does Not Meet	Meets	Does Not Meet
2.e. Is the charter holder complying with its obligations to the Board?	Meets	Meets	Meets	Meets	Does Not Meet
2.f. Is the charter holder complying with reporting requirements of other entities to which the charter holder is accountable?	Meets	Meets	Meets	Meets	Does Not Meet
3. Is the charter holder complying with all other obligations?	Meets	Meets	Meets	Meets	Does Not Meet
OVERALL RATING	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Does Not Meet Operational Standard
BOARD EXPECTATIONS		Meets Operational Expectations	Meets Operational Expectations	Meets Operational Expectations	Does Not Meet Operational Expectations

Last Updated: 2020-01-10 09:23:23

## Operational Performance Dashboard

## Click on any of the measures below to see more information.

#### Effective July 1, 2017 and going forward:

An "\*" means the noncompliance has been addressed under AAC R7-5-505(F), a complete corrective action plan has been received and implementation is required under AAC R7-5-510(C)(1), the charter holder is complying with the terms of an agreement with the Board, or no further action is required at this time.

A "\*\*" means a corrective action plan has been assigned by another entity, the appeal window for action taken by another entity has not closed, appeal of an action taken by another entity is pending, or is an issue of noncompliance in which another entity oversees.

Measure	2016	2017	2018	2019	2020
1.a. Does the delivery of the education program and operation reflect the essential terms of the educational program as described in the charter contract?	Meets	Meets	Meets	Meets	Does Not Meet
Educational Program - Essential Terms	No issue identified	No issue identified	No issue identified	No issue identified	Charter Mission*  Program of Instruction*  (more info)
1.b. Does the charter holder adhere with applicable education requirements defined in state and federal law?	Meets	Meets	Meets	Meets	
Services to Student with Disabilities	No issue identified	No issue identified	No issue identified	No issue identified	
Instructional Days/Hours	No issue identified	No issue identified	No issue identified	No issue identified	
Data for Achievement Profile	No issue identified	No issue identified	No issue identified	No issue identified	
Mandated Programming (State/Federal Grants)	No issue identified	No issue identified	No issue identified	No issue identified	
2.a. Do the charter holder's annual audit reporting packages reflect sound operations?	Meets	Meets	Meets	Meets	
Timely Submission	Yes	Yes	Yes	Yes	Yes
Audit Opinion	Unqualified	Unqualified	Unqualified	Unqualified	Unqualified
Completed 1st Time CAPs	No issue identified	No issue identified	No issue identified	No issue identified	
Second-Time/Repeat CAP	No issue identified	No issue identified	No issue identified	No issue identified	
Serious Impact Findings	No issue identified	No issue identified	No issue identified	No issue identified	
Minimal Impact Findings (3+ Years)	No issue identified	No issue identified	No issue identified	No issue identified	
2.b. Is the charter holder administering student admission and attendance appropriately?	Meets	Meets	Meets	Does Not Meet	Does Not Meet
Estimated Count/Attendance Reporting	No issue identified	No issue identified	No issue identified	ADE ADM Audit** (more info)	
Tuition and Fees	No issue identified	No issue identified	No issue identified	No issue identified	
Public School Tax Credits	No issue identified	No issue identified	No issue identified	No issue identified	
Attendance Records	No issue identified	No issue identified	No issue identified	No issue identified	
Enrollment Processes	No issue identified	No issue identified	No issue identified	No issue identified	Enrollment Practices #1* (more info)
2.c. Is the charter holder maintaining a safe environment consistent with state and local requirements?	Meets	Meets	Meets	Meets	
Facility/Insurance Documentation	No issue identified	No issue identified	No issue identified	No issue identified	

Fingerprinting	No issue identified	No issue identified	No issue identified	No issue identified	
2.d. Is the charter holder transparent in its operations?	Meets	Meets	Does Not Meet	Meets	Does Not Meet
Academic Performance Notifications	No issue identified	No issue identified	No issue identified	No issue identified	
Teacher Resumes	No issue identified	No issue identified	No issue identified	No issue identified	Teacher Resumes (Site Visit)*
Open Meeting Law	No issue identified	No issue identified	No issue identified	No issue identified	
Board Alignment	No issue identified	No issue identified	Inconsistency in Reporting*  (more info)	No issue identified	
2.e. Is the charter holder complying with its obligations to the Board?	Meets	Meets	Meets	Meets	Does Not Meet
Timely Submissions	No issue identified	No issue identified	No issue identified	No issue identified	30-day Requirement Failure to Submit*
Limited Substantiated Complaints	No issue identified	No issue identified	No issue identified	No issue identified	
Favorable Board Actions	No issue identified	No issue identified	No issue identified	No issue identified	
2.f. Is the charter holder complying with reporting requirements of other entities to which the charter holder is accountable?	Meets	Meets	Meets	Meets	Does Not Meet
Arizona Corporation Commission	No issue identified	No issue identified	No issue identified	No issue identified	
Arizona Department of Economic Security	No issue identified	No issue identified	No issue identified	No issue identified	
Arizona Department of Education	No issue identified	No issue identified	No issue identified	No issue identified	School-Level Reporting Form*
Arizona Department of Revenue	No issue identified	No issue identified	No issue identified	No issue identified	
Arizona State Retirement System	No issue identified	No issue identified	No issue identified	No issue identified	
Equal Employment Opportunity Commission	No issue identified	No issue identified	No issue identified	No issue identified	
Industrial Commission of Arizona	No issue identified	No issue identified	No issue identified	No issue identified	
Internal Revenue Service	No issue identified	No issue identified	No issue identified	No issue identified	
U.S. Department of Education	No issue identified	No issue identified	No issue identified	No issue identified	
3. Is the charter holder complying with all other obligations?	Meets	Meets	Meets	Meets	Does Not Meet
Judgments/Court Orders	No issue identified	No issue identified	No issue identified	No issue identified	
Other Obligations	No issue identified	No issue identified	No issue identified	No issue identified	Student Record Retention* Student Record Retention** A.R.S. \$15- 189.05 Teacher Salary* (more info)

OVERALL RATING	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Meets Operational Standard	Does Not Meet Operational Standard
BOARD EXPECTATIONS		Meets Operational Expectations	Meets Operational Expectations	Meets Operational Expectations	Does Not Meet Operational Expectations
Last Updated: 2020-02-02 14:05:34					

## **Onsite Visit Final Report**

CHARTER INFORMATION			
Charter Holder Name North Star Charter School, Inc.	School Name	Arizona Preparatory Academy	
Charter Holder Entity ID 79701	Site Visit Date	September 26, 2019	
	Final Report Date	October 18, 2019	

In accordance with A.R.S. §15-182(E)(1), the Arizona State Board for Charter Schools ("Board") shall exercise general supervision over charter schools sponsored by the Board. On September 26, 2019, Board staff conducted an unannounced site visit to Arizona Preparatory Academy ("the School"). The unannounced site visit was prompted by information presented to the Board. During the site visit, Board staff met with Amber Starnes, the Site Director of the School.

## **School Background**

School Name	Month/ Year Open	Location	ADM*	Grade Levels Served
Arizona Preparatory Academy	August/2003	Phoenix	1114.074	9 - 12

<sup>\*</sup>ADM as of 10/10/19

## **Contractual Compliance Review**

Specific areas of the charter contract were reviewed to ensure the Charter Holder is in compliance. When Board staff identifies contractual or legal non-compliance issues at a site visit, each issue is reflected on the Charter Holder's Operational Performance Dashboard. The table below identifies the contractual or legal compliance components that are out of compliance and specifies what the Charter Holder is required to submit by the due date, November 18, 2019.

A review of a charter holder's contractual compliance may result in additional follow-up visits from Board staff.

Failure to provide required follow-up, as described below, by **November 18, 2019** will be recorded in Measure 2.e. of the Charter Holder's Operational Performance Dashboard.



Additionally, failure to submit timely may result in the remaining issues being placed on a subsequent Board meeting agenda for possible disciplinary action pursuant to R7-5-505(G), in which the Board may take action, including withholding up to ten percent of the monthly state aid apportionment, issuing a notice of intent to revoke the charter, or other remedial actions.

In accordance with R7-5-501(C), if the specified deadline has not passed, Board staff may grant a charter holder an extension to the specified deadline. In order to request an extension, please send an email to Johanna. Medina@asbcs.az.gov.

Compliance Item	Findings	Required Submission
Mission Statement	The Charter Holder's mission on ASBCS Online was not in alignment with the operating mission on the Charter Holder's website.  The mission statement on the School's website begins with "Arizona Preparatory Academy", however, the mission on ASBCS Online starts with "North Star High School".  The School's handbook includes a mission statement like the one on ASBCS Online, but does not fully align.  Recorded in 1.a.: Educational Program – Essential Terms	Provide the following:  - An administratively complete Charter Mission Amendment Request aligning the current mission statement on the Charter Holder's website with the mission statement on ASBCS Online.
Program of Instruction	North Star Charter School, Inc. ("The Charter Holder") contracted with an educational management organization ("The EMO"), Arizona Jr/Sr High School, to provide services to students enrolled in their dropout recovery program as allowable under A.R.S. 15-901.06(I) at the beginning of FY 2020.  Arizona Jr/Sr High School is a private school located in Camp Verde, AZ which offers online instruction on-site and delivers packets of instructional materials to students which they complete to show that they have learned the materials within. Arizona Jr/Sr High School offers tuition-free instruction to students who attend their private school and provide instruction to students enrolled with the dropout	<ul> <li>Provide the following:</li> <li>A list of students currently enrolled in the dropout recovery program at the School. Do not include students that have withdrawn.</li> <li>A copy of the School's policy describing in detail how the School will adhere to A.R.S. 15-901.06 when contracting with an EMO.</li> <li>A copy of the September attendance report for the students enrolled in the dropout recovery program through September 30, 2019.</li> </ul>



recovery program offered by the Charter Holder in their capacity as an EMO.

Board staff performed an unannounced site visit to Arizona Jr/Sr High School on September 11, 2019, spoke with school staff, and viewed documents on site. Shortly before Board staff performed a site visit at the Charter Holder's campus on September 26, 2019, Board staff was informed that the Charter Holder severed their contract with the EMO effective October 1, 2019.

Based on both on site visits, Board staff identified five issues that are clearly described in *Appendix A: Dropout Recovery Program Findings*.

Recorded in 1.a.: Educational Program – Essential Terms

- A copy of the EMO agreement with the School's current provider.

## Enrollment, Attendance, and Discipline Policies

The following **enrollment** policy was reviewed and found NOT to be in compliance pursuant to Arizona Revised Statutes related to enrollment:

- The School's New Student Registration packet includes a checklist requiring the following documentation to complete the registration process per the School's policy as described on page 9 of the Student/Parent Handbook: Current Immunization Record; Discipline/Attendance Records from Previous School; Transcripts/Report Cards (current); and AzMERIT Scores/AIMS Science Score (if applicable).
  - a. Immunization Record: A.R.S. § 15-872(C) states that "[e]ach public school shall make full disclosure of the requirements and exemptions [to proof of immunization] as prescribed in this section and section 15-873."
    - The School's enrollment packet did not indicate that families have the option to

## Provide the following:

- A copy of an updated enrollment packet and student handbook.



- provide documentation other than a complete immunization record for enrollment.
- ii. The packet and Enrollment Procedures described in the handbook require the immunization record to be submitted at the time of enrollment. A.R.S §§ 15-832(E) and 15-873 allow parents and guardians to submit a copy of immunization records, immunization exemption waivers, or an immunization schedule for enrollment.
- b. Prior Student Records: A.R.S. § 15-828(G) places the responsibility to request a copy of the pupil's record on the enrolling school and states that the request must be made directly to the previous school and within five days after enrollment. The School's enrollment packet and Enrollment Procedures described in the handbook require documentation on discipline, attendance, transcripts and testing scores for the previous school.
- 2. The School's Registration Form (page 2) requires that the birth country of the student be identified.
  - a. A.R.S. § 15-184(F) states, "a charter school shall not limit admission based on ethnicity, national origin, gender, income level, disabling condition, proficiency in the English language or athletic ability." Charter schools may not require parents to identify the student's country of origin for enrollment purposes.

The following **attendance** policy was reviewed and found NOT to be in compliance pursuant to Arizona Revised Statutes related to attendance:

1. The School's Student /Parent Handbook states, "All student who are absent for more than **10 days** will be subject to withdrawal



from the school. In addition, the following general attendance/tardiness procedures will apply when a student is absent (unless the non-attendance is due to personal illness, serious family illness or death in the family, chronic homelessness, suspensions, or prior notification by the parent/guardian to the school administration).

 a. Charter schools are required to withdraw a student after ten consecutive unexcused absences, pursuant to A.R.S. 15-901(A)(1). All of these absences must be unexcused and consecutive.

Additionally, attendance cannot be a condition of enrollment. A.R.S. §15-841 (B) states, "A pupil may be expelled for excessive absenteeism only if the pupil has reached the age or completed the grade after which school attendance is not required as prescribed in section A.R.S § 15-802." Pursuant to A.R.S. §15-802, this age is sixteen.

<u>Please note</u>: Page 17 of the School's handbook details the Dress Code policy. This issue is not a violation, but Board staff recommends that the Charter Holder add a religious exemption to the policy.

Recorded in Measure 2.b.: Enrollment Processes

# Instructional Staff Education and Experience

Pursuant to A.R.S. §15-183(F), information about the teaching background and experience for Janette Buell, Gov. Adjunct Teacher was not available on the day of the site visit.

Upon review of the teaching background and experience for the instructional staff, Board staff noted that personal identifiable information is present in those documents.

## Provide the following:

 A copy of the teaching background and experience information for the instructional staff member, Ms. Buell, that was not available for viewing on the day of the site visit.

nool, Inc. /Arizona Preparatory Academy



School Name	Please note: A R.S. §15-183(F) does not require any charter school to release personally identifiable information in relation to any teacher or employee.  Recorded in Measure 2.d.: Teacher Resumes  During the site visit, Board staff observed that the School's building has two names, "Arizona Preparatory Academy" and "Cyber High School". ASBCS records show that Cyber High School was closed at the end of FY 2017.  Additionally, Cyber High School is listed on the Charter Holder's website at northstaraz.com.  Because the Charter Holder is no longer operating Cyber High School, the Charter Holder must update the building's name and its website to reflect the current status of the charter contract.  Recorded in Measure 2.e.: Timely Submission	Provide the following:  - A narrative explaining what steps the Charter Holder will take to remove "Cyber High School" from the School's building and website.  - Include a due date by when the steps will be completed. Ensure it is within 3 months of receiving this report.  After carrying out the steps (within the 3 month timeframe), provide evidence of completion.
Teacher Salary Posting	The School's website was reviewed and found it NOT to be in compliance with A.R.S. §15-189.05. The Charter Holder has a separate website that does list what statute requires with the exception that it does not include the dollar increase.  However, this statute requires each charter school to prominently post the following information on its website home page separately from its budget:  - The average salary of all teachers employed by the charter school for the current year.  - The average salary of all teachers employed by the charter school for the previous year.	A screenshot of or link to the updated school website home page with the required teacher salary posting.



-	The dollar increase in the average salary of all teachers
	employed by the charter school for the current year.

- The percentage increase in the average salary of all teachers employed by the charter school for the current year

Recorded in Measure 3: Other – Teacher Salary Posting

#### **Student Records**

Pursuant to ARS 41-151.12(3), only the Arizona State Library Archives and Public Records has the authority to set retention periods, including the sole authority to modify, extend or decrease records retention periods. The retention periods listed within Schedule Number GS-1074 denote the required time that student records must be retained by all Arizona school districts and charter schools.

During the site visit, Ms. Starnes stated that she did not have a copy of the student records for the students enrolled in the dropout recovery program that attended Arizona Jr/Sr High School. The same day of the site visit, Board staff spoke with Ms. Boyce, the school leader of the private school, to request that she send copies of the student cumulative files for the students enrolled in the dropout recovery program. Initially, Ms. Boyce did not agree with providing the School those copies. On September 30, 2019, Board staff notified Ms. Boyce that she would have to provide Ms. Starnes the student cumulative files by October 3, 2019. Ms. Starnes went to the private school to obtain the student records.

Recorded in Measure 3: Other – Maintaining Student Records

## No follow-up required



## Appendix C: Communication Timeline

Charter Holder stated that the contract with the private school would the end of the month. Board staff had a teleconference with the private school and the School to organize the delivery of the student records to School. The private school stated it would not release the records.  September 27, 2019  The private school emailed Board staff to indicate it would cooperate with the School to send copies of the student records.  September 30, 2019  The Charter Holder sent the private school a list of the documents nee from each student's cumulative file and copied Board staff in the email Additionally, the Charter Holder sent Board staff a copy of the letter to parents of the students attending the DRP through the private school. letter explains the transition of the students and how to request a withdrawal from Arizona Preparatory Academy.  October 3, 2019  The private school emailed Board staff stating that it provided the students and the comparation of the students and how to request a withdrawal from Arizona Preparatory Academy.  October 18, 2019  Board staff emailed Kurt Huzar, Authorized Charter Representative, not him that the Onsite Visit Final Report ("report") was available on the A Online system.  Board staff marked the Charter Holder's dashboard for each non-comissue identified in the report. The Charter Holder was given a deadline November 18, 2019 to submit the required documentation detailed in report.  November 18, 2019  The Charter Holder submitted documentation for review based on the report.  Board staff notified the Charter Holder of its 30-day Failure to Submit to documentation from the report. Most of the violations were submitted original due date.  The failure to submit was recorded on the Charter Holder's operational documentation from the report.		
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deadline of January 27, 2020.	-	ktension was approved, and the Charter Holder was given an extended
		narter Holder submitted the remaining documents for Board staff to review.



## Appendix A: Dropout Recovery Program Findings

#### Issue 1

Pursuant to A.R.S. § 15-901.06(B)(1), schools which provide a dropout recovery program shall provide curricula aligned to the academic standards adopted by the state board of education. Charter Holder staff indicated to Board staff that they had requested that the EMO provide them with completed packets before severing their contract, but the EMO initially refused to comply. After severing their contract, the EMO did send over student cumulative files and provided the Charter Holder with student packets which they indicated had been completed. It is not clear if the packets used by the EMO to deliver instruction to students enrolled under the Charter Holder meet the rigor of the academic standards since the Charter Holder did not assess if the instructional packets used by the EMO were aligned to the standards before they were administered to students and credit towards graduation was awarded.

#### Issue 2

A.R.S. § 15-901.06(B)(4) requires schools which operate a dropout recovery program to comply with federal and state laws governing pupils with disabilities. When Board staff performed their site visit at Arizona Jr/JR High School, they requested that the school provide staff with examples of student enrollment packets to check for compliance. In the enrollment packet of one of the students, the parent had indicated that the student had formerly received special education services. When Board staff requested to look at the student's cumulative files, there was no evidence that special education services had been provided. Staff at the school indicated that the agreement they had with the Charter Holder specified that the Charter Holder would provide special education services, but that no SPED teacher from the Charter Holder had visited the school site.

#### Issue 3

For pupils participating in a dropout recovery program, an eligible pupil shall be counted as being in attendance in the school's average daily member ship calculations pursuant to A.R.S. § 15-901.06(E) if they are in the first month of enrollment in the program and completes the program orientation during that month; are enrolled in teacher-facilitated courses and meets the expectations for satisfactory monthly progress for the current or previous month; or meets the expectations for program reentry in a revised written learning plan. A pupil who does not meet expectations for monthly progress for two or more consecutive months shall not be reported as being in attendance until the pupil meets the expectations for program reentry. As the EMO refused to provide the Charter Holder with evidence of completed packets before their contract was terminated, the Charter Holder reported students participating in their dropout recovery program as making satisfactory monthly progress without evidence that they were making satisfactory monthly progress.

## Issue 4

Pursuant to A.R.S. § 15-901.06(I)(1), charter schools which contract with an educational management organization shall ensure that the educational management organization is accredited by a regional accrediting body. Arizona Jr/Sr High School is not an accredited institution.

## Issue 5

Pursuant to A.R.S. § 15-901.06(I)(2), Charter Holders who contract with an educational management organization shall ensure that teachers provided by the educational management organization hold a current teaching license from any state and a valid Arizona fingerprint clearance card pursuant to section 15-534, and teachers of core subjects are highly qualified in the subjects to which they are assigned. Documents provided to board staff on a site visit to Arizona Jr/Sr High School revealed that only one of the teachers employed by the EMO held a current teaching license in the subjects they were assigned.

## **Arizona State Board for Charter Schools**



Physical Address: 1616 West Adams Street, Ste. 170 Phoenix, AZ 85007 (602) 364-3080 Mailing Address:
P.O. Box 18328
Phoenix, AZ 85009

January 13, 2020

North Star Charter School, Inc. Kurt Huzar, Charter Representative 4200 North 99<sup>th</sup> Avenue Phoenix, AZ 85037

Sent via email: huzarcpa@aol.com

RE: 30 Day Failure to Submit-North Star Charter School, Inc. - Entity ID 79701

Dear Charter Representative,

On October 18, 2019, North Star Charter School, Inc. ("Charter Holder") was notified of its 30-day follow-up requirement as part of an onsite visit conducted September 26, 2019. The Charter Holder did not submit all the required information detailed in the final report on or before the due date of November 18, 2019. As a result of not submitting timely and getting into full compliance, the Charter Holder's operational performance dashboard has been recorded to reflect Measure 2.e.: Timely Submission.

In accordance with Arizona Administrative Code ("A.A.C.") R7-5-505, the Charter Holder is required to demonstrate that all identified noncompliance issues have been addressed by the specified deadline. Therefore, as a final opportunity, by **January 20, 2020**, the Charter Holder must address these noncompliance issues by providing the submission requirements outlined in the table below.

Failure to provide required follow-up, as described below, by **January 17, 2020** will be recorded in Measure 2.e. of the Charter Holder's Operational Performance Dashboard.

Additionally, failure to submit timely may result in the remaining issue(s) being placed on a subsequent Board meeting agenda for possible disciplinary action pursuant to A.A.C. R7-5-505(G), in which the Board may take action, including withholding up to ten percent of the monthly state aid apportionment, issuing a notice of intent to revoke the charter, or other remedial actions.

In accordance with A.A.C. R7-5-501(C), if the specified deadline has not passed, Board staff may grant a charter holder an extension to the specified deadline. In order to request an extension, please send an email to jessie.berg@asbcs.az.gov.

Further, because the Charter Holder is currently out of compliance with the terms of its contract until the issues identified below are addressed, any requests submitted that are not addressing the issues will be rejected and closed until the noncompliance issues have been addressed.

## **Operational Performance**

The purpose of the Operational Performance Framework is to communicate the Board's compliance-related expectations for ensuring that all charter holders in its portfolio are implementing their education program as set out in the charter and required by law and are adhering to statutory and contractual operational reporting and compliance requirements.

The Board shall determine a charter holder meets the minimum operational performance standard if the charter holder receives no measure rated "Falls Far Below Standard" and no more than five measures rated "Does Not Meet Standard: for the evaluated year. A.A.C. R7-5-403(C).

As of the date of this notification, the Charter Holder's Operational Performance Dashboard has 6 of the nine operational performance framework measures rated a "Does Not Meet Standard". This means the Charter Holder has failed to meet the minimum operational performance expectations set forth in A.A.C. R7-5-403 and the Board's operational performance framework.

Pursuant to A.A.C. R7-5-403(F), the Board must address this matter at a subsequent Board meeting and may take action, including, but not limited to, issuing a notice of intent to revoke the charter. The Charter Holder shall be allowed to respond to the allegations at the meeting before the Board makes a final determination. Additional notifications will be sent to the Charter Holder in the near future.

## The table below outlines the outstanding noncompliance issues.

Compliance Item	Findings	Required Submission
Program of Instruction	<ul> <li>Initial submission requirement:         <ul> <li>A list of students currently enrolled in the dropout recovery program at the School. Do not include students that have withdrawn.</li> <li>A copy of the School's policy describing in detail how the School will adhere to A.R.S. 15-901.06 when contracting with an EMO.</li> <li>A copy of the September attendance report for the students enrolled in the dropout recovery program through September 30, 2019.</li> <li>A copy of the EMO agreement with the School's current provider.</li> </ul> </li> <li>The Charter Holder submitted the following:         <ul> <li>An attendance report that lists the students enrolled in the dropout recovery program.</li> <li>A copy of the EMO agreement.</li> <li>A copy of the policy outlining the criteria for contracting with an EMO for the dropout recovery program.</li> </ul> </li> </ul>	Current submission requirement:  - A copy of an updated policy.

## The submission was deemed insufficient due to the following:

• The policy included a criterion that states, "The EMO has been approved by ASBCS as a[n] approved vendor." The ASBCS does not make any recommendations or approvals of vendors that the charter holder may or may not contract with. The ASBCS does ensure that the EMO contracting with the charter holder meets the requirements outlined in A.R.S. 15-901.06.

# Enrollment, Attendance, and Discipline Policies

## Initial submission requirement:

- A copy of an updated enrollment packet and student handbook.

## The Charter Holder submitted the following:

- A revised enrollment packet and Student Handbook.

## The submission was deemed insufficient due to the following:

- The enrollment packet did not indicate that families have the option to provide documentation other than a complete immunization record for enrollment.
- The enrollment packet and Enrollment Procedures described in the handbook require the immunization record to be submitted at the time of enrollment.
   A.R.S §§ 15-832(E) and 15-873 allow parents and guardians to submit a copy of immunization records, immunization exemption waivers, or an immunization schedule for enrollment.
- The enrollment packet and Enrollment Procedures described in the handbook require documentation on discipline, attendance, transcripts and testing scores for the previous school. A.R.S. § 15-828(G) places the responsibility to request a copy of the pupil's record on the enrolling school and states that the request must be made directly to the previous school and within five days after enrollment.

## Current submission requirement:

 A copy of an updated enrollment packet and student handbook.

If you have questions concerning this review process or the information contained in this letter, please contact me, with any questions at (602)364-3084 or email me at Johanna. Medina@asbcs.az.gov.