

**Arizona State Board for Charter Schools**

**Arizona State Board of Education**

1700 W. Washington St., Room 164, Phoenix, AZ 85007

(602) 364-3080 Fax (602) 364-3089

[www.asbcs.az.gov](http://www.asbcs.az.gov)

**CHARTER HOLDER STATUS AMENDMENT REQUEST**

(Charter Holder Name) Ball Charter Schools (Hearn) (CTDS) 78987000

(Charter Holder Mailing Address) 17606 N. 7<sup>th</sup> Avenue

(City, State) Phoenix, AZ (Zip) 85023

(Charter Representative's Name) John Huppenthal

(Phone Number) 602 896 - 9160 (Fax Number) 602896 - 1997

RECEIVED JAN 20 2009

*CH*

**Failure to submit all required documentation will result in the Amendment Request being returned without being processed. Faxed copies will not be accepted. Please send originals.**

**Check appropriate box(s)**

- Change in legal status of the Charter Holder
- Change in entity name of the Charter Holder
- Change in ownership of the Charter Holder
- Other (please explain) Change in Bylaws

Included are the following:

- Board minutes approving the change (minutes must comply with Open Meeting Law ARS §38-431.01)
- Copy of amendment to Articles of Incorporation filed with the Arizona Corporation Commission
- \* Additional materials may be requested as required by the type of request

The Arizona State Board for Charter Schools and Ball Charter Schools (Hearn) (Charter Holder), herein agree to amend the terms of the charter contract as follows:

**FROM: See Charter Contract**

**TO: See attached**

In witness whereof, Charter Holder has signed this contract amendment as of this 8<sup>th</sup> day of September, 2008, and the State Board for Charter Schools has signed this contract amendment as of this \_\_\_\_ day of \_\_\_\_, 200\_\_, to take effect at such time as it is signed by both parties.

  
\_\_\_\_\_  
Charter Representative Signature

\_\_\_\_\_  
Representative Signature for the Arizona State Board for Charter Schools

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## MINUTES

### Ball Charter Schools Governing Board Meeting September 8, 2008

The meeting was called to order at 6:20 P.M. on September 8, 2008 at the 5<sup>th</sup> Avenue Professional Building, 3411 N. 5<sup>th</sup> Avenue, Suite 300, Phoenix, Arizona and began with the Pledge of Allegiance and roll call:

**Present:**

Sheila Arredondo, Board Member  
Mike Dyer, Board Secretary  
John Huppenthal, Board President  
Michael Larrabee, Board Vice-President  
Dan Matthews, Board Member  
Mary Beth Miller, Board Member (Telephonically)  
Steven Gary Yee, Board Member (Telephonically)  
George Ellis, Dobson Principal  
Jane Vert, Hearn Principal  
Arlene Palm, Board Coordinator

**Others Present:**

Annie Gilbert, Business Manager, Dobson Academy  
Jim Hudspeth, Business Manager, Hearn Academy  
Steve Knoblauch, Assistant Principal, Hearn Academy

**Absent: None**

**Approval of Minutes** – Minutes for the August 25, 2008 Board Meeting approved as noted with the revision changing "not going well" to "progressing" under Item V: Current Events.

**Consent Agenda**

**I A – Approval of Staffing Recommendations – Hearn and Dobson** – Dr. Ellis and Dr. Vert reviewed staffing recommendations for their respective schools as presented in the board packet.

**I B – Enrollment/Attendance Update – Hearn and Dobson** – Dr. Ellis and Dr. Vert reviewed the current enrollment/attendance figures for their respective schools, noting that attendance is holding at both the schools.

Motion to approve the consent agenda as presented by Mike Dyer; second by Michael Larrabee. Approved.

**Old Business Items**

**II A – School Expansion** – Dr. Ellis reported that the Stimulus Grant was accepted, and confirmation was received. It is currently in the review stage. Annie Gilbert reported that the IRS application for non-profit status was completed. Both Dr. Ellis and Dr. Vert indicated that they are still looking for property. Dan Matthews reiterated the importance and the need to have a plan and determine the community. Annie Gilbert presented information in the form of a graph on the lease vs. buy option. A lengthy discussion followed regarding short and long range timelines and the Stimulus Grant. The average grant awards are in the amount of \$450,000.00. John Huppenthal summarized the discussion indicating we need more information on the Stimulus Grant including any constraints, specific details for what the monies can be used for, and payout amounts.

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II B – Open Board Position – a) By-law Revisions - Michael Larrabee indicated he would like to discuss this in more detail later in the meeting during his Board Development Committee report.

II C – Hearn Library Expansion Update – Dr. Vert reported that the fireplug is now in and she is currently working on architectural designs.

### New Business Items

III A – Financial Reports (including PTSA and PTO) – Dobson and Hearn – Annie Gilbert reviewed financial information for Dobson Academy and for Hearn Academy. Jim Hudspeth added that the biggest expenditure for Hearn was the fireplug. Annie also reported that Dobson applied for an entitlement grant, and when approved, the allocation for Dobson would be in the amount of \$48,000.00. Dr. Ellis reviewed the PTO report for Dobson Academy. They are in good standing. Dr. Vert reported that PTSA is only meeting four times a year at Hearn and are putting their efforts into fundraising.

III B – Special Education Update - Dobson and Hearn – Dr. Ellis reviewed a spreadsheet prepared by Rita Soliday, noting that 40 students are enrolled in special education. Intervention is utilized heavily in the lower grades. Dr. Vert reported that as of August 18, 2008, 30 students are in special education at Hearn and 15 students are in speech for a total special education enrollment of 45. She added that, unlike Dobson, Hearn is not presently involved with the Response to Intervention Program, and noted that Hearn contracts for speech and language, occupational therapy and psychological services.

III C – Audit Update for Dobson Academy and Hearn Academy – Annie Gilbert reported that Dobson Academy completed their field work two weeks ago – everything was perfect except for two areas: a partial day absence was not accounted for properly and a part-time individual had no letter of agreement. Overall, the audit went well. Hearn is in the process of their audit this week. Jim Hudspeth reported that so far everything they requested was given to the auditors. The audit for both Hearn and Dobson is being conducted by Heinfeld, Meech and Co., P.C.

III D – Board Resources and Expenses – Mike Dyer presented information on this item, indicating that he, Sheila Arredondo and Arlene Palm attended a recent seminar and there were good resources available for the board. He wanted to bring a request to the board to take out a membership to Board Source.

(a) Board Source – Membership fee is \$99.00 yearly. Information is included in the packet outlining the benefits of participation, including support for the board.

Mike Dyer also addressed the following:

(b) Board Governance Retreat November 11, 2008 – The Charter School Association is having a retreat with a Board tract. It is being held locally in Carefree, AZ. and will be led by nationally recognized individuals including experienced attorneys. It will be a good resource for the board and a worthy expenditure, especially since there are board members who expressed interest in attending. Registration is \$175.00 per person and this amount will be discounted after three full registrations.

(c) Performance Management Institute – PMI is a special workshop hosted by the AZ Charter Schools Association in conjunction with Stanford University and the AZ Charter Board. The focus is to explore the inclusion of Performance Management Plans as a component of the Renewal Application. The workshop will be offered in Phoenix and Tucson and is free.

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### III D – Board Resources and Expenses – (Continued)

A lengthy discussion followed. Since it was brought to the board's attention that there are no spaces left for the Phoenix location, there was agreement to hold off on this item for the time being.

Mike Dyer was asked by John Huppenthal to establish a budget for the board so that items such as the above can be readily taken care, without having to be brought to a board meeting. Motion by Mike Dyer for the Board to authorize the expenditure for Board Source in the amount of \$99.00 for a year's membership as well as to make available to any board member the registration fee to attend the Board Governance Retreat on November 11, 2008 in Carefree, AZ; second by Michael Larrabee. All in favor.

III E – Policy ~ Travel Reimbursement – The need to update the existing expense authorization and reimbursement policy to align with the current USFRCS Memorandum published by the Office of the Auditor General was discussed as well as what constitutes reimbursable mileage for staff and employees, including the Board Coordinator and Board Members. Cited during the discussion was ARS 38-622, "when duties require the employee to travel from the designated post of duty, the employee shall be allowed reimbursement of the expenses incurred for that travel". It was also noted that the Office of the Auditor General puts out a memorandum outlining travel reimbursement rates. Following a lengthy discussion, there was a determination that the concerns raised regarding travel reimbursement were negligible and not inappropriate. Motion by Michael Larrabee, second by Mike Dyer, to revise Policy 415.00, Expense Authorization and Reimbursement, as follows: "Mileage reimbursement will be *at the current rate as published by the Office of the Auditor General*". All approved. Policy revision adopted.

III F – Adopt Principals Management Goals – Dr. Ellis and Dr. Vert handed out their respective Management Goals. John Huppenthal indicated that principal bonuses are paid out based on the unified achievement of these goals. A lengthy discussion followed during which the management goals were reviewed in detail. Motion by Mike Dyer, second by Michael Larrabee, to adopt the principal management goals as presented. All in favor.

### Reports

IV A – Board Committee Reports – (a) President's Report - John Huppenthal indicated he needed guidance from the Board regarding the program with ASU. Currently the program is operating at no cost to the schools; however more programming is needed in order to run it at both schools. ASU needs \$4,000.00 to run both schools simultaneously. The model has a great deal of potential. Following discussion, it was suggested that grant monies are currently available and could be utilized to pursue this endeavor.

(b) Strategic Planning Committee - Mike Dyer, Committee Chair, reminded everyone to put the upcoming Board Retreat, scheduled for November 7-8, 2008 on their calendar.

(c) Board Development - Michael Larrabee, Committee Chair, reported on a recent committee meeting during which the by-laws were reviewed and discussed as follows:

1. By-law Revisions – i. Filling of Vacancy – When establishing a quorum, vacant board positions must be counted. The current vacancy is a Member-at-large position, which was vacated a year ago.

ii. Terms of Office and Specificity of Membership – Current term for a member-at-large is three years and renewable; for school representatives it is 2 years and non-renewable.

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**IV A – Board Committee Reports – © Board Development - (Continued)**

Suggestion was made to discuss the pros and cons of the above and to revise the by-laws to reflect more accurately the needs of the board. Discussion followed. Motion by Mike Dyer, second by Michael Larrabee, to amend the by-laws: 1. to provide that a quorum of the board be established by the number of currently seated directors instead of the number of board seats available; and 2. to change the term of office for school (representatives) directors from non-renewable to renewable. Further discussion. The following was added: upon approval by legal counsel. **All in favor. Motion approved.** John Huppenthal indicated he would follow-up with legal counsel on this item.

**IV B – Hearn Academy** – Dr. Vert reported the progress of technology integration into the classrooms, the reading program and its affect on academic achievement, Hearn's state ranking of "Performing Plus", volunteer hours at the school and other happenings as noted in the school newsletter.

**IV C – Dobson Academy** – Dr. Ellis discussed Dobson's focus on volunteers, Dobson's state ranking of "Highly Performing", which is the same as before, involvement with the D.A.R.E. program, and the automation for report cards and progress reports at the school. He also indicated that the status of the Environmental Protection Agency is in limbo, Dobson is collecting data on discipline and attendance and the technology program is up and operating.

**IV D – Chief Financial Officer** – Annie Gilbert presented an update on the Medical and Dental Insurance budget, reporting that the schools ended up with a significant budget savings – for Dobson, it meant an additional \$51,000.00 and for Hearn it was surplus around \$35,000.00. An update was also reported on Workman's Compensation Renewal – both schools will recognize an additional \$7,000.00 to their budget due to the significant improvement of the experience modifier that was used.

**V. Current Events** – No current events were reported.

**Adjournment:** Motion by Sheila Arredondo to adjourn the meeting at 9:05 P.M. Second by Mike Dyer. Approved unanimously

Meeting adjourned at 9:05 P.M.

The next (Special) Meeting is scheduled for September 22, 2008 and will be held telephonically unless otherwise noted.

The next regular meeting is scheduled for October 13, 2008 at the 5<sup>th</sup> Avenue Professional Building, 3411 N. 5<sup>th</sup> Avenue, Suite 300, Phoenix, AZ.

Approved by Ball Charter Schools Governing Board

  
\_\_\_\_\_  
Board Secretary

10-13-08  
Date: