

# 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) Flagstaff Unified School District Charter School Board Inc (CTDS)  
038703000

(Charter Holder Mailing Address) 2575 E. 7th Avenue

(City, State) Flagstaff, AZ. (Zip) 86004

(Charter Representative's Name) Richard C. Farmer

(Phone Number) 928-255-0344 (Fax Number) 928-255-0345

**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)

Included are the following:

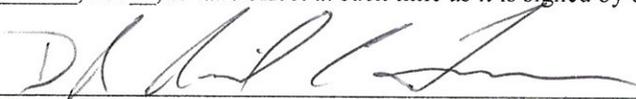
- Board minutes approving the change (minutes must comply with Open Meeting Law ARS §38-431.01)
- Copy of amendment to Articles of Incorporation filed with the Arizona Corporation Commission
- \* Additional materials may be requested as required by the type of request

The Arizona State Board for Charter Schools and Flagstaff Unified School District Charter School Board, Inc (Charter Holder), herein agree to amend the terms of the charter contract as follows:

**FROM:** Flagstaff Unified School District Charter School Board, Inc

**TO:** Mountain English Spanish Academy of Flagstaff

In witness whereof, Charter Holder has signed this contract amendment as of this 24th day of November, 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 *DR Richard C Farmer*

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

**COMMISSIONERS**  
KRISTIN K. MAYES - Chairman  
GARY PIERCE  
PAUL NEWMAN  
SANDRA D. KENNEDY  
BOB STUMP



BRIAN C. McNEIL  
Executive Director  
  
LINDA FISHER  
Director, Corporations Division

ARIZONA CORPORATION COMMISSION

January 13, 2009

CANTELME & BROWN PLC  
3030 N CENTRAL AVE #1107  
PHOENIX, AZ 85012

RE: MOUNTAIN ENGLISH SPANISH ACADEMY, A PUBLIC CHARTER SCHOOL  
File Number: 10333167

We are pleased to notify you that your Amendment to Articles of Organization for the above-referenced corporation HAS BEEN APPROVED.

You must publish a copy of the Amendment. The publication must be in a newspaper of general circulation in the county of the known place of business in Arizona for three consecutive publications. A list of acceptable newspapers in each county is enclosed and is also posted on the Commission website. Publication must be completed WITHIN 60 DAYS after January 13, 2009, which is the date the document was approved for filing by the Commission. The corporation may be subject to administrative dissolution if it fails to publish. You do not need to file the Affidavit of Publication you will receive from the newspaper.

We strongly recommend that you periodically monitor your corporation's record with the Commission, which can be viewed at [www.azcc.gov/divisions/corporations](http://www.azcc.gov/divisions/corporations). If you have questions or need further information, please contact us at (602) 542-3026 in Phoenix, (520) 628-6560 in Tucson, or Toll Free (Arizona residents only) at 1-800-345-5819.

Sincerely,  
Delta Williams  
Examiner, Corporations Division

CF:11  
REV. 09/2008

**SPECIAL MEETING OF THE FLAGSTAFF UNIFIED SCHOOL DISTRICT  
CHARTER SCHOOL BOARD, INC.  
Monday, November 24, 2008, at 7:00 p.m.  
MESA, 2575 E. 7<sup>th</sup> Avenue,  
Flagstaff, AZ. 86004**

MINUTES

PRELIMINARY

The meeting was called to order by Rocina Rodriguez at 7:08

Present: Rocina Rodriguez, James Anderson, Patricia Cordona, Karen Schairer, Gary Pearmutter,  
Guy Senese, Gerald Wood

Guests: Richard Farmer, Natalia Jeffries, -----, -----, father, and George Cadente

Agenda:

Guy moved and Gary seconded the adoption of the agenda as written. The motion passed.

Gary Pearlmutter moved and Karen seconded that the board go into executive session to conduct a formal hearing regarding students ----- and ----- . The motion passed.

Dr. Farmer: Opening statement

This hearing is for the purpose of reviewing the appropriate punishment for ----- . Dr. Farmer He then gave the summary of the event as detailed in the letter of 13 November, 2008

Witnesses,

Teacher

Ms. Jeffries explained the circumstances of a physical fight that began between ----- and ----- . ----- Jumped into to help ----- . ----- was really upset, telling ----- he was going to get him. Mr. George (teacher) got between ----- and ----- . While he was trying to calm ----- down, ----- and ----- started fighting.

Mr. George:

I left ----- to pull ----- off and Mrs. Jeffries took John to the other room. Brian was with friends who were trying to calm him down. ----- was upset with ----- and ----- were threatening ----- , saying they were going to hit him so hard it would send him back to the reservation. ----- did not throw a punch or get in a fist fight. It was his physical gestures and words that concerned me.

The adults guarded the doors, called Martha to have her come back. Since ----- and ----- still seemed determined to get to ----- , Martha called the police. Mr. George felt that ----- and ----- were going to hurt ----- . ----- left the building before the police arrived. Miss Lopez and Mr. George watched the door to let ----- escape and go home without the rest of students being aware

The violations listed in the letter of November 13 were read and ----- answered affirmatively to each. Rocina asked ----- to explain his side of the event.

-----: -----, he's been calling me and ----- and ----- names every since he got here. calling me/us wetbacks. I don't tell teachers because they are going to go with -----

Gary: explain a little more about why you jumped in.

-----: when I went into the other room with Ms. Jeffries, he was mouthing words to me, I'm going to "do you"

Mrs. Jeffries: I really appreciate that you did walk away.

Dr. Farmer: ----- does not do any work in class, does not have a sincere, honest desire to learn, and has been written up more than once. When on an hour by hour monitor, he did work, but when not watched, he reverted to doing nothing.

Rocina asked "what is your purpose to come here every day at school?"

-----: I'm tired of getting yelled out for not doing my work,

Gary: what do you want to see happen?

-----: I want Dr Farmer to stop breathing down my neck. ----- is the problem that all the bad things are happening. I get mad easily,

James: you get respect by stepping up, by showing it and not reacting that way.

Gary: tell me where you want to be a month from now, a year from now

Mr. -----, -----' Father: I always talk to him, sometimes I don't know how to talk to him. What do you go to school for? You're coming here for learn. What are you going to do in the future? He's learning the wrong stuff from other kids.

Rocina: Mr. -----, what would you like to see happen?

Mr. -----: I would like to see him learn, growing up and learn to help other people too. I would like to see him come back to school again

James: I understand that the other students expelled actually asked for schoolwork and signed a contract.

Ms. Jeffries to -----: what would you do if you came back and ----- was here?

I am concerned for the safety of the pregnant girls here.

-----: Why didn't ----- get arrested

Gary: ----- and ----- and got in a fight. You had nothing to do with it. What concerns me is that I haven't heard that from you that you want to try to change.

Rocina: at what point do you take responsibility for yourself?

-----, going out of the room,

Rocina: we have to feel that you are not going to escalate the situation.

Guy: what could the school do here to keep the peace?

-----: I work better if I am alone, I get distracted,

Dr Gerald Wood, I've come in and seen ----- not doing his work. One on one I've seen him be brilliant, but he's not doing what he needs to do.

-----: I need to stop trying to impress people,

Gary: who do you get in trouble with -----: ----- and -----

Gary: What if we told you couldn't hang out with them?

8:25 ----- and his father were excused and the board met in special session

Question: What can this board do to help him come back and be successful?

Concerns:

----- has a record of aggressive behavior.

Must consider the entire school

MESA needs to develop a behavior plan.

Options:

1. suspend ----- until next semester
2. give ----- a second chance.
3. disenroll ----- from the school
4. ----- withdraws from the school

Recommendations:

Type up a formal academic agreement between the school, his family and him. The plan will include academic and behavioral performance benchmarks.

Beginning Dec 1

----- will check in daily with a completed assignment, with a person designated by the school. They will have a brief meeting to review academic assignments which will be done at home.

December 15 the behavior plan will be presented to him and his family

January 5 ----- may return to school, according to the guidelines in the plan

January 12 If ----- has met all the requirements he will be allowed to come back to the school

Rocina stated the above plan in the form of a motion. Karen seconded it. The motion passed with five in favor, one opposed.

The Board Resolution for severance of FUSD's Board and the MESA Board was approved by the FUSD governing board on November 18.

Gary moved and Guy seconded ratification/adoption of the Board Resolution for severance of FUSD's Board and the MESA Board. The motion carried.

It was moved by Rocina and seconded by James that the meeting be adjourned. The motion passed.

President Rocina Rodriguez adjourned the meeting at 9:42 p.m.

FLAGSTAFF UNIFIED SCHOOL DISTRICT NO. 1  
OF COCONINO COUNTY

RESOLUTION

November 18, 2008

THE GOVERNING BOARD ("BOARD") OF FLAGSTAFF UNIFIED SCHOOL DISTRICT NO. 1 OF COCONINO COUNTY HAS REVIEWED THE PROPOSED AMENDED AND RESTATED ARTICLES OF INCORPORATION AND THE PROPOSED AMENDED AND RESTATED BYLAWS OF FLAGSTAFF UNIFIED SCHOOL DISTRICT CHARTER SCHOOL BOARD, INC. THAT WERE PROVIDED TO THE BOARD BY THE BOARD OF DIRECTORS OF FLAGSTAFF UNIFIED SCHOOL DISTRICT CHARTER SCHOOL BOARD, INC. ON NOVEMBER 18, 2008.

BE IT RESOLVED BY THE GOVERNING BOARD OF FLAGSTAFF UNIFIED SCHOOL DISTRICT NO. 1 OF COCONINO COUNTY AS FOLLOWS:

The Amended and Restated Articles of Incorporation of Mountain English Spanish Academy, A Public Charter School (the "Amended Articles"), are hereby approved in full, without modification. The Amended Articles supersede the original Articles of Incorporation that were filed by the Corporation with the Arizona Corporation Commission on June 6, 2002 in their entirety, and all subsequent amendments thereto.

The Amended and Restated Bylaws of Mountain English Spanish Academy, A Public Charter School (the "Amended Bylaws"), are hereby approved in full, without modification. The Amended Bylaws supersede the original Bylaws that were executed by the Incorporators of the Corporation on or about June 25, 2002 in their entirety, and all subsequent amendments thereto.

Entered on November 18, 2008

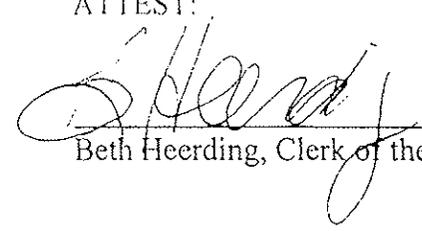
THE GOVERNING BOARD OF  
FLAGSTAFF UNIFIED SCHOOL  
DISTRICT NO. 1 OF COCONINO  
COUNTY



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Paul Kulpinski, President of the Board

ATTEST:



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Beth Heerding, Clerk of the Board

FLAGSTAFF UNIFIED SCHOOL DISTRICT  
CHARTER SCHOOL BOARD, INC.

RESOLUTION NO. \_\_\_\_\_  
November 24, 2008

THE BOARD OF DIRECTORS OF FLAGSTAFF UNIFIED SCHOOL DISTRICT CHARTER SCHOOL BOARD, INC., HAS REVIEWED THE PROPOSED AMENDED AND RESTATED ARTICLES OF INCORPORATION AND THE PROPOSED AMENDED AND RESTATED BYLAWS OF THE CORPORATION THAT WERE PROVIDED TO THE BOARD ON NOVEMBER 24, 2008.

BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE FLAGSTAFF UNIFIED SCHOOL DISTRICT CHARTER SCHOOL BOARD, INC., AS FOLLOWS:

The Amended and Restated Articles of Incorporation of Mountain English Spanish Academy, A Public Charter School (the "Amended Articles"), are hereby approved and adopted in full, without modification. The Amended Articles supersede the original Articles of Incorporation that were filed by the Corporation with the Arizona Corporation Commission on June 6, 2002 in their entirety, and all subsequent amendments thereto.

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Entered on November 24, 2008

BOARD OF DIRECTORS OF  
FLAGSTAFF UNIFIED SCHOOL  
DISTRICT CHARTER SCHOOL  
BOARD, INC.

  
Board President

ATTEST:

  
Board Secretary