

**BEFORE THE ARIZONA STATE BOARD  
FOR CHARTER SCHOOLS**

In the matter of:

**YCFA ACHIEVE ACADEMY**  
(a non-profit corporation)

and

**YCFA ACHIEVE ACADEMY**  
(a charter school operating in Prescott  
Valley)

and

**YCFA ACHIEVE ACADEMY**  
(a charter school operating in Ashfork)

**CONSENT AGREEMENT FOR  
VOLUNTARY SURRENDER AND  
TERMINATION OF THE  
CHARTER CONTRACT**

This Agreement is entered into by YCFA Achieve Academy, by and through its authorized agent, and the Arizona State Board for Charter Schools, by and through its authorized representatives, and provides the following terms and agreement:

1. YCFA Achieve Academy, a charter school operating in Prescott Valley and YCFA Achieve Academy, a charter school operating in Ashfork, collectively ("the Schools") are charter schools established pursuant to Arizona Revised Statutes ("A.R.S.") § 15-181 *et seq.*
2. The Charter for the Schools is held by YCFA Achieve Academy ("Charter Holder"), a non-profit corporation, organized under the laws of the state of Arizona. The Arizona State Board for Charter Schools ("Board") is the Charter Holder's sponsor.
3. The charter contract was signed by Gary Spiker, as the person authorized to sign for the Charter Holder.
4. Pursuant to A.R.S. § 15-183 and the Charter Contract, the Board sponsors the Charter Holder to operate two School sites to serve students in grades four through twelve.
5. The Charter Contract was executed on May 23, 2002.

6. The Charter Holder voluntarily tenders and surrenders its Charter Contract to its sponsor, the Board, with the intent to voluntarily terminate its Charter Contract effective June 30, 2009 for the purpose of further performance.

7. The Charter Holder shall mail a complete copy of each student's educational record to the student's parent or legal guardian.

8. The Charter Holder shall notify the Board of the location of the student records of the Schools no later than June 30, 2009.

9. The Charter Holder agrees that all necessary student level data has been submitted to the Arizona Department of Education through the Student Accountability Information System ("SAIS").

10. The Charter Holder is entitled to receive state equalization assistance funds for the 2009-2010 school year to which it is entitled under the school funding formula provided in Arizona law, but no more.

11. The Charter Holder is entitled to receive Classroom Site Funds for the 2009-2010 school year to which it is entitled under the provisions of Arizona law, but no more.

12. The Charter Holder agrees to refund any overpayment of state equalization assistance funds in the amount determined by the Arizona Department of Education in the manner directed by the Arizona Department of Education.

13. The Charter Holder agrees to refund any overpayment of Classroom Site Funds monies in the amount determined by the Arizona Department of Education in the manner directed by the Arizona Department of Education.

14. The Charter Holder agrees to submit any outstanding grant reports and to refund any outstanding grant monies or allocation of education funds to the Arizona Department of Education in the manner directed by the Arizona Department of Education.

15. The Charter Holder shall expend the Classroom Site Funds in a manner consistent with its intent as specified in A.R.S. § 15-977.

16. The Charter Holder shall expend the Instructional Improvement Funds in a manner consistent with its intent as specified in A.R.S. § 15-979.

17. The Board accepts the surrender of the Charter Contract of YCFA Achieve Academy for the operation of YCFA Achieve Academy, a charter school operating in Prescott Valley and YCFA Achieve Academy, a charter school operating in Ashfork.

18. The Charter Contract between the Board and YCFA Achieve Academy for the

operation of the Schools is terminated effective June 30, 2009 for the purposes of further performance.

19. This Agreement is not binding on either party until both the Board and the Charter Holder's Governing Board accept it by a majority vote at a public meeting. This Agreement is effective immediately upon its approval and execution by the authorized representatives of the Board for YCFA Achieve Academy and the Board.

20. If the Board rejects this Agreement or any part of it, then this Agreement is null and void, and not binding on the Charter Holder or the Board.

21. YCFA Achieve Academy understands that it has the legal right to consult with an attorney prior to entering into this Agreement.

22. Each party shall be responsible for its own attorneys' fees and costs in this matter.

DATED: June 16, 2009

**YCFA Achieve Academy**

By Gary Spiker

Gary Spiker, as Charter Representative and authorized signer for YCFA Achieve Academy

DATED: July \_\_, 2009

**The Arizona State Board for Charter Schools**

By \_\_\_\_\_

Christy Farley, President of the Arizona State Board for Charter Schools

**YCFA Achieve Academy  
Minutes of the Governing Board Meeting  
June 4, 2009**

Called to order at 2:00 pm by President Gary Spiker

Board Members Present: Gary Spiker, Larry Ridenoure, Carla Reed, Maxine Howington

Board Members Absent: Jim Norton, Jim Grundy, Phil Bybee

Also Present: Brenda Pendergast, Jim Pendergast, Mozell Barnes, Jenny Lovett, Paula Rhoden

Pledge of Allegiance

Call To The Public: Brenda Pendergast stated that she thinks it is a shame that when we had a chance of running the school right or shutting it down that we chose to shut the school down. Mozell Barnes inquired about the payment of 301 monies and the qualifying factors.

Discussion and possible action on possible closure of the YCFA Achieve Academy: Gary Spiker stated that the current enrollment is 86 students, 26 of whom graduated and that the school needed at least 150 students to meet expenses. He stated also that the Charter was at risk due to AYP not being met for the last three years and that the Charter Board had issues that still needed to be corrected. Larry Ridenoure asked if the charter could be transferred and Gary Spiker stated that would be a decision of the Charter Board. Larry Ridenoure asked what would happen to the school assets if closed and Gary Spiker stated that the State has guidelines for asset disposal that would be followed. Larry Ridenoure made the motion to close YCFA Achieve Academy following the consent of the Charter Board and in accordance with the consent agreement due to Yavapai County Fair Association not willing to sponsor the school at a loss for another year. Motion was seconded by Maxine Howington and passed unanimously.

Larry Ridenoure made the motion to adjourn at 2:20 pm. Motion was seconded by Maxine Howington and passed unanimously.