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STATE OF ARIZONA

OFFICE OF ADMINISTRATIVE HEARINGS

In the matter of: **JOHN HANCOCK ACADEMY, INC.** (an Arizona non-profit corporation), Applicant	No. 13F-AP-001-BCS **STIPULATIONS OF FACT AND LAW** (Honorable Judge Sondra J. Vanella)

The Arizona State Board for Charter Schools and John Hancock Academy, Inc. stipulate to the following facts and law for the appeal hearing set May 7 and 8, 2013:

I. STATEMENTS OF FACT

1. John Hancock Academy, Inc. ("Applicant") is an Arizona nonprofit corporation consisting of two principals, Delite Gaddie and Reed Gaddie, who serve as its Board of Directors and Authorized Representatives. (¶1 Notice of Hearing on Appeal of Arizona State Board for Charter Schools' Denial of Request for Charter ("Notice of Hearing")) At the time

of the filing of its Articles of Incorporation on April 27, 2012, Delite Gaddie was listed as the President and sole member of Applicant's Board of Directors. On June 27, 2012, an amendment was filed adding Reed Gaddie to the Applicant's Board of Directors.

2. On June 20, 2012, Applicant timely submitted an application package to establish a charter school for the 2013-2014 school year ("preliminary application package") in electronic form to the Board. (¶2 Notice of Hearing)

3. A Technical Review Panel ("TRP")[1] reviewed and scored the preliminary application package of Applicant. The preliminary application package failed to meet the Board's scoring requirements and, as a result, was found to be substantively incomplete. A "substantively complete" application package meets the following scoring requirements: (1) No evaluation area receives a score of Falls Below the Expectations; and (2) No more than one evaluation area in each section is scored as Approaching; and (3) at least 95% of the evaluation areas in each Plan (Educational Plan, Operational Plan, Business Plan) score at the Meets level. (¶3 Notice of Hearing)

4. On November 20, 2012, the Board provided written notice to Applicant of the deficiencies of the preliminary application package, including a copy of the completed scoring rubric with the comments of the TRP and the results from the in-person interview with Applicant. (¶5 Notice of Hearing)

[1] "TRP" means individuals appointed by the Executive Director of the Board who use their expertise in charter school development, curriculum, and finance to assist in the evaluation of a preliminary or revised application package. A.A.C. R7-5-101 and R7-5-203

5. On December 18, 2012, Applicant timely submitted a revised application package to the Board. A.A.C. R7-5-203. (¶6 Notice of Hearing)

6. The revised application package of Applicant was reviewed and scored. (¶7 of Notice of Hearing)

7. On January 11, 2013, the Board provided written notice to Applicant that its revised application package failed to meet the Board's scoring criteria and included a copy of the completed scoring rubric for the revised application package. (¶8 Notice of Hearing)

8. Applicant timely submitted a request that its revised application package be forwarded to the Board for consideration, regardless of its outcome. A.A.C. R7-5-203(8). (¶9 Notice of Hearing)

9. By written Notice dated February 14, 2013, Applicant was advised of the Board's decision. (¶11 Notice of Hearing)

10. On March 12, 2013, Applicant timely appealed the Board's decision. (¶12 Notice of Hearing)

11. A charter school is established to provide a learning environment that will improve pupil achievement. (¶13 Notice of Hearing) Charter schools provide additional academic choices for parents and pupils. Charter schools may consist of new schools or all or any portion of an existing school. Charter schools are public schools that serve as alternatives to traditional public schools and charter schools are not subject to the requirements of article XI, section 1, Constitution of Arizona, or chapter 16 of Title 15, Chapter 1, Article 8. A.R.S. § 15-181(A).

12. The Board's new charter application requires applicants provide an explanation of how the implementation of its described program of instruction meets the needs of its identified target population, including improving pupil achievement. (¶14 Notice of Hearing)

13. A charter school must provide a comprehensive program of instruction for at least a kindergarten program or any grade between grades one and twelve. A.R.S. § 15-183(E)(3). (¶18 Notice of Hearing)

14. The Board's new charter application requires applicants to submit curriculum samples to demonstrate capacity to provide quality instruction in English Language Arts (Reading and Writing), Mathematics, and Science aligned to their program of instruction and the required Arizona Academic Standard ("Standard"). (¶19 Notice of Hearing)

15. The curriculum samples must provide a summative assessment that accurately measures student mastery of the required Standard for each grade level Applicant seeks to serve and to list the criteria required to demonstrate mastery of the Standard. ((¶20 Notice of Hearing)

16. Charter schools are established by contract ("charter") between a sponsor and a public body, private person or private organization to provide a learning environment that will improve pupil achievement. A.R.S. § 15-101(4), -181(A), -183(B), -183(C).

17. An applicant seeking to establish a charter school must submit a written application to a proposed sponsor. A.R.S. § 15-183(A).

18. As a sponsor, the Board may approve the application to establish a charter school if the application meets the requirements of Title 15, Chapter 1, Article 8 and may approve the

charter if the Board determines, within its sole discretion, that the applicant is sufficiently qualified to operate a charter school. A.R.S. § 15-183(C)(2).

19. If the Board does not approve the charter, the applicant may submit a new application for consideration the following fiscal year or may appeal the Board's decision. Arizona Administrative Code ("A.A.C.") R7-5-202(E)(1).

SIGNED this 7 day of May, 2013.

JOHN HANCOCK ACADEMY, INC.
Applicant

Reed Gaddie
Authorized Representative

SIGNED this 7th day of May, 2013.

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