

Arizona State Board for Charter Schools
March 8, 2010
1700 W. Washington Street
Phoenix, Arizona 85007
Room 164

MINUTES

Members Present-

Norm Butler – President
Mary Gifford – Superintendent Designee
Peter Bezanson– Charter School Operator
Doug Ducey – Business Member
Dana Krals – Public Member
Jake Logan – Business Member

Members Absent

Ruby Alvarado-Hernandez – Vice President
Rep. Montenegro - Advisory Member

Meeting began at 9:35 a.m.

Agenda Item A: Pledge of Allegiance

Agenda Item B: Moment of Silence

Agenda Item C: Roll Call:

Stephanie Bahr called the roll and confirmed a quorum.

Agenda Item D: Call to the Public

Sister Judy Bisignano, Charter Representative for Cesar Chavez Learning Community, Inc. addressed the Board to report the progress she believes they are making to correct the deficiencies outlined in the Notice of Intent to Revoke the Charter.

Jeff Sawner addressed the Board in order to convey his support of the Arizona Online Instruction and asked that the Board support passing the application.

Sherli Skinner distributed to the Board a letter of support for Gila Preparatory Academy from Judge Pro Tem S. Corey Sanders of the Graham County Juvenile Court.

Agenda Item E: Arizona Charter Schools Association Update

Andrew Collins, Director of School Development at the Arizona Charter Schools Association, gave a brief update on the Association's Charter Starter Program. The full day trainings have been well attended and have a high satisfaction rate, according to the attendees. The series of workshops covers quality standards, development, education programs, business and financial management and board governance.

Agenda Item F: Superintendent's Report

Superintendent's Designee Mary Gifford stated that Department of Education is trying to get schools paid on actual enrollment. The Department has been paying charter schools based on estimated counts, not real attendance and the shift is projected to occur by April 15th. Jake Logan inquired about the status of RTTT grant. Mary stated that we are resubmitting for the next round, which occurs in September or October, after receiving feedback.

Agenda Item G: Executive Director's Report

1. Recognition of Board Members

Ms. Rowe recognized and thanked out-going Board members Christy Farley, Lynne Adams, and Magdalena Verdugo for their dedication and service to charter schools.

2. Status of Charters with previous and/or on-going Board actions: Bradley Academy of Excellence, Inc., Cesar

Ms. Rowe referred Board members to the On-going Actions document included in their materials and provided additional information for Cesar Chavez Learning Community and North Star Charter School.

Cesar Chavez has been providing instructional documentation to staff from the previous months to show that instruction is aligned with the Arizona State Standards. To date, staff has not received documentation that shows the correct instructional alignment, nor have they received documentation that students are being taught at the correct grade level based on the information reported in SAIS.

Ms. Rowe informed that Board that North Star Charter School submitted a Corrective Action Plan that has been reviewed by staff and that it, along with recent findings during a site visit demonstrate that significant progress has been made and it may be possible to settle the matter through a settlement agreement. The Board's legal council has met with the school's legal council and both parties believe the matter may be settled. Staff would like to proceed with developing terms of a settlement agreement, which would be agreed to by the school and then be brought before the Board for consideration. Should such developments occur, Ms. Rowe requested that a special meeting be held prior to the scheduled hearing so that the hearing could then be vacated.

No additional information was requested by the Board.

3. Budget Update

Ms. Rowe reminded the Board of its limited resources and that due to the full workload that the staff currently carries, any additions to the current operations would force the staff to reduce or eliminate other work being done.

Agenda Item H: Subcommittee Reports

1. Legislative Subcommittee

Mary Gifford outlined that the subcommittee recommended that Ms. Rowe and her staff only lobby on legislation that directly impacts the staff and/or the Board. Any other bills that might impact the schools or policy directly or indirectly will not have any resources expended on them. Ms. Gifford and Ms. Rowe determined that the following bills would be watched by the Board: HB2235; HB241; HB2514 regarding the charter school tax exemption; HB2725 regarding educational omnibus where the Board would support the Auditor General portion only; HB2731 regarding a board of examination for high school students where the Board would have to amend the contract of charters that choose to participate; HB2733 concerning data collection; HB2780 which gives the Board money; SB1275; SB1282 concerning affiliated charter schools admission practices.

2. Policy, Rule & Contracts Subcommittee

Dana Krals stated that the subcommittee met to discuss Arizona Online Instruction and the other related application materials on the agenda. The subcommittee also discussed the issue of priorities and quality maintenance given agency's budget and resources.

Agenda Item I. Consent Agenda—All items on this agenda will be considered by a single motion with no discussion, unless requested otherwise by a Board member (to Board staff's knowledge, the following charter schools are in compliance with their charter contract):

1. Academy Del Sol, Inc. – Change instructional hours
2. Academy Del Sol, Inc. – Implementation of placement testing
3. Academy Del Sol, Inc. – USFRCS and Procurement Law exceptions
4. All Aboard Charter School – USFRCS and Procurement Law exceptions
5. Camp Verde Unified School District – Change instructional software
6. Flagstaff Arts and Leadership Academy – Increase grades served
7. Morrison Education Group, Inc. - USFRCS and Procurement Law exceptions
8. New Destiny Leadership Charter School - USFRCS exception
9. Pan-American Elementary Charter School – Decrease number of days on instruction

10. Pine Forest Education Association, Inc. - Procurement Law exception

MOTION

Mary Gifford made a motion to adopt the Consent Agenda. Jake Logan seconded the motion.

Motion passed unanimously

Agenda Item J. New Charter School Application for 2011-2012

Ms. Rowe outlined the changes in the New Charter School Application. The most significant change is the submission process, which will be web-based. Application instructions and evaluation criteria will be linked onto the application page where the applicant can upload or attach documents. Substantive changes include a deadline change from August to July because of the volume of work and time the staff requires to process applications, the identification of specific content area and grade level performance objectives to be used in the curriculum samples, a school wide performance management plan, a restructuring of the components of organizational description, and changing the term “scoring rubric” to “evaluation criteria”.

The application material will be posted by the end of March.

MOTION

Jake Logan made a motion to approve the new charter school application for 2011-2012 and to give the staff latitude to make technical corrections that are consistent with the overall policy that was outlined. Dana Krals seconded the motion.

Motion passed unanimously

Agenda Item K. Arizona Online Instruction

Ms. Rowe outlined the proposed process, stating that a new charter operator would submit a new charter application and an AOI application as well. This application would act as a supplement. Existing charters would submit their AOI application through an amendment process.

Ms. Rowe anticipates that the Board would receive as many as 60 applications for AOI and asked for guidance in what staff would no longer do in order to address the large caseload. To defray costs, the topic of charging fees for the application was discussed.

Norm Butler tabled this item until a later date and directed staff to hold a meeting with stakeholders to discuss how to implement a fee system or see if there were any other suggestions for implementation.

Agenda Item L. Replication Application

Ms. Rowe outlined the changes that staff has recommended. The application will be removed from pilot status, a deadline for processing applications for a start date in the next fiscal year will be in place, but the application process will remain open. The application was also modified to revise the eligibility criteria by incorporating the Board’s standard of acceptable academic performance and removing both a current year profile of performing plus and a performing profile from the 2 previous years.

MOTION

Mary Gifford made a motion to approve the replication application as proposed. Jake Logan seconded the motion.

Motion passed unanimously

Agenda Item M. Transfer Applications

Ms. Rowe identified recommended changes in the transfer application, which includes the establishment of a requirement of 3 years of academic data from the Charter Holder’s currently operating school(s) before consideration of transferring a school to a separate charter. Ms. Rowe also stated that a transfer/renewal process will be established to allow charter holders of SBE sponsored school eligible for renewal to apply to transfer to the Board with the renewal application submission.

MOTION

Jake Logan made a motion to approve the transfer application. Dana Krals seconded the motion.

Motion passed unanimously

Agenda Item N. Charter Contract

The new contract would become effective upon approval. If approved, the language would be incorporated into the renewal contract, replication contract, and transfer contract.

MOTION

Jake Logan made a motion to approve the charter contract. Doug Ducey seconded the motion.

Motion passed unanimously

Break: 11:18 am to 11:28 am

Agenda Item O. Compliance Matters

1a. Gila Educational Group

Vicki Morris presented the Board’s findings from its Failing School site visit made in conjunction with Robert Gray from the Arizona Department of Education’s School Intervention Department. Crae Wilson, Charter Representative for the Gila Educational Group, addressed the Board, providing a response to the site visit findings and outlining what the school is doing to improve their scores. Mr. Wilson answered questions from Board members related to his role at the school, academic improvement, professional development, the school’s governing board, AYP scores and other instruments to assess student progress.

MOTION

Peter Bezanson made a motion that, pursuant to A.R.S. § 15-241(U), the Board refer this matter to hearing for consideration of revocation of the charter of Gila Educational Group. The hearing will be held by this Board in accordance with the uniform administrative hearing procedures contained at A.R.S. §§ 41-1092 through -1092.12. The Board will consider the evidence and testimony and then make Findings of Fact, Conclusions of Law, and issue a Final Order. Additionally, within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of Gila Preparatory Academy Middle School and Gila Preparatory Academy High School the Notice of Intent to Revoke and the Notice of Hearing and provide a school location where the copy may be reviewed; within 20 days of receipt of the Notice the charter operator shall provide copies of all correspondence and communications used to comply with the preceding provision; and within 20 days of receipt of the Notice the charter operator shall provide the Board with the names and mailing addresses of parents/guardians of all students registered with the school.

Mary Gifford seconded the motion.

Motion passed unanimously

b. Ha:san Educational Services, Inc. (Ha:san Middle School)

Vicki Morris presented the Board’s findings from its Failing School site visit made in conjunction with John Black from the Arizona Department of Education’s School Intervention Department. Shawn Listo, Charter Representative for Ha:San Educational Services, introduced Jerry Olivas, Principal, who addressed the Board and gave his response to the site visit findings and described the commitment of students to attend the schools, detailing the time commitment getting to and from the school and the hardships endured to do so. Mr. Olivas answered questions from Board members related to the differences between the middle school and the high school, professional development, AYP scores and other instruments to assess student progress, school calendar and days of instruction for core content, and the school’s demographic.

MOTION

Peter Bezanson made a motion that, pursuant to A.R.S. § 15-241(U), the Board refer this matter to hearing for consideration of revocation of the charter of Ha:san Educational Services, Inc.. The hearing will be held by this Board in accordance with the uniform administrative hearing procedures contained at A.R.S. §§ 41-1092 through -1092.12. The Board will consider the evidence and testimony and then make Findings of Fact, Conclusions of Law, and issue a Final Order.

Additionally, within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of Ha:san Middle School the Notice of Intent to Revoke and the Notice of Hearing and provide a school location where the copy may be reviewed; within 20 days of receipt of the Notice the charter operator shall provide copies of all correspondence and communications used to comply with the preceding provision; and within 20 days of receipt of the Notice the charter operator shall provide the Board with the names and mailing addresses of parents/guardians of all students registered with the school.

Mary Gifford seconded the motion.

Motion passed unanimously

2. Discovery Plus Academy - Classroom Site Fund requirements as outlined in A.R.S. § 15-977.

Andrea Leder provided the Board with information regarding the school's non-compliance for 6 months with Classroom Site Fund requirements and previous non-compliance with Site Fund requirements. The school's audit firm anticipate having results on or around March 15, 2010.

DeeAnn Williams, Charter Representative, addressed the Board and stated that their audit was scheduled to be finished by the end of the month and they anticipate that the school will be in compliance. Rep. Bill Konopnicki spoke of his support for the school and the progress they have made with the students who have not succeeded in other schools.

There was no action taken on this item.

Agenda Item P. New Charter School Applications

Ms. Rowe stated that the following applications were submitted timely, but were not notified within the timeframe that they were administratively incomplete and therefore each application was deemed administratively complete. The applications were processed and sent on to the Technical Review Panel for scoring and the applicants were permitted to revise their applications.

1. Build Up Purpose

No representative for the applicant attended the meeting.

MOTION

Mary Gifford made the motion to reject the application and the request for a charter of Build Up Purpose, Inc. to establish a charter school for the reasons that its application package failed to meet the requirements of Title 15, Article 8 due to a lack of curriculum aligned to the State Academic Standards; a lack of demonstration of a comprehensive program of instruction as stated in the Scoring Rubric; a lack of a business and financial plan as stated in the Scoring Rubric; and a lack of sufficient information included to determine whether the applicant is sufficiently qualified to implement a charter or operate a charter school. Dana Krals seconded the motion.

Motion passed unanimously

2. VisionQuest Nonprofit Corporation

Jeff Gibson and Beth Ann Rosica gave an overview of what the corporation does and that they understand what needs to be fixed in their application for the future.

MOTION

Peter Bezanson made the motion to reject the application and the request for a charter of VisionQuest Non-Profit Corporation to establish a charter school for the reasons that its application package failed to meet the requirements of Title 15, Article 8 due to lack of curriculum aligned to the State Academic Standards; lack of demonstration of a comprehensive program of instruction as stated in the Scoring Rubric; lack of a business and financial plan as stated in the Scoring Rubric. Doug Ducey seconded the motion.

Motion passed unanimously

Agenda Item Q. Discussion and possible action on the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for Superior School

Melissa Holdaway, Charter Representative, spoke to the Board and explained the reasons behind the Voluntary Surrender of their Charter. Ms. Holdaway stated that the purpose for the school was to provide students with an alternative schedule, however, with the current online schools and more that will open with AOI, the school was losing its student base. Arizona Charter Academy, which shares a location with Superior School, has agreed to absorb the students from Superior and can provide them with more resources.

MOTION

Mary Gifford moved to accept the terms of the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for Superior School. Jake Logan seconded the motion.

Motion passed unanimously

Agenda Item R. Board Comments

There were no Board Comments.

Agenda Item S. Approval of Minutes

November 20, 2009 Regular Session

MOTION

Dana Krals moved to approve the November 20, 2009 regular session minutes. Jake Logan seconded the motion.

Motion passed unanimously

Minutes from January 25 and 26, 2010 were tabled.

Agenda Item T: Adjournment

The meeting adjourned at approximately 12:58 p.m.

Signature

Date