Mexicayotl Academy, Inc. - Entity ID 4463
School: Mexicayotl Academy

Renewal Executive Summary

Sources of Evidence for this Document

Pursuant to A.R.S. 15-183.I, a charter may be renewed for successive periods of twenty years. The Arizona State Board for Charter Schools (Board) has established a process for the renewal of a charter that is based on affirmative evidence in three areas:

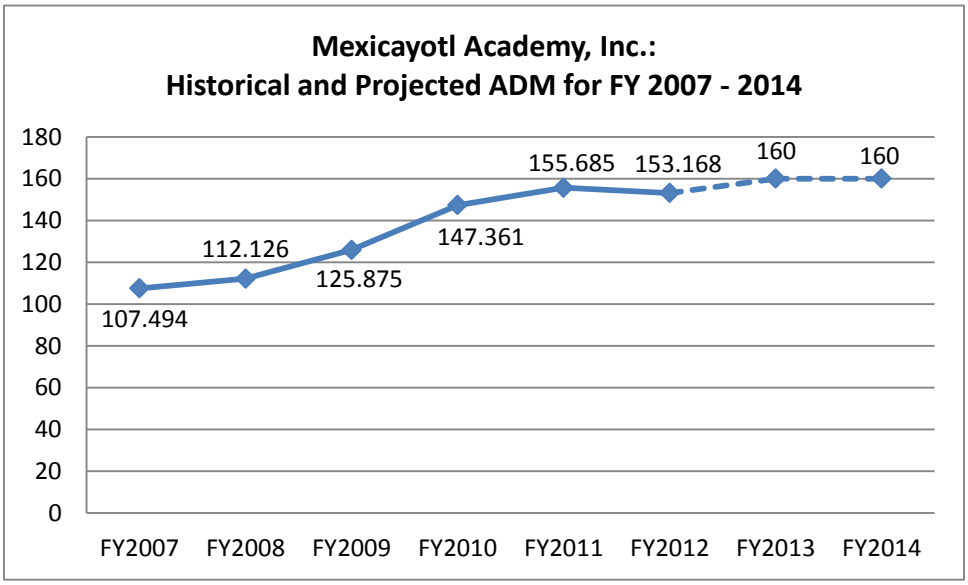
I. Success of the academic program, including academic achievement
II. Viability of the organization, including fiscal management and compliance
III. Adherence to the terms of the charter, including contract and legal compliance

Evaluation of the charter holder's success in these three areas is based on a variety of information that will serve as sources of evidence in determining renewal of a charter. These sources include, but are not limited to:

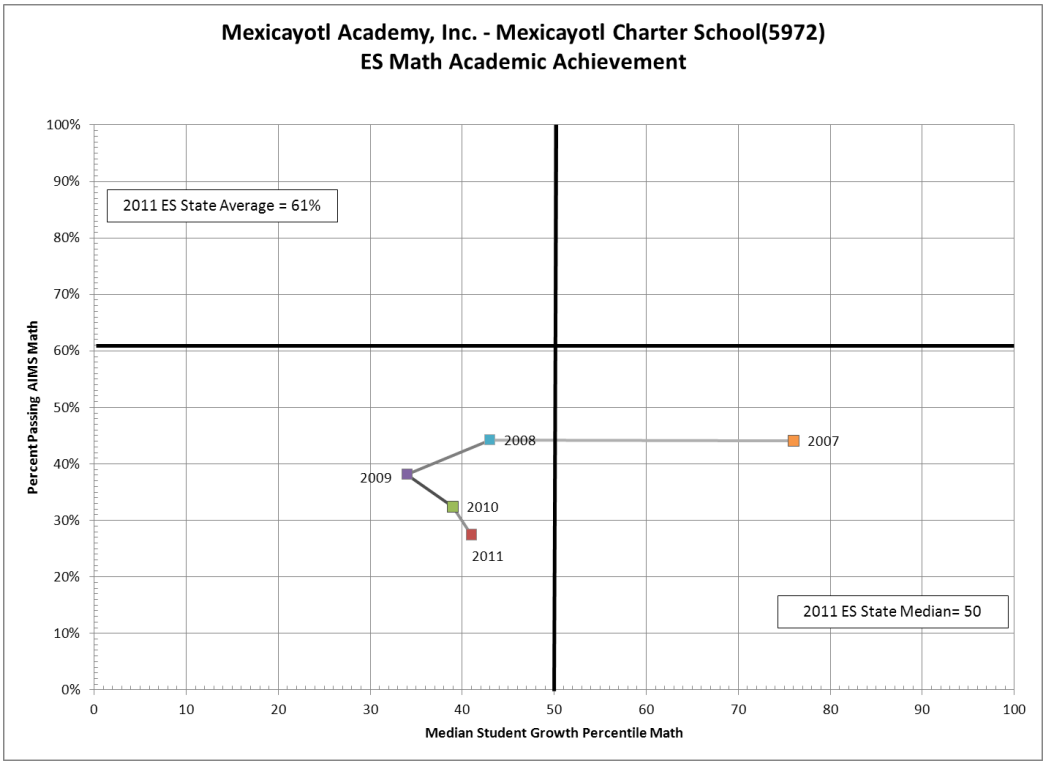
- Pupil achievement data
- Independent financial audits
- Five-year interval summary reviews
- Site visit reports
- Monitoring reports
- Application package for renewal

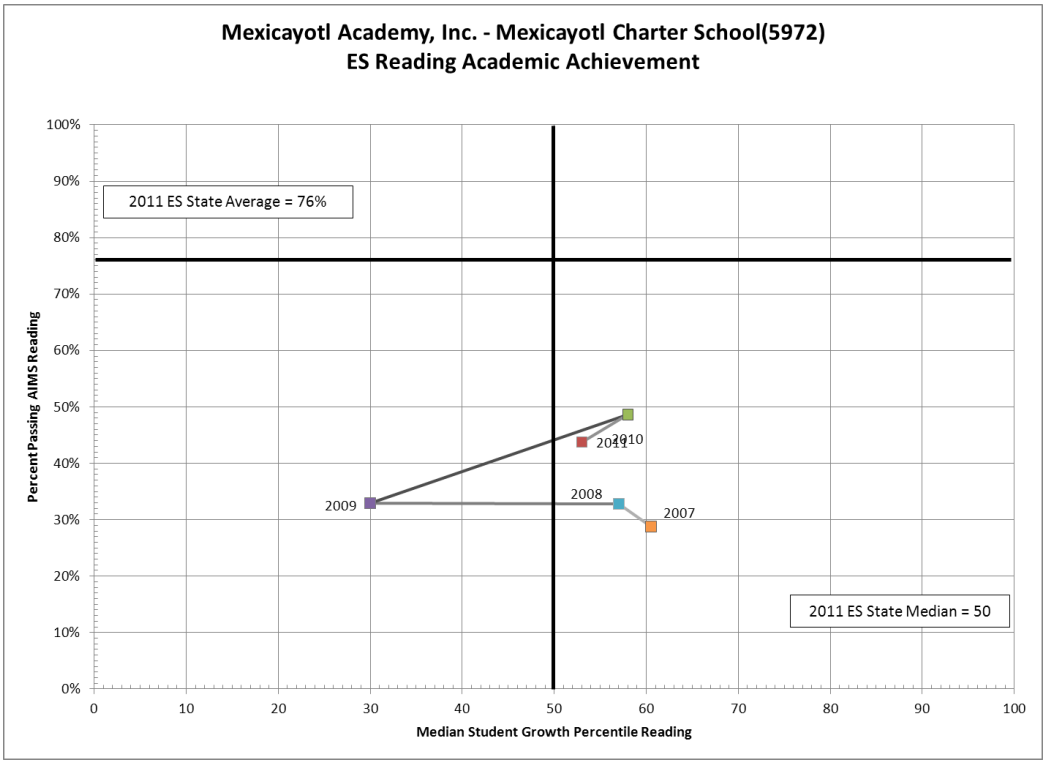
Profile

Mexicayotl Academy, Inc. operates one school serving grades K-8. The graph below shows the charter holder's actual 100th day average daily membership (ADM) for fiscal years 2007-2011 and the fiscal year 2012 ADM or estimated count as of June 11, 2012 and projected ADM through 2014. Projections were provided by the charter holder as part of the submitted Renewal Budget Plan.



Graphs displaying the academic achievement for the past five years, if available, are provided on the next page.


Mexicayotl Academy, Inc. - Mexicayotl Charter School(5972)
ES Math Academic Achievement
2011 ES State Average = 61%
2011 ES State Median= 50
2007
2008
2009
2010
2011
Percent Passing AIMS Math
Median Student Growth Percentile Math
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
0
10
20
30
40
50
60
70
80
90
100


Mexicayotl Academy, Inc. - Mexicayotl Charter School(5972)
ES Reading Academic Achievement
2011 ES State Average = 76%
2011 ES State Median = 50
2009
2008
2007
2010
2011
Percent Passing AIMS Reading
Median Student Growth Percentile Reading
100%
90%
80%
70%
60%
50%
40%
30%
20%
10%
0%
0
10
20
30
40
50
60
70
80
90
100

I. Success of the Academic Program

The academic performance of the school operated by the charter holder did not meet or demonstrate sufficient progress toward the Board's level of adequate academic performance. Therefore, the charter holder was required to submit a Performance Management Plan in the academic section of the renewal application and to complete the Renewal Budget Plan.

On April 19, the charter holder submitted a PMP narrative and templates. Documents submitted as part of the PMP narrative that included personally identifying information were included in the portfolio but have been redacted. Academic oversight documentation was not submitted.

A leadership team discussion took place on June 21 at Mexicayotl Academy with Baltazar Garcia (Director and Charter Representative), Veronika Pasos-Garcia (Principal) and Arturo Mireles (PMP Character and Cultural Development). The discussion provided additional information regarding the bilingual program described in the PMP narrative. The charter representative clarified that the school was transitioning from the bilingual program previously in place to a simultaneous literacy program. According to the charter representative and school principal the new simultaneous literacy approach develops fluency and literacy in both languages at the same time. The charter representative has a goal of all students reaching literacy in English by 3rd grade through this simultaneous literacy model. The charter representative stated that literacy skills will continue to be developed in the students' primary language as they continue developing language and literacy skills in English. The goal of this program is student mastery of both languages by 5th or 6th grade.

The clarification of the simultaneous literacy program then led to a discussion of the assessments used as part of the program. The charter representative described the Spanish language assessments to be used to support the simultaneous literacy program. The school principal stated that Star Reading has a new Spanish language assessment that will be used for formative assessment. Aprenda will be used for summative assessment of Spanish literacy. Acuity will be used for benchmarking the students in English. The Developmental Reading Assessment (DRA) will continue to be used for assessing student literacy in English.

Required submissions for the Academic Performance Section and the Renewal Budget Plan, as well as the applicable evaluation instrument and checklist, are included in the charter holder's portfolio. The evaluation instrument completed by staff identifies whether the required information provided included a Full Description, a Partial Description, or a Very Limited Description. The checklist completed by staff identifies whether the required elements of the Detailed Business Plan were addressed.

II. Viability of the Organization

The charter holder meets the standards specified in the *Renewal Application Instructions*. Therefore, the charter holder was not required to submit the charter holder's Financial Sustainability portion of the Detailed Business Plan Section.

III. Adherence to the Terms of the Charter

A. Compliance Matters Requiring Board or Other Agency Action[1]

In February 2008, ADE Exceptional Student Services (ADE/ESS) notified the charter holder of partial compliance in some areas with regard to specific regulations for Part B, Individuals with Disabilities Education Act (IDEA), and the Arizona Revised Statutes. A Corrective Action Plan (CAP) was to be submitted by March 16, 2008. On March 26, 2008 ADE/ESS notified the charter holder that if a CAP was not received within the next 15 days IDEA funds would be withheld. On April 22, 2008 ADE/ESS notified the charter holder that payments from the IDEA Entitlement grant would be interrupted. On June 2, 2008 ADE/ESS documented the receipt of a CAP. The compliance issues were reported by ADE as resolved in February 2009.

B. Other Compliance Matters[2]

In March 2008, ADE Office of English Language Acquisition Services (OELAS) notified the charter holder that an on-site review of the school's English language learner program revealed that corrective action was needed and a Corrective Action Plan (CAP) was due within sixty days. On July 15, 2008 OELAS notified the charter holder that final revisions regarding the CAP had not been received by OELAS. On December 18, 2008 OELAS notified the charter holder that a CAP had not been received by OELAS and that the CAP was due by January 5, 2009. The charter holder submitted a CAP on February 18, 2009. In July 2009, OELAS notified the charter holder that the follow-up on-site review that occurred in May 2009 determined that corrective action status remained in effect and that a revised CAP was due by October 19, 2009. In November 2009, OELAS notified the charter holder that the revised CAP met requirements and that the school was in Corrective Action Review Status. No further action by the charter holder was required.

The fiscal year 2010 audit identified an issue that required a corrective action plan (CAP). Specifically, the audit indicated that 5 of 41 personnel files had no record of E-Verify procedures

[1] For more information about the areas of compliance reviewed for this section, please see the "Renewal Guide".
[2] For more information about the areas of compliance reviewed for this section, please see the "Renewal Guide".

being performed. A similar issue was identified in the fiscal year 2008 audit. Following review of the fiscal year 2008 audit, a letter was sent to the charter holder reminding it of its obligations under federal law to complete and maintain I-9 forms and under state law to use the federal government's E-Verify program to check the employment eligibility of every new employee hired after December 31, 2007. Since a similar issue was identified in the fiscal year 2010 audit, a CAP was required. The charter holder submitted a satisfactory CAP.

The fiscal year 2009 audit identified noncompliance with fingerprinting requirements for the third time in four years. Specifically, the fiscal year 2009 audit found that fingerprint clearance cards could not be provided for 2 of 40 individuals required to have fingerprint clearance cards. The fiscal year 2008 audit found that 4 of 38 individuals did not have a fingerprint clearance card during the employment period. The charter holder submitted satisfactory CAPs in both years.

In addition to the fingerprinting issue addressed above, the fiscal year 2009 audit identified that one of 30 invoices tested was not on file. The charter holder submitted a satisfactory CAP.

In addition to the fingerprinting issue addressed above, the fiscal year 2008 audit identified that the charter holder did not have sufficient cash to cover its Classroom Site Fund carryover. The charter holder submitted a satisfactory CAP.

Further, repeated audit issues were identified in the fiscal years 2008 through 2011 audits. In all four fiscal years, it was noted that the charter holder did not prepare interim financial statements that are complete, including note disclosures in conformity with Generally Accepted Accounting Principles. The fiscal year 2010 audit identified a repeated audit issue involving the payroll registers not having proper authorization, which is required by the USFRCS. The fiscal year 2009 audit identified two repeated audit issues. First, it was noted that the accounts receivable subsidiary ledger did not match the general ledger control account. Second, it was noted that general journal entry forms were not used and that the general journal entries are not numerically controlled or approved by a school administrator, both of which are required by the USFRCS.

For the previous five fiscal years, the charter holder has failed to submit its Budget and annual audit for one or more years.

C. Charter Holder's Organizational Membership

Because the organizational membership on file with the Board was not consistent with the information on file with the Arizona Corporation Commission, the charter holder was required to submit the charter holder's Organizational Membership portion of the Detailed Business Plan Section. The charter holder's submissions for the Organizational Membership portion of the Detailed Business Plan Section of the renewal application and the applicable checklist are included in the charter holder's portfolio. Documents submitted that included personally identifying information were not included in the portfolio. Although the charter holder submitted documentation as part of its renewal application package, the officers, directors, members and partners currently on file with the Board do not match the information on file with the Arizona Corporation Commission.

Board Options

Option 1: The Board may approve the renewal. Staff recommends the following language for consideration: Renewal is based on consideration of academic, fiscal and contractual compliance of the charter holder. In this case, there is a record of academic performance below the Board's level of adequate academic performance, which has been addressed by the charter holder through the inclusion of a performance management plan as part of the renewal application package and can be incorporated in the charter contract. There is also a record of past contractual noncompliance which has been reviewed. With that taken into consideration as well as all information provided to the Board for consideration of this renewal application package and during its discussion with representatives of the charter holder, I move to approve the request for charter renewal and grant a renewal contract to Mexicayotl Academy, Inc. that incorporates the performance management plan.

Option 2: The Board may deny the renewal. The following language is provided for consideration: Based upon a review of the information provided by the representatives of the charter holder and the contents of the application package which includes the academic performance, the fiscal compliance, and legal and contractual compliance of the charter holder over the charter term, I move to deny the request for charter renewal and to not grant a renewal contract for Mexicayotl Academy, Inc. Specifically, the charter holder, during the term of the contract, failed to meet the obligations of the contract or failed to comply with state law when it:

1. Failed to provide a learning environment that improved pupil achievement in accordance with A.R.S. § 15-181(A).
2. Failed to comply with the fingerprinting requirements in accordance with A.R.S. § 15-183(C)(5).
3. Other specific reasons the Board may have found during its consideration including…