

**Arizona State Board for Charter Schools
November 26, 2012
1616 West Adams Street
Phoenix, Arizona 85007
Suite 170**

SUMMARY

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| <p>Members Present- Jake Logan- President Peter Bezanson- Vice President Stacey Morley- Superintendent's Designee (Joined telephonically until Compliance Matters (Item M(2)(a)) Ruby Alvarado-Hernandez- Public Member Mark Anderson- Business Member Norm Butler- Public Member Janna Day- Public Member Tim Eyerman- Charter School Teacher Royce Jenkins- Reservation Resident Member (Joined telephonically during Compliance Matters (Item M(2)(a)) Todd Juhl- Public Member Kathy Senseman- Public Member</p> <p>Meeting began at 1:05 p.m.</p> | <p>Members Absent- Rep. Yee- Advisory Member</p> |
| <p>Agenda Item A. Pledge of Allegiance</p> <p>Agenda Item B. Moment of Silence</p> <p>Agenda Item C. Roll Call</p> | <p>Bianca Ulibarri called the roll and confirmed a quorum.</p> |
| <p>Agenda Item D. Call to the Public</p> <p>Agenda Item E. Arizona Charter Schools Association Update</p> <p>Agenda Item F. Superintendent's Report</p> <p>Agenda Item G. Executive Director's Report</p> | <p>No call to the public</p> <p>Recorded comments are available.</p> <p>Recorded comments are available.</p> <p>Recorded comments are available.</p> |
| <p>Agenda Item H. Consent Agenda</p> <ol style="list-style-type: none"> 1. Choice Academies, Inc. – Adding Grade Levels to Charter Amendment Request 2. BASIS School, Inc. – Adding Grade Levels of Charter Amendment Request for BASIS Tucson 3. BASIS School, Inc. – Adding Grade Levels of Charter Amendment Request for BASIS Scottsdale 4. Maryvale Preparatory Academy- Procurement Laws Exception 5. Archway Classical Academy North Phoenix- Procurement Laws and USFRCS Exception 6. La Tierra Community School, Inc.- Procurement Laws Exception 7. American Heritage Academy – Change in Charter Holder 8. North Phoenix Preparatory Academy - Procurement | <p>Items (H) 4, 5 (Procurement Laws Exception), 6, and 8 were tabled</p> <p style="text-align: center;">MOTION</p> <p>Ruby Alvarado-Hernandez made the following motion: I move to approve the Consent Agenda Items (H) 1, 2, 3, 5(USFRCS Exception) and item 7. Norm Butler seconded the motion.</p> <p style="text-align: center;">Motion passed unanimously (Recused: Eyerman, Bezanson)</p> |

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| Laws Exception | |
| Agenda Item I. Charter Replication Application - Archway Classical Academy - Glendale | <p style="text-align: center;">MOTION</p> <p>Mark Anderson made the following motion: I move, based on the information contained in the Board materials and presented today, that the Board approve the replication application and grant the replication charter to Archway Classical Academy Glendale to establish Great Hearts Academies – Archway Glendale charter school to serve grades K-5. Ruby Alvarado-Hernandez seconded the motion.</p> <p style="text-align: center;">Motion passed unanimously (Recused: Bezanson)</p> |
| Agenda Item J. Transfer of Charter Contract - Developing Innovations in Navajo Education, Inc. (DINE, Inc.) | <p>This item was tabled</p> |
| Items taken out of order: Agenda Item L. Academic Performance Framework | <p style="text-align: center;">MOTION</p> <p>Peter Bezanson made the following motion: I move to adopt the Academic Performance Framework as revised and presented today. Norm Butler seconded the motion.</p> <p style="text-align: center;">Motion passed unanimously</p> |
| Agenda Item M. Compliance Matters 1. Paideia Academies, Inc. | <p style="text-align: center;">MOTION</p> <p>Norm Butler made the following motion: I move, based on the information contained in the Board materials and presented today, that the Board find the following:</p> <ol style="list-style-type: none"> 1) That The Paideia Academies, Inc. failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-183(C) for one of its teachers; and 2) That The Paideia Academies, Inc. failed to comply with the fingerprinting requirements prescribed in A.R.S. §15-512 for one of its non-instructional personnel; and 3) That for civil penalty purposes under A.R.S. §15-185(I), this constitutes the first time The Paideia Academies, Inc. is out of compliance with statutory fingerprinting requirements; and 4) That The Paideia Academies, Inc. failed to provide proof within the required timeframe of notification that an application for the appropriate fingerprint check has been received by the Department of Public Safety; and 5) That, as a result, the Board imposes a civil penalty of \$2,000 for the two occurrences of The Paideia Academies, Inc.’s noncompliance with fingerprinting requirements prescribed in A.R.S. 15-183(C). <p>Further, the Board directs staff to:</p> <ul style="list-style-type: none"> • Apprise the charter operator of the Board’s findings and decision in this matter and its appeal rights under |

2. a. **Fiscal Year 2012 Annual Financial Audit**

First Year Late

- i. Ahwatukee Foothills Prep Early College High School, Inc.
- ii. Ahwatukee Foothills Prep, Inc.
- iii. Athlos Traditional Academy - **REMOVED**
- iv. Calibre Academy, Inc. - **REMOVED**
- v. DCS Partners, Inc.
- vi. E-Institute Charter School, Inc. - **REMOVED**
- vii. Employ-Ability Unlimited, Inc.
- viii. Keystone Montessori Charter School, Inc.
- ix. LEAD Charter Schools (Entity ID 91174) (Submitted incomplete audit reporting package) - **REMOVED**
- x. Legacy Traditional School - Avondale - **REMOVED**
- xi. Legacy Traditional School - Northwest Tucson - **REMOVED**
- xii. The Odyssey Preparatory Academy, Inc. - **REMOVED**
- xiii. Patriot Academy, Inc.
- xiv. West Valley Arts and Technology Academy, Inc.

Second Consecutive Year Late

- i. Kin Dah Lichii Olta
- ii. New Destiny Leadership Charter School

Arizona law;

- Notify the charter operator that if the Board determines that the charter school subsequently violates the fingerprinting requirements during the next five years, a civil penalty of \$1,000 per occurrence shall automatically be imposed; and
- Timely request the Arizona Department of Education to reduce the amount of state aid that the charter operator would otherwise receive by an amount equal to the civil penalty.

Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously

MOTION

Norm Butler made the following motion: I move that the entities listed in M (2a) i, ii, vii, viii, xiii and xiv have failed to timely submit the annual financial audit in accordance with A.R.S. §15-183.E.6. and/or failure to timely submit the annual financial report in accordance with A.R.S. §15-183.E.6. Based on that the Board has determined that a breach has occurred and that the Board moves to withhold 10% monthly apportionment of the State aid requiring a corrective action plan pursuant to A.R.S. §15-185 (h).

Peter Bezanson seconded the motion.

Motion passed through majority vote (9-1)

(Abstain: Jenkins)

MOTION

Peter Bezanson made the following motion: I move to find DCS Partners, Inc. are in noncompliance with state law and their charter contract for their failure to submit the compliance audits and approve withholding 10% of their monthly State aid apportionment until the fiscal year 2012 compliance audit is submitted.

Ruby Alvarado-Hernandez seconded the motion.

Motion passed through majority vote (7-3)

(No: Bezanson, Anderson, Senseman)

MOTION

Norm Butler made the following motion: I move to find Kin Dah Lichii Olta and New Destiny Leadership Charter School in noncompliance with state law and their charter contracts for their failure to submit the annual financial statement and compliance audits and approve withholding 10% of each charter holder's monthly State aid apportionment until the fiscal year 2012 annual financial statement and compliance audits is submitted.

Ruby Alvarado-Hernandez seconded the motion.

Motion passed through majority vote (7-3)

(No: Bezanson, Eyerman, Senseman)

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| Agenda Item P. Board Comments and Future Meeting Dates | Recorded comments are available. |
| Agenda Item Q. Adjournment The meeting adjourned at approximately 3:31 p.m. | |