

**Arizona State Board for Charter Schools
On-going Board Actions as of June 9, 2011**

Withholding					
School Name	Date of Board Action	Violation	Notes	Status of Corrective Action Plan	Date issue, if unresolved, will come back before the Board
Back-to-Basics School	5/10/10	Noncompliance with state law for failing to report student attendance data in accordance with A.R.S. §§ 15-185(B)(2), 15-901 and 15-902	<p>Corrective action plan for the charter holder includes:</p> <ul style="list-style-type: none"> •Demonstration that the charter holder has corrected the student attendance data for fiscal year 2010 reported to ADE and used for funding purposes. This would include providing all information to and completing all steps required by ADE. Board staff will review the revised student attendance data for the charter holder after the data have been aggregated by ADE to ensure the data accurately reflect, within 2%, the information found on the teacher-marked attendance rosters. •Detailed policies and procedures related to student attendance recording and reporting that address the charter holder's overall processes as well as specific steps included to ensure the issues identified by the Board during its site visits to the school do not recur. •Evidence that the policies and procedures have been adopted by the charter holder's corporate or governing body, as appropriate (e.g., meeting minutes). •Implementation of the policies and procedures developed and adopted by the charter holder that result in the submission of accurate data through the first 40 days of FY 2011. 	<p>At the July 12, 2010 Board meeting, the school provided attendance policies and procedures and minutes from the school's July 5, 2010 governing board meeting. Staff is reviewing these documents.</p> <p>On July 29, 2010, staff notified the charter representative that the information provided was insufficient and did not address all of the corrective action plan requirements.</p> <p>On October 14,</p>	Notice of Intent to Revoke was issued as part of the motion.

Withholding

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	<p>11/19/10</p> <p>1/10/11</p>	<p>Failure to timely submit fiscal year 2010 audit added to basis for withholding.</p> <p>Failure to comply with special education requirements.</p>		<p>2010, staff sent a follow-up letter describing the remaining deficiencies and information required for further review of corrective actions.</p>	<p>1/10/11</p>
Camelback Education, Inc.	4/11/11	Failure to timely submit fiscal year 2010 single audit.			6/13/11
El Centro for the Study of Primary and Secondary Education	4/11/11	Failure to timely submit fiscal year 2010 single audit.		Audit received 6/2/11. Withholding will be returned with 6/30/11 payment.	6/13/11
Global Education Foundation, Inc.	6/14/10	<ul style="list-style-type: none"> ▪ Failure to comply with Classroom Site Fund requirements found in A.R.S. §15-977, ▪ Failure to retain student attendance 	<ul style="list-style-type: none"> ▪ For Classroom Site Fund, either through the fiscal year 2010 audit or through Agreed-Upon Procedures established by Board staff. ▪ For attendance records, through the fiscal year 2010 audit. If Global Education Foundation's fiscal year 2010 audit does 	FY10 audit received 10/20/10 demonstrated continued noncompliance with Classroom	1/10/11

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	1/10/11	<p>records as required by A.R.S. §39-121.01 and in accordance with the General Retention Schedule for School Districts and Charter Schools published by the Arizona State Library, Archives and Public Records, and</p> <ul style="list-style-type: none"> ▪ Failure to comply with federal and state payroll tax requirements as required by 26 U.S.C. §3402 and A.R.S. §§43-401 and 43-1111. 	<p>not demonstrate compliance, the charter holder will be brought back to the Board for consideration of other ways through which the charter holder could demonstrate compliance in order to have the 10% returned.</p> <ul style="list-style-type: none"> ▪ For federal and state payroll taxes, through the satisfactory completion of the corrective action plan requested in the Board's March 22, 2010 audit letter. <p>At the January meeting, the Board was informed that Global Education Foundation planned to have an audit firm conduct agreed-upon procedures for the period of 7/1/10 through 3/31/11. The school has scheduled the audit firm to begin fieldwork</p>	<p>Site Fund (CSF) requirements and compliance with attendance record retention requirements. For the federal and state payroll taxes issue, the charter holder never provided the information requested in the Board's 3/22/10 letter. However, based on information provided by the audit firm and included in the FY10 audit, no further response to the Board is required. Due to the CSF noncompliance, the withholding continues.</p> <p>On 3/10/11, Board staff approved the engagement letter for the CSF agreed-</p>	

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			on April 27 th . Barring unforeseen circumstances, the audit firm will endeavor to issue its report by mid-May.	upon procedures.	
Harvest Power Community Development Group, Inc.	4/11/11	Failure to timely submit fiscal year 2010 single audit.		Audit received 6/8/11. Withholding will be returned with 6/30/11 payment.	6/13/11
Legacy Education Group	4/11/11	Failure to timely submit fiscal year 2010 single audit.		Audit received 5/24/11. Withholding will be returned with 6/30/11 payment.	6/13/11
Legacy Schools	4/11/11	Failure to timely submit fiscal year 2010 single audit.		Audit received 5/24/11. Withholding will be returned with 6/30/11 payment.	6/13/11
Luz Academy of Tucson, Inc.	4/11/11	Failure to timely submit fiscal year 2010 single audit.		Audit received 6/2/11. Withholding will be returned with 6/30/11 payment.	6/13/11
Scottsdale Horizons Charter School	5/10/10	Noncompliance with state law for failing to report student attendance data in accordance with A.R.S. §§ 15-185(B)(2), 15-901 and 15-902	Corrective action plan for the charter holder includes: •Demonstration that the charter holder has corrected the student attendance data for fiscal year 2010 reported to ADE and used for funding purposes. This would include providing all information to and completing all steps required by ADE. Board staff will	At the July 12, 2010 Board meeting, the school provided attendance policies and procedures and minutes from the	After school's 40 th day of FY2011

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	11/19/10	Failure to timely submit	<p>review the revised student attendance data for the charter holder after the data have been aggregated by ADE to ensure the data accurately reflect, within 2%, the information found on the teacher-marked attendance rosters.</p> <ul style="list-style-type: none"> •Detailed policies and procedures related to student attendance recording and reporting that address the charter holder’s overall processes as well as specific steps included to ensure the issues identified by the Board during its site visits to the school do not recur. •Evidence that the policies and procedures have been adopted by the charter holder’s corporate or governing body, as appropriate (e.g., meeting minutes). •Implementation of the policies and procedures developed and adopted by the charter holder that result in the submission of accurate data through the first 40 days of FY 2011. 	<p>school’s July 5, 2010 governing board meeting. Staff is reviewing these documents.</p> <p>On July 29, 2010, staff notified the charter representative that the information provided was insufficient and did not address all of the corrective action plan requirements.</p> <p>On October 14, 2010, staff sent a follow-up letter describing the remaining deficiencies and information required for further review of corrective actions.</p>	1/10/11

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School Name	Date of Board Action	Violation	Notes	Status of Corrective Action Plan	Date issue, if unresolved, will come back before the Board
	1/10/11	fiscal year 2010 audit added to basis for withholding. Failure to comply with special education requirements.			
US Mental Math Federation Incorp	11/19/10	Failure to timely submit fiscal year 2010 audit.			1/10/11

Schools Under a Notice of Intent to Revoke

School Name	Date of Board Action	Alleged Violation	Date of Revocation Hearing/Orders	Status
Back-to-Basics School	1/10/11	Failing to comply with special education requirements Failing to timely submit the fiscal year 2010 audit.	Hearing set for April 25, 2011 and April 26, 2011 Pre-hearing conference scheduled for March 4, 2011. On February 17, 2011, OAH consolidated the Back-to-Basics School and Scottsdale Horizons Charter School hearings into one and scheduled the hearing to begin on April 25, 2011. Additionally, the pre-hearing conference was moved to March 3, 2011.	March 23, 2011 – Staff provided charter representative with a proposed Settlement Agreement, as directed by the Board on March 14, 2011. Informal Settlement Conference is scheduled for April 6, 2011. Consolidated hearing before Administrative Law Judge took place on April 25, 2011. The Board’s written closing statement must be submitted to OAH by May 16, 2011. The Board’s proposed Findings of Fact and Conclusions of Law must be submitted to OAH by June 1, 2011.
Global Education Foundation, Inc.	5/9/11	Failing to comply with Classroom Site Fund requirements as found in A.R.S. §15-977.		

Schools Under a Notice of Intent to Revoke

School Name	Date of Board Action	Alleged Violation	Date of Revocation Hearing/Orders	Status
Scottsdale Horizons Charter School	1/10/11	<p>Failing to comply with special education requirements</p> <p>Failing to timely submit the fiscal year 2010 audit.</p>	<p>Hearing set for April 27, 2011 and April 28, 2011</p> <p>Pre-hearing conference scheduled for March 3, 2011.</p> <p>On February 17, 2011, OAH consolidated the Back-to-Basics School and Scottsdale Horizons Charter School hearings into one and scheduled the hearing to begin on April 25, 2011.</p>	<p>March 23, 2011 – Staff provided charter representative with a proposed Settlement Agreement, as directed by the Board on March 14, 2011.</p> <p>Informal Settlement Conference is scheduled for April 6, 2011.</p> <p>Consolidated hearing before Administrative Law Judge took place on April 25, 2011. The Board’s written closing statement must be submitted to OAH by May 16, 2011. The Board’s proposed Findings of Fact and Conclusions of Law must be submitted to OAH by June 1, 2011.</p>
US Mental Math Federation Incorp	5/9/11	<p>Failing to provide the minimum days of instruction pursuant to A.R.S. §15-183(E)(9).</p> <p>Failing to properly implement the AIMS test in the Spring of 2010 pursuant to A.R.S. §15-183(E)(4).</p> <p>Failing to submit an annual financial audit package for fiscal year 2010 pursuant to A.R.S. §15-183(E)(6).</p>		

Other Legal Matters

School Name	Date of Board Action	Status

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
<p>Back-to-Basics/Scottsdale Horizons Charter School</p>	<p>10/12/10</p>	<p>Scottsdale Horizons agrees to voluntarily dismiss its appeal of the Board’s decision to deny Scottsdale Horizons’ request for renewal of its charter. Scottsdale Horizons further agrees to waive all rights to a hearing on these matters and, further, waives its rights to judicial review of these matters. Scottsdale Horizons shall notify the Board of the location of its educational records no later than June 30, 2011.</p> <p>The Board agrees to notify the Department to return the 10% withholding of the monthly apportionment of state aid that would otherwise be due Back-to-Basics and Scottsdale Horizons upon the submission of corrective action plans that demonstrate to the Board’s satisfaction that Back-to-Basics and Scottsdale Horizons have completed the required steps specified in the agreement.</p> <p>Back-to-Basics and Scottsdale Horizons shall provide copies of daily classroom attendance rosters for the period of 10/11/10 through 2/4/11 to the Board no later than 2/9/11.</p> <p>Back-to-Basics and Scottsdale Horizons agree to locate and pay a person or firm determined by the Board to possess sufficient qualifications and experience (“consultant”) to monitor and audit the compliance of Back-to-Basics and Scottsdale Horizons with state law and with the Department’s policies and procedures pertaining to student attendance reporting for the remainder of fiscal year 2011 and additionally for Back-to-Basics for fiscal year 2012.</p> <p>Back-to-Basics and Scottsdale Horizons agree to submit to regular compliance checks by the Board to ensure the accuracy of student data uploaded to the Department.</p> <p>Back-to-Basics and Scottsdale Horizons agree to accurately report student attendance data to the Department through the end of fiscal year 2011 and that the reported attendance data accurately reflects, within 2% accuracy, the student attendance information found in daily classroom attendance rosters of Back-to-Basics and Scottsdale Horizons and does not include any incidences of duplicative student attendance data. The agreement provides for how this will be determined.</p>	<p>Both Back-to-Basics School and Scottsdale Horizons Charter School failed to provide to the Board no later than 2/9/11 copies of the daily classroom attendance rosters for the period of 10/11/10 through 2/4/11. On 2/23/11, Board staff sent letters to Back-to-Basics School and Scottsdale Horizons Charter School reminding them of the agreement’s requirement and notifying them that the rosters had not been received.</p>

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
		<p>No later than 8/1/11, the consultant shall certify to the Board, in writing, that Back-to-Basics has reviewed its student attendance reporting and recording policies for conformity to state law and Department guidelines for fiscal year 2012.</p> <p>The agreement specifies certain procedures that the consultant must complete in fiscal year 2012 related to the student attendance data recording and reporting by Back-to-Basics. The consultant is required to issue four reports. The procedures include reviewing classroom attendance rosters, withdrawal forms and other supporting documentation to verify the accuracy of the student attendance data housed in Back-to-Basics student management system and also reported to the Department and conducting physical counts of students. In order for Back-to-Basics to be in compliance with this agreement, each of the four reports must reflect that Back-to-Basics accurately reported its student attendance data to the Department within 2% accuracy, that no duplicative student attendance data was reported to the Department, that the physical count of students corresponds to the most current Department reports within 2% accuracy, and that Back-to-Basics corrected all deficiencies within the required timeframes as certified by the consultant.</p> <p>Back-to-Basics shall not submit an amendment or notification to modify its charter contract to change legal status, change entity name, increase enrollment cap, add grade levels, add a site, or for approval as an online course provider or online school until Back-to-Basics has complied with all of the terms of this agreement. Nothing in this paragraph prohibits Back-to-Basics from selecting and moving its existing school site to a new location upon the Board's approval of a School Site Notification Request submitted by Back-to-Basics.</p>	
<p>Gila Educational Group</p>	<p>7/12/10</p>	<p>The Charter Operator agrees that it shall discontinue the operation of its Middle School effective June 30, 2010 and that it shall cease to serve students in grades 7 and 8.</p> <p>By August 13, 2010, the Charter Operator shall develop and submit to the Board a Performance Management Plan ("PMP") for the High School for reading and mathematics using the templates provided by the Board. The PMP is a strategic plan addressing the School's academic performance deficiencies and shall cover the period of August 13, 2010 through June 30, 2013. The Board shall identify the Measure, Metric, Target and Strategies for</p>	<p>On August 11, 2010 staff received the completed Performance Management Plan (PMP) from Gila Preparatory Academy High School. Staff reviewed the PMP for content. The first quarterly report is due in October.</p> <p>On December 16, 2010 staff reviewed the first quarterly report.</p>

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
		<p>the PMP. The Charter Operator shall identify the Action Steps, Timeline, Responsible Party, Evidence of Meeting Action Steps, and Budget of the PMP. The Timeline(s) identified by Gila Educational Group in the PMP must correspond with the Quarterly Report submission dates identified in paragraph 15. The PMP to be submitted to the Board by August 13, 2010 shall be incorporated into this Agreement as Attachments A and B.</p> <p>Throughout the duration of the PMP (August 13, 2010 through June 30, 2013) and within 10 days of the end of every calendar quarter (October 1, January 1, April 1, June 1), the Charter Operator shall complete and submit a Quarterly Report to the Board. Each Quarterly Report shall:</p> <ul style="list-style-type: none"> • Detail the Charter Operator’s progress on the implementation of the Action Steps identified in the PMP within the Timelines(s) identified; • Provide evidence that the High School is progressing toward the prescribed Targets, which includes a data comparison in chart and graph format depicting the High School’s academic student performance; and • Provide documentation of the High School’s budget expenditures for the Action Steps implemented for the quarter. <p>Throughout the duration of the PMP (August 13, 2010 through June 30, 2013) and within 10 days of the end of the quarter (October 1, January 1, April 1, June 1), the Charter Operator shall provide a current list of the High School’s instructional staff that identifies each staff’s content area assignments and highly qualified status that evidence that the High School’s teachers of core academic subjects (English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography) are “highly qualified” under the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 <i>et seq.</i>).</p> <p>By June 30, 2013 and for every year thereafter for the duration of the charter, the High School’s reading and mathematics AIMS scores shall meet or exceed the State average percent proficient in reading and math on the state assessment.</p>	<p>The HQ staff listing was requested via email. In addition, ADE HQ unit requested transcripts to confirm HQ status of all instructional staff members. Due date is January 7th, 2011.</p> <p>On January 24, 2011 ADE HQ Unit requested additional transcripts of instructional staff to determine HQ status. Due date is January 28, 2011.</p> <p>ADE notified this office on February 23, 2011 of the results of the final review of the transcripts of instructional staff. A math and science teacher was identified as nonHQ. ADE is requiring a corrective action plan be submitted to their office by March 1, 2011.</p> <p>On March 30, 2011 the staff reviewed the second quarterly report. A follow-up conference call took place to discuss the collection of evidence that demonstrates the implementation of the action steps.</p>
Legacy Schools	5/10/10	By July 1, 2010, the Charter Operator shall develop and submit to the Board a Performance Management Plan (“PMP”) for reading and mathematics using the templates provided by the Board. The PMP is a strategic plan addressing the School’s academic performance deficiencies and shall cover the period of	On June 28, 2010 staff received the completed Performance Management Plan (PMP) from Legacy Elementary School. Staff reviewed the PMP for

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
		<p>July 1, 2010 through June 30, 2012. The Board shall identify the Measure, Metric, Target and Strategies for the PMP. The Charter Operator shall identify the Action Steps, Timeline, Responsible Party, Evidence of Meeting Action Steps, and Budget of the PMP. The Timeline(s) identified by the Charter Operator in the PMP must correspond with the Quarterly Report submission dates identified in paragraph 21. The PMPs to be submitted to the Board by July 1, 2010 shall be incorporated into this Agreement as Attachment A and B.</p> <p>Throughout the duration of the PMP (July 1, 2010 through June 30, 2012) and within 10 days of the end of every calendar quarter (October 1, January 1, April 1, June 1), the Charter Operator shall complete and submit a Quarterly Report to the Board. Each Quarterly Report shall:</p> <ul style="list-style-type: none"> ▪ Detail the Charter Operator’s progress on the implementation of the Action Steps identified in the PMP within the Timeline(s) identified; ▪ Provide evidence that the School is progressing toward the prescribed Targets, which includes a data comparison in chart and graph format depicting the School’s academic student performance; and ▪ Provide documentation of the School’s budget expenditures for the Action Steps implemented for the quarter. <p>Throughout the duration of the PMP (July 1, 2010 through June 30, 2012) and within 10 days of the end of the quarter (October 1, January 1, April 1, June 1), the Charter Operator shall provide a current list of the School’s instructional staff that identifies each staff’s content area assignments and highly qualified status that evidences that the School’s teachers of core academic subjects (English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography) are “highly qualified” under the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 et seq.).</p> <p>By June 30, 2012 and for every year thereafter for the duration of the charter, the School’s reading and math AIMS scores shall meet or exceed the State average percent proficient in reading and math on the state assessment.</p> <p>By June 30, 2012 and for every year thereafter for the duration of the charter, the School must have a student growth percentile of no less than minus one standard deviation from the State median growth percentile in reading and</p>	<p>content. The first quarterly report is due in October.</p> <p>On December 17, 2010 staff reviewed the first quarterly report. The HQ staff listing was requested via email. A meeting will be scheduled with the new campus principal being hired in January 2011 to review the requirements of the consent agreement and the components of the PMP.</p> <p>On December 20, 2010 ADE requested additional information on three instructional staff members to determine HQ status.</p> <p>On January 24, 2011 staff met with the new principal, reading coach, and charter representative to discuss the consent agreement, quarterly reports, and the components of the PMP.</p> <p>On March 30, 2011 staff reviewed the second quarter report. A follow-up conference took place to discuss the collection of evidence that demonstrates implementation of the action steps.</p>

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
		math.	

Status of Board Requested Reports/Site Visits

School Name	Date of Board Action	Board Request of School/Staff	Status of compliance with request

Failing Schools

School Name	Date of Board Action	Violation	Hearing Information	Status

Civil Penalties

School Name	Date of Board Action	Violation	Amount of Withholding	Date Appeal Timeframe Expires	Status of Corrective Action Plan