
AGENDA ITEM: Compliance Matters – PACE Preparatory Academy**Issue**

PACE Preparatory Academy failed to submit required documentation and data, which were due August 31, 2015 under the terms of its renewal contract.

Background

On June 9, 2014 the Board approved a Renewal Charter Contract for PACE Preparatory Academy (PPA) with the condition that the Charter Holder agreed to additional accountability and reporting requirements. PPA amended its contract to incorporate these requirements in the form of a Conditional Renewal Accountability Plan (Plan).

The Plan requires the submission of documentary evidence of the implementation of the action steps of PPA's Plan. The Plan also includes the requirement of the submission of results of and findings from the school's analysis of student assessment data. The documentation and data are reviewed and evaluated to determine whether the charter holder is making progress toward the end target of the Plan: Meet the academic performance expectations set forth in the Board's Academic Performance Framework.

In June 2015, PPA submitted documentation and data as required by its prior contract. The renewal contract for PPA became effective on July 1, 2015. The first deadline for the submission of documentation and data under the renewal contract was August 31, 2015 (or within 3 weeks of the first day of school). At the time of the posting of this report, PPA has not submitted the required documentation and data, and, as a result, is in breach of its renewal contract. A.R.S. § 15-183.I.3 states, in part, that the Board may revoke a charter at any time if the charter school breaches one or more provisions of its charter.

A.R.S. § 15-185.H provides for the withholding of up to 10% of a charter holder's monthly apportionment of state aid when it determines that the charter school is not in compliance with the laws of this state or with its charter. Because PPA failed to submit the required documentation and data, they are not in compliance with the terms of their charter.

Board Options

Option 1: The Board may approve withholding 10% of the charter holder's monthly state aid apportionment. Staff recommends the following language for consideration: I move to find PACE Preparatory Academy in noncompliance with their charter contract for their failure to submit required documentation and data and approve withholding 10% of the Charter Holder's monthly State aid apportionment until the required documentation and data are submitted.

Option 2: The Board may vote to issue a Notice of Intent to Revoke the charter contract. The following language is provided for consideration: I move to issue a Notice of Intent to Revoke the charter contract of PACE Preparatory Academy for breach of the provisions of its contract.

- Within 48 hours of receipt of the Notice the charter operator shall notify staff and parents/guardians of registered students of the Notice of Hearing on Intent to Revoke Charter 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.

I further move that the Board approve withholding 10% of each charter holder's monthly State aid apportionment until the required documentation and data is submitted.

Option 3: The Board may decide to take no action at this time.