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Attorneys for Arizona State Board for Charter Schools

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF ARIZONA

In the Matter of: **FOUNDING FATHERS ACADEMIES, INC.,** a non-profit corporation, operating **JEFFERSON ACADEMY OF ADVANCED LEARNING**, a charter school	No. 14F-FSRV-002-BCS **ARIZONA STATE BOARD FOR CHARTER SCHOOLS' PRE-HEARING CONFERENCE STATEMENT AND LIST OF WITNESSES AND EXHIBITS** (Honorable Tammy L. Eigenheer)

Pursuant to the Order Setting Pre-Hearing Conference dated January 22, 2014, undersigned counsel files this Pre-hearing Conference Statement and provides a list of witnesses and exhibits intended to be presented at the hearing set March 26, 27 and 28, 2014.

I. LAW, RULES OR POLICY RELIED ON FOR THE PARTY'S POSITION

Charter schools are established by contract ("charter" or "contract") between a sponsor and a public body, private person or private organization to provide a learning environment that will improve pupil achievement. A.R.S. §§ 15-101(4), -181(A), -183(B) and (C). The Arizona Department of Education ("ADE") compiles an annual achievement profile for each public school and school district. A.R.S. § 15-241(A). The achievement profile used to determine a school and school district classification is a letter grade system as follows: (1) A school or school district assigned a letter grade of A shall demonstrate an excellent level of performance; (2) A school or school district assigned a letter grade of B shall demonstrate an

above average level of performance; (3) A school or school district assigned a letter grade of C shall demonstrate an average level of performance; (4) A school or school district assigned a letter grade of D shall demonstrate a below average level of performance; and (5) A school or school district assigned a letter grade of F shall demonstrate a failing level of performance. A.R.S. § 15-241(H). A charter school assigned a letter grade of D for a third consecutive year is assigned a letter grade of F. A.R.S. § 15-241(O). If a charter school is assigned a letter grade of F, the charter school's sponsor must either take action to restore the charter school to acceptable performance or revoke the charter school's charter. A.R.S. § 15-241(U). In implementing its oversight and administrative responsibility for the charter schools that it sponsors, the sponsor must ground its actions in evidence of the charter holder's performance in accordance with the performance framework adopted by the sponsor. A.R.S. § 15-183(R). The Arizona State Board for Charter Schools' Academic Performance Framework and Guidance identifies its academic performance expectations of the charter schools it sponsors and the measurement of sufficient progress toward the academic performance expectations. *Id.* A sponsor may revoke a charter at any time if the charter school breaches one or more provisions of its charter or if the sponsor determines that the charter holder has failed to meet or make sufficient progress toward the academic expectations set forth in the performance framework or has failed to comply with Title 15, Chapter 1, Article 8 or any provision of law from which the charter school is not exempt. A.R.S. § 15-183(I)(3). At least sixty days before the effective date of the proposed revocation, the sponsor shall give written notice to the operator of the charter school of its intent to revoke the charter. A.R.S. § 15-183(I)(4). The notice shall incorporate a statement of reasons for the proposed revocation of the charter. *Id.*

II. WITNESSES

1. DeAnna Rowe, Executive Director, Arizona State Board for Charter Schools, will testify about her position and duties, the Board's academic performance expectations as set forth in the Board's Academic Performance Framework and Guidance, and the

academic performance of Jefferson Academy of Advanced Learning's ("Jefferson Academy") students.

2. Steve Sarmento, Program and Project Specialist, Arizona State Board for Charter Schools, will testify about his position and duties, the academic performance of Jefferson Academy's students, the submission, review and evaluation of Founding Fathers Academies, Inc.'s ("Founding Fathers") Demonstration of Sufficient Progress, and his contact and site visit with Founding Fathers.
3. Derek Fay, Research Associate, Research and Evaluation Division of the Arizona Department of Education, may testify about his position and duties and the Arizona State Board for Charter School's methodology for the calculation of the various measures of the Board's Academic Performance Framework.
4. Any witness named or called by Founding Fathers.

III. EXHIBITS

1. Charter Contract between the Arizona State Board for Charter Schools and Founding Fathers.
2. Portfolio prepared for Arizona State Board for Charter Schools' meeting of December 9, 2013.
3. Arizona State Board for Charter Schools' Academic Performance Framework and Guidance (updated September 2013).
4. Jefferson Academy's Academic Performance ("Dashboard") for FY2012 and FY2013.
5. Yearly Lesson Plans, Jefferson Academy ($2^{nd}/3^{rd}$ grade).
6. Weekly Lesson Plans, Jefferson Academy ($2^{nd}/3^{rd}$ grade).
7. Pacing charts and lesson pacing guides, 7-8th grade, math
8. Arizona's College and Career Ready Standards Statewide Implementation Plan (Mathematics).
9. Classroom observation notes.

10. Any exhibit named by Founding Fathers.

DATED this 27th day of January, 2014.

THOMAS C. HORNE
Attorney General

By /s/ Kim S. Anderson
Kim S. Anderson
Assistant Attorney General
Attorneys for Arizona State Board for Charter Schools

ORIGINAL Statement filed electronically this 27th day of January, 2014, with:

Office of Administrative Hearings
www.azoah.com

COPY of the forgoing Statement mailed electronically and by regular mail this 27th day of January, 2014 to:

Jefferson Academy of Advanced Learning
Attn: Sandy Stewart, Charter Representative
40 South 11th Street
Show Low, AZ 85901
s_stewart@frontiernet.net

Sandy Stewart
Founding Fathers Academies, Inc.
P.O. Box 1860
Taylor, AZ 85939
s_stewart@frontiernet.net

COPY of the forgoing Statement mailed electronically this 27th day of January, 2014 to:

DeAnna Rowe
Executive Director
Arizona State Board for Charter Schools
Deanna.rowe@asbcs.az.gov

By: /s/ksa
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