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BEFORE THE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF ARIZONA

In the Matter of: KIN DAH LICHI'I OLTA', Inc. a non-, profit corporation, operating KIN DAH LICHI'I OLTA', a Charter School	No. 14F-FSRV-003-BCS **KIN DAH LICHI'I OLTA'S PRE-HEARING CONFERENCE STATEMENT AND LIST OF WITNESSES AND EXHIBITS**

Pursuant to the Order Setting Pre-Hearing Conference dated January 13, 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 for March 18, 19 and 20, 2014.

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

Arizona Revised Statutes provide that if a charter school is assigned a failing letter grade, "the charter school's sponsor shall either take action to restore the charter school's charter to acceptable performance or revoke the charter schools charter." [A.R.S. § 15-241 (U).] Here, the sponsor of Kin Dah Lichi'I Olta', Inc.'s ("KDLO") charter is the Arizona State Board for Charter Schools ("Arizona State Board"). Pursuant to statute, the Arizona State

Board has the discretion to preserve a school's charter, rather than seek its revocation, through the establishment of a Consent Agreement. A Consent Agreement allows for a charter school to restore the charter schools' academic performance to acceptable state standards for charter schools per A.R. S. § 15-241 (U), thereby ensuring that educational services continue for the students of the charter school. A Consent Agreement would require the charter school to submit regular progress reports to the Arizona State Board and require demonstrative evidence that the charter school's curriculum is aligned with Arizona College and Career Ready Standards and, that the charter school is meeting the state standards for academic performance. The alternative, revocation of the charter provides no opportunity to a charter school to demonstrate improvements in academic performance and, most significant, terminates all educational services previously provided to the charter school's students. Such an outcome for this extremely remote, culturally unique, community board charter school is contrary to sound educational policy.

II. WITNESSES

1. *Linda Youvella, KDLO Board President.* Will testify about the history of KDLO and its Charter.
2. *Harriette Leuppe, KDLO Vice President.* Will testify regarding the development and implementation of the 7th and 8th grade curriculum.
3. *Christine Wallace, KDLO Board Member.* Will testify regarding the demographics of the 7th and 8th grade students.
4. *Steven Kee, KDLO Board Member.* Will testify regarding the community served by the KDLO Charter.

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5. *Ora James, Principal*. Will testify regarding the testing instruments and the credentials and professional development of teaching staff.
6. *Eduardo Valles, Acting Head Teacher*. Will testify as to the progress and tracking of the academic performance of the KDLO Charter School students.
7. *Lucinda Wauneka, 7th Grade Teacher*. Will testify as to the implementation of the curriculum and academic performance testing of the 7th grade students and how the test score results are utilized to adjust the teaching and curriculum.
8. *Eugene Curley, 8th Grade Teacher*. Will testify as to the implementation of the curriculum and academic performance testing of the 8th grade students and how the test score results are utilized to adjust the teaching and curriculum.
9. Any witness named or called by the Arizona State Board for Charter Schools.

III. EXHIBITS

1. Spring 2013 Demonstration of Sufficient Progress submitted by KDLO with its 2013 charter renewal application.
2. June 10, 2013 Arizona State Board approval of KDLO's charter renewal application.
3. Arizona Department of Education State Intervention Review Rubric for "F" Label.
4. August 2013 Arizona Department of Education State Intervention School Improvement Plan Questionnaire completed by KDLO.

5. Fall 2013 KDLO Demonstration of Sufficient Progress and School Improvement Plan.
6. KDLO Math and Reading Academic Performance Scores.
7. KDLO Professional Development Activities and Training.
8. February 14, 2014 Resolution of Kin Dah Lichi'I Oltá', Inc. Governing Board Regarding the Arizona State Board for Charter Schools Notice of Intent to Revoke Charter.
9. Any exhibit identified by the Arizona State Board for Charter Schools.

DATED this 18th day of February, 2014.

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Original of the foregoing delivered via U.S. Mail and copy delivered via facsimile for filing this 18th day of February, 2014, to:

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Copy of the foregoing delivered via email this 18th day of February, 2014, to:

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