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IN THE OFFICE OF ADMINISTRATIVE HEARINGS

STATE OF ARIZONA

In the Matter of: **ARIZONA SCHOOL FOR INTEGRATED ACADEMICS AND TECHNOLOGIES, INC.,** a non-profit corporation, operating **SCHOOL FOR INTEGRATED ACADEMICS AND TECHNOLOGIES**, a charter school	No. 14F-RV-003-BCS **ARIZONA STATE BOARD FOR CHARTER SCHOOLS' PRE-HEARING CONFERENCE STATEMENT AND LIST OF WITNESSES AND EXHIBITS** (Honorable Tammy Eigenheer)

Pursuant to the Order Setting Pre-Hearing Conference dated May 21, 2014, the Arizona State Board for Charter Schools ("Board") files this Pre-hearing Conference Statement and provides a list of witnesses and exhibits intended to be presented at the hearing set July 3, 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), -183(C). A charter establishing a charter school is effective for fifteen years. A.R.S. §§ 15-183(I).

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 operator has failed to comply with charter school statutes or any provisions 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.* The sponsor shall allow the charter school at least sixty days to correct the problems related to the reasons for the proposed revocation of the charter. *Id.* The final determination of whether to revoke the charter shall be made at a public hearing called for such purpose. *Id.*

A.R.S. § 15-183(E)(3) and the charter contract require that Arizona School for Integrated Academics and Technologies, Inc. ("SIATech") provide a comprehensive program of instruction and educational services according to the educational standards established by law. A.R.S. § 15-341.01 requires that instruction be conducted in the School for Integrated Academics and Technologies ("School") for sessions totaling at least 180 days each school year.[1] On June 27, 2011, SIATech amended its charter contract to provide 200 days of instruction each school year. SIATech breached its charter contract and A.R.S. §§ 15-183(E)(3) and 15-341.01 when it failed to provide a comprehensive program of instruction for the requisite number of days for the 2013-2014 school year.

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[1] "180 days" means 180 days of instruction or an equivalent number of minutes of instruction per school year based on a different number of days of instruction approved by the charter school governing body. A.R.S. § 15-341.01(B).

A.R.S. § 39-121.01 requires the School to maintain and preserve all records reasonably necessary or appropriate to maintain an accurate knowledge of its official activities which are supported by state monies. A.R.S. § 15-183(E)(1) and the charter contract requires the School to comply with federal, state and local rules, regulations and statutes relating to health. A.R.S. § 15-872 and A.A.C. R9-6-705 require the School to ensure that an immunization record containing documentary proof of immunity for each student attending the School is maintained at the School. SIATech breached its charter contract and A.R.S. §§ 15-872 and 39-121.01when it failed to maintain and retain student immunization records in its student records for each student attending the School.

A.R.S. §§ 15-185(B) and 15-901 establish the financial provisions and reporting requirements of student attendance for a charter school sponsored by the Arizona State Board for Charter Schools ("Board"). SIATech breached A.R.S. §§ 15-185(B)(2) and 15-901 and its charter contract when it failed to accurately report student attendance to the Arizona Department of Education.

II. WITNESSES

1. DeAnna Rowe, Executive Director, Arizona State Board for Charter Schools, will testify about her position and duties and all allegations set forth in the Notice of Intent to Revoke Charter and Notice of Hearing filed April 10, 2014.
2. Brian Lockery, Audit Manager, Arizona Department of Education, will testify about his position and duties and the Average Daily Membership Audit Report of Arizona School for Integrated Academics and Technologies, Inc. for FY2010, FY2011, and FY2012 (dated June 7, 2013).
3. Any witness listed by SIATech.

III. EXHIBITS

1. Charter contract.
2. Amendment request regarding the change in Charter Operator dated October 16, 2002.
3. Amendment request regarding the correction in the corporate name of the Charter Operator dated January 21, 2003.
4. Instructional days amendment request dated June 27, 2011.
5. Arizona Department of Education's Average Daily Membership Audit Report of Arizona School for Integrated Academics and Technologies, Inc. for FY2010, FY2011, and FY2012 (dated June 7, 2013).
6. Final Administrative Order of the Arizona Department of Education dated March 6, 2014.
7. Affidavit of Lisa Eddy, Chief Auditor, Arizona Department of Education.
8. Any exhibit listed by SIATech.

DATED this 3rd day of June, 2014.

THOMAS C. HORNE
Attorney General

By /s/ Kim S. Anderson
Kim S. Anderson
Assistant Attorney General

COPY of the foregoing Statement filed
electronically this 3rd day of June, 2014 with:

The Office of Administrative Hearings
http:www.azoah.com

COPY of the foregoing Statement mailed
by regular mail this 3rd day of June 2014 to:

Arizona School for Integrated Academics and Technologies, Inc.
2611 Temple Heights Drive, Suite A

Oceanside, California 92056

School for Integrated Academics and Technologies, Inc.
c/o CT Corporation System, Statutory Agent
2394 East Camelback Road
Phoenix, Arizona 85016

COPY of the foregoing Statement mailed
electronically this 3rd day of June 2014 to:

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

By Kim Anderson
P0012014001249/3831511