

Arizona State Board for Charter Schools

June 14, 2010

1700 W. Washington Street

Phoenix, Arizona 85007

Room 164

MINUTES

Members Present-

Norm Butler – President
Ruby Alvarado-Hernandez – Vice President
Mary Gifford – Superintendent Designee (joined telephonically at 9:45 a.m.)
Peter Bezanson– Charter School Operator
Janna Day – Public Member
Doug Ducey – Business Member
Dana Krals – Public Member
Jake Logan – Business Member

Members Absent

Steve Parsons – Charter School Teacher
Rep. Montenegro - Advisory Member

Meeting began at 9:03 a.m.

Agenda Item A: Pledge of Allegiance

Agenda Item B: Moment of Silence

Agenda Item C: Roll Call:

Heather Kelley called the roll and confirmed a quorum.

Agenda Item E: Call to the Public

Jeff Sawner, Charter Representative for Educational Options Foundation, stated that he has had a chance to review the Arizona Online Instruction amendment revisions and supports the documents as presented today.

Howard Bell, Charter Representative for P.L.C. Charter Schools presented information to the Board that he objects to Sections 3.A, 13.C, and 21.A of the new charter contract. Mr. Bell stated that the way the language of Section 3A of the contract is currently written, it makes the individual board members responsible for compliance issues of the contract. Section 13.C dealing with student performance is a major concern. It is worded in such a way that another board within the next 15 years could interpret the language differently than was the intent of this board. The way that it is worded, 1 special education student in K-8 who doesn't do well, could put the school into some sort of revocation action. Section 21.A that requires the charter board to carry a fingerprint clearance card. It is far reaching to ask members of the charter holder who are out of state to hold an Arizona fingerprint card. It might be better worded to say charter representative must hold a card.

President Butler asked that the Policy, Rules, and Contracts Subcommittee review this issue.

Agenda Item F: Arizona Charter Schools Association Update

Rebecca Gau, Vice President of the Arizona Charter Schools Association, updated the Board on the Assessment Hub. Ms. Gau reported that the Arizona Charter Schools Association did research on what an assessment system for charter schools would need to be. They have developed that system and are rolling it out right now and calling it the Success Center Online. The Association has developed a longitudinal data system for charter schools, but districts are welcome to participate in it as well. It has the capacity and capability to be a state wide data system. The Association has entered into an agreement with McGraw Hill to include their assessment system called Acuity.

Item D: Executive Session – 9:20 a.m. – 9:45 a.m.

MOTION

Jake Logan made a motion that the Board convene into executive session pursuant to A.R.S. § 38-431.03(A)(3) and (4), to receive legal advice and/or consult with counsel on matters relating to *Placida Maldonado, Individually and as Statutory*

Beneficiary of Samuel Valdivia v. State of Arizona, et al. Doug Ducey seconded the motion.

Motion passed unanimously
(Absent: Gifford)

Agenda Item G: Superintendent’s Report

Superintendent's Designee Mary Gifford stated she had no report at this time.

Agenda Item H: Executive Director’s Report

1. Status of Charters with previous and/or on-going Board actions: Bradley Academy of Excellence, Inc., Cesar Chavez Learning Community, Inc., CPLC Community Schools, Discovery Plus Academy, Kin Dah Lichii Olta, Phoenix Advantage Charter School, Inc.

Deputy Director Martha Morgan referred Board members to the On-going Actions document included in their materials and noted the updates to the information provided for Discovery Plus Academy and New World Educational Center.

2. Board Meeting Dates

Ms. Morgan reminded the Board that due to the holiday on Monday, October 11, 2010, the Board meeting in October is scheduled for Tuesday, October 12, 2010.

Agenda Item I: Arizona Online Instruction (“AOI”)

Ms. Morgan presented the Board with information regarding the revisions to the AOI Program of Instruction Amendment Request. Ms. Morgan also presented the Board with the evaluation tool for reviewing the AOI Program of Instruction Amendment Requests.

MOTION

Peter Bezanson made a motion that the Board approve the revised AOI Program of Instruction Amendment request with the clarification, submission deadlines and fees, and approve the scoring rubric with the requirement that an amendment which has 95% of the criteria scoring Meets or Exceeds, no more than one Approaches in each section and no Falls Below, be placed on the Board’s consent agenda, except that an amendment that does not score Meets or Exceeds in each of the following areas shall not be considered on the consent agenda: 1. The provision of Learning Management Systems (LMS) and Content Delivery Systems (CDS) that ensure user security through password protected access are described; 2. The AOI School/Program has an internal email communication system available within the CDS that is only available to the student and any staff, parent, guardian or other stakeholder that plays an integral part in monitoring and supporting the success of the student; 3. Any communication between staff, student, and parents is logged and secure. Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously
(Recused: Gifford)

Agenda Item J. Consent Agenda

1. Arizona Montessori Charter School at Anthem – Amend Bylaws
2. AZ-Tec High School – Exception to USFRCS and Procurement Law
3. Choice Academy, Inc. – Change Charter Holder Name
4. Compass Points International, Inc. – Change Number of Instructional Days
5. Desert Star Community School, Inc. – Change Board Composition
6. Great Hearts Academies – Phoenix Core – Change Charter Holder Name
7. Imagine Middle at Superstition, LLC. - Decrease Grades Served
8. Pillar Charter School – Change Program of Instruction
9. Prescott Valley Charter School – Change in Mission
10. Successful Beginnings, Inc. – Charter Transfer from For-Profit to Non-Profit
11. Successful Beginnings, Inc. – Change Number of Instructional Days
12. Westwind Children’s Services – Change Program of Instruction
13. University Public Schools, Inc. – Exception to USFRCS and Procurement Law

MOTION

Jake Logan made a motion to approve the Consent Agenda. Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously
(Recused: Gifford, Abstain: Bezanson)

Agenda Item K. Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc.

Ms. Morgan informed the Board that TLC Charter Schools, Inc. submitted a Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract. There were approximately 83 students in grades K-12 during the 2009-2010 school year.

MOTION

Jake Logan made a motion to approve the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc. Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously

Agenda Item L. Charter Renewal Application

Ms. Morgan introduced the item stating that the Board will consider charter renewal based upon academic performance, fiscal, legal and contractual compliance over the term of the charter, as well as the renewal application.

1. Arizona Call-a-Teen Youth Resources, Inc.

Pam Smith, Executive Director for Arizona Call-a-Teen Youth Resources, Inc. addressed the Board and answered questions related to the challenges in improving test scores in accordance with their Performance Management Plan and why it hasn't happen up until now. Ms. Smith stated that over the last 2 years they have implemented strategies to help: recently hired tutors, encourage student to take advantaged of resources offered, internal data system have become more strong, and she is very confident that targets will be met.

MOTION

Dana Krals made a motion to approve the renewal application and grant a renewal contract for Arizona Call-a-Teen Youth Resources, Inc. Ruby Alvarado-Hernandez seconded the motion.

Motion passed 7-1
(No: Bezanson)

2. Arizona School for the Arts

Leah Fregulia Roberts, Charter Representative for Arizona School for the Arts, addressed the Board; no questions were asked.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Arizona School for the Arts. Jake Logan seconded the motion.

Motion passed unanimously

3. Benjamin Franklin Charter School

Eddie Farnsworth, Charter Representative for Benjamin Franklin Charter School, addressed the Board and answered questions regarding their academic accomplishments. Mr. Farnsworth stated that efforts were made to create a model that establishes a positive outcome and accommodate the waiting list by opening a fourth campus.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Benjamin Franklin Charter School, LTD. Peter Bezanson seconded the motion.

Motion passed unanimously
(Abstain: Butler)

4. EduPreneurship, Inc.

Debbie Salas, Charter Representative for EduPreneurship, Inc., addressed the Board and answered questions regarding the school’s performance plan, how they plan to increase math scores and the hiring of experienced teachers in the future. The charter representative stated that they are implementing RTI in the school, plan more one on ones with students, added new techniques to their teaching, adopted a new math curriculum, tiered AIMS course into tier 1, 2 and 3, test students and collect all data, and teachers have a check list to help guide them in their performance plan. Ms. Salas stated the poor math scores were due to the closure and relocation of the school in 2006-2008 and a change in instructors. Ms. Salas stated she is working with the Principal’s Office on locating and hiring experienced teachers.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for EduPreneurship, Inc. Dana Krals seconded the motion.

Motion passed unanimously

5. Heritage Academy, Inc.

Earl Taylor, Charter Representative for Heritage Academy, Inc., addressed the Board and answered questions related to the schools qualified teachers. Mr. Taylor stated he has highly qualified core teachers teaching at the school that love working with youth.

MOTION

Doug Ducey made a motion to approve the renewal application and grant a renewal contract for Heritage Academy, Inc. Dana Krals seconded the motion.

Motion passed unanimously

6. Intelli-School, Inc.

Patti Shaw, Charter Representative for Intelli-School, Inc., addressed the Board and answered questions regarding the increases in the school’s test score targets. Ms. Shaw addressed the Board’s concerns in needing to significantly increase the AIMS scores. She stated she was not as confident as she would like to be because everything in the performance management plan is already in place to get the results, but ensured they will make every attempt to meet their PMP targets.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Intelli-School, Inc. Jake Logan seconded the motion.

Motion passed 7-1
(No: Bezanson)

7. Montessori Charter School of Flagstaff, Inc.

Jim and Marlane Spencer, Charter Representatives for Montessori Charter School of Flagstaff, Inc., addressed the Board and discussed the school’s history and future roles.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Montessori Charter School of Flagstaff, Inc. Jake Logan seconded the motion.

Motion passed unanimously

Break 10:52 a.m. – 10:58 a.m.

8. Montessori Education Centre Charter School

Tammy Whiting, Charter Representative for Montessori Education Centre Charter School, addressed the Board and answered questions relating to both schools’ academic performance. Ms. Whiting was asked to explain the drop in performance profiles over the past three years for the North campus. She stated the North campus is a Performing school, but missed Performing Plus by one point.

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MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Montessori Education Centre Charter School. Dana Krals seconded the motion.

Motion passed unanimously

9. New School for the Arts

Katy Cardenas, Charter Representative for New School for the Arts, addressed the Board; no questions were asked.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for New School for the Arts. Dana Krals seconded the motion.

Motion passed unanimously

(Recused: Gifford)

10. Presidio School

Tom Drexel, Charter Representative for Presidio School, addressed the Board and answered questions regarding the schools' increase in population of at risk students and achieving high AIMS score. Mr. Drexel indicated the schools have put in place individual teaching structures that helped them achieve their goals.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Presidio School. Dana Krals seconded the motion.

Motion passed unanimously

11. Sedona Charter School

Alice Madar, Charter Representative for Sedona Charter School, addressed the Board and answered questions regarding the changes in the school's demographics. Ms. Madar stated that the school's Free and Reduced Lunch Program has increased as the economy has changed.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Sedona Charter School. Dana Krals seconded the motion.

Motion passed unanimously

12. South Pointe Public Charter Junior High School

Mary Berg and Thea Yokus, Representatives for South Pointe Public Charter Junior High School, addressed the Board and answered questions regarding the school's drastic changes over the last year and whether those changes have had a positive affect. Ms. Berg stated that there has been an immense change in the academic scores and student attitude.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for South Pointe Public Charter Junior High School. Dana Krals seconded the motion.

Motion passed unanimously

(Abstain: Butler)

13. Triumphant Learning Center

Robin Dutt, Charter Representative for Triumphant Learning Center, addressed the Board; no questions were asked.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Triumphant Learning Center. Dana Krals seconded the motion.

Motion passed unanimously

14. Valley Academy, Inc.

Heidi Mitchell, Charter Representative for Valley Academy, Inc., addressed the Board; no questions were asked.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Valley Academy, Inc. Dana Krals seconded the motion.

Motion passed unanimously

15. Ventana Academic Charter School

Dorothy Tucker, Charter Representative for Ventana Academic Charter School, and Helen Shoulders addressed the Board and answered questions regarding the low AIMS test scores in 8th grade math. Ms. Tucker stated that the school currently has a math instructor who has made significant improvements since January. It was pointed out that in 2005 the school didn't submit their audit timely and in 2006 & 2008 didn't submit the financial reports timely. The school was asked to be thoughtful and get those in on time in the future.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and grant a renewal contract for Ventana Academic Charter School. Dana Krals seconded the motion.

Motion passed unanimously

Agenda Item M. Charter Renewal and Transfer Application

1. Boys & Girls Clubs of the East Valley

Sue Douglas and Ramon Elias, Charter Representatives for Boys & Girls Clubs of the East Valley, addressed the Board and answered questions regarding additional locations and placing 8th grade students with the right school for their needs. Ms. Douglas stated that she has high schools come in and recruit their students.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and transfer of the sponsorship from the State Board of Education to the Arizona State Board for Charter Schools, and grant a renewal contract for Boys & Girls Clubs of the East Valley. Janna Day seconded the motion.

Motion passed unanimously

(Abstain: Krals)

2. Kingman Academy of Learning

Susan Chan, Representative for Kingman Academy of Learning, addressed the Board; no questions asked.

MOTION

Jake Logan made a motion to approve the renewal application and transfer of the sponsorship from the State Board of Education to the Arizona State Board for Charter Schools, and grant a renewal contract for Kingman Academy of Learning. Dana Krals seconded the motion.

Motion passed unanimously

3. Salt River Pima-Maricopa Community Schools

Dale Frederick, Charter Representative for Salt River Pima-Maricopa Community Schools, addressed the Board and answered questions regarding his confidence in trying to raise the AIMS test scores. Mr. Fredrick responded that the school has hired two new math teachers that will impact the scores and created an internal catch up program for students who need help on basic skills.

MOTION

Ruby Alvarado-Hernandez made a motion to approve the renewal application and transfer of the sponsorship from the State

Board of Education to the Arizona State Board for Charter Schools, and grant a renewal contract for Salt River Pima-Maricopa Community Schools. Dana Krals seconded the motion.

Motion passed unanimously

Agenda Item N. Compliance Matters

1. Bradley Academy of Excellence, Inc.

Andrea Leder provided the Board with information that evidence exists that Bradley Academy of Excellence, Inc. is in breach of one or more provisions of its charter contract, federal, state, or local laws regarding failure to comply with attendance record retention requirements pursuant to 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.

Tanya Burston, Charter Representative for Bradley Academy of Excellence, Inc., addressed the Board and answered questions to reassure the Board that the school was not over paid. Ms. Burston stated that they had teachers leave and took their attendance books and also had a problem locating records after a change in personnel.

MOTION

Ruby Alvarado-Hernandez made a motion to find Bradley Academy of Excellence, Inc. in noncompliance with state law for its failure to retain student attendance 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 approve withholding 10% of Bradley Academy of Excellence's monthly State aid apportionment until compliance is demonstrated through the fiscal year 2010 audit. If Bradley Academy of Excellence's fiscal year 2010 audit does 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. Dana Krals seconded the motion.

Motion passed unanimously

2. Global Education Foundation

Andrea Leder provided the Board with information that evidence exists that Global Education Foundation is in breach of one or more provisions of its charter contract, federal, state, or local laws regarding failure to comply with Classroom Site Fund requirements found in A.R.S. §15-977, failure to retain student attendance 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 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.

Sharon Norris, Principal, and Randy Longacre, Business Manager for Global Education Foundation, addressed the Board and answered question regarding the location of records. Ms. Norris stated that the charter holders and staff didn't keep proper care of records and that the charter holder boxed up and took home all records and when they went to the home were unable to locate them. The representatives stated the school has since been in compliance and has the proper records for 2009-2010. The school has also been working hard to bring past years' records up to date.

MOTION

Ruby Alvarado-Hernandez made a motion to find Global Education Foundation in noncompliance with state and federal laws for its failure to comply with Classroom Site Fund requirements found in A.R.S. §15-977, failure to retain student attendance 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 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 and withhold 10% of Global Education Foundation's monthly State aid apportionment until compliance is demonstrated. Compliance will be demonstrated as follows: 1. For Classroom Site Fund, either through the fiscal year 2010 audit or through Agreed-Upon Procedures established by Board staff. 2. For attendance records, through the fiscal year 2010 audit. If Global Education Foundation's fiscal year 2010 audit does 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. 3. For federal and state payroll taxes, through the satisfactory completion of the correction action plan requested in the Board's March 22, 2010 audit letter. Dana Krals seconded the motion.

Motion passed unanimously

(Abstain: Butler)

3. Vechij Himdag Alternative School, Inc.

Andrea Leder provided the Board with information that evidence exists that Vechij Himdag Alternative School, Inc. is in breach of one or more provisions of its charter contract, federal, state, or local laws regarding failure to comply with Classroom Site Fund requirements found in A.R.S. §15-977.

Kim Franklin, Principal for Vechij Himdag Alternative School, Inc. addressed the Board and answered questions regarding the significant financial issues with the school. Ms. Franklin has managed to address and fix most financial issues with the school. Issues with retirement, Arizona income tax payroll taxes, and the payment plan with the IRS have all been fixed. Also approved site fund plan that will bring the school into compliance by the end of next year.

MOTION

Dana Krals made a motion to find Vechij Himdag Alternative School, Inc. in noncompliance with state law for its failure to comply with Classroom Site Fund requirements found in A.R.S. §15-977 and withhold 10% of the charter holder's monthly State aid apportionment until the charter holder can demonstrate compliance with Classroom Site Fund requirements either through the fiscal year 2010 audit or through Agreed-Upon Procedures established by Board staff. Jake Logan seconded the motion.

Motion passed unanimously

Agenda Item O. Audit Guidelines, Legal Compliance Questionnaire, USFRCS Compliance Questionnaire, and Procurement Questionnaire for 2010

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Andrea Leder presented the revised Audit Guidelines, Legal Compliance Questionnaire, USFRCS Compliance Questionnaire, and Procurement Questionnaire for 2010.

MOTION

Jake Logan made a motion to approve the revised Audit Guidelines, Legal Compliance Questionnaire, USFRCS Compliance Questionnaire, and Procurement Questionnaire for 2010. Ruby Alvarado-Hernandez seconded the motion.

Motion passed unanimously

Agenda Item P. Board Comments

President Butler polled the Board to determine the preference of an August meeting date to consider additional renewal applications. Board members agreed to conduct a regular meeting on August 9, 2010.

Agenda Item Q. Approval of Minutes

MOTION

Ruby Alvarado-Hernandez made a motion to approve the May 10, 2010 minutes as presented. Dana Krals seconded the motion.

Motion passed unanimously

(Abstain: Ducey)

MOTION

Ruby Alvarado-Hernandez made a motion to approve the May 24, 2010 minutes as presented. Dana Krals seconded the motion.

Motion passed unanimously

(Abstain: Ducey, Gifford)

Agenda Item R: Adjournment

The meeting adjourned at approximately 1:02 p.m.

Signature

Date