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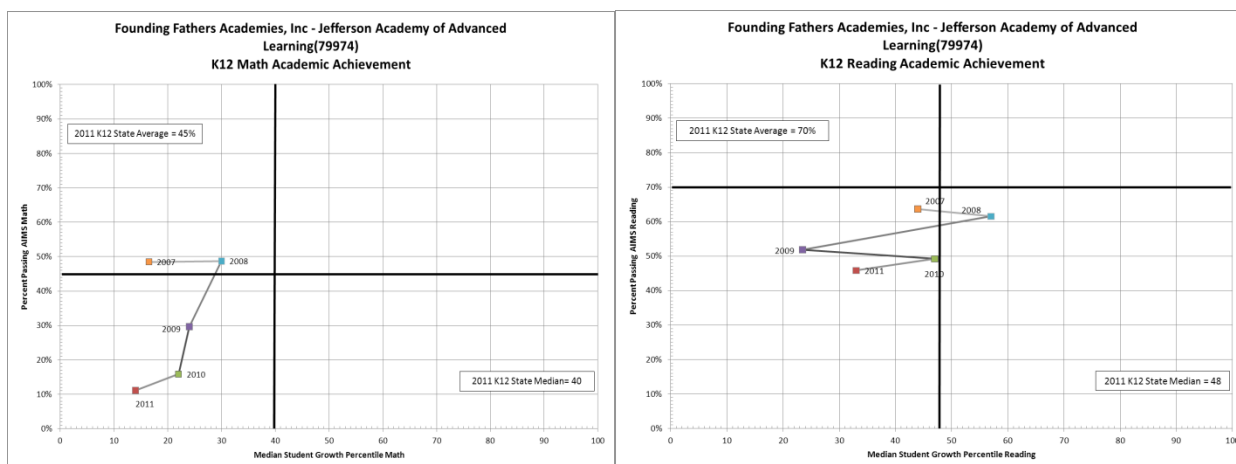
**AGENDA ITEM:** Compliance Matters – Founding Fathers Academies, Inc.

**Issue**

Founding Fathers Academies, Inc. failed to timely submit a complete Performance Management Plan, which was due on July 1, 2012, and has failed to satisfactorily close out its Corrective Action Plan for the Arizona Department of Education’s Exceptional Student Services Division.

**Background**

Founding Fathers Academies, Inc. operates one school site serving grades K-12 in Show Low. As of June 11, 2012, the school’s ADM for fiscal year 2012 is 149.932. Graphs displaying the academic achievement for the past five years are provided below.



**Five Year Interval Review and Performance Management Plans**

A.R.S. §15-183(I)(3) requires charter school sponsors to review the charter at five-year intervals. In accordance with the [Board’s Site Visits & Reviews Policy Statement](#), a site visit will be conducted for a charter school whose student achievement results do not meet the Board’s level of adequate academic performance (LAAP). During the visit, Board policy requires staff to conduct an interview with the school’s leadership team to discuss the school’s achievement results as they relate to the Board’s LAAP and Arizona school accountability system and to assign a corrective action plan in the form of a performance management plan (PMP).

As part of the five-year interval review process, in January, 2012, Board staff notified 36 charter holders that the academic performance of their schools did not meet or demonstrate sufficient progress toward the Board’s LAAP and that they would be required to submit a PMP by July 1, 2012. From February through May 2012, site visits were conducted with each charter holder’s leadership team to explain the terms of the PMP. During these visits, the teams were provided with the supportive documents that they would need in order to create the PMP and provided with technical assistance in how to draft the PMP.

Of the 36 charter holders required to submit a PMP as part of their five-year interval reviews, 35 charter holders timely uploaded the narrative and templates of their PMPs online by July 1st. On July 4<sup>th</sup>, Founding Fathers Academies, Inc. submitted an incomplete PMP.

July 9, 2012 Board Meeting

## Special Education

According to ADE's Exceptional Student Services Division, Founding Fathers Academies, Inc. has unresolved items that prevent completion of its [Corrective Action Plan](#) following a special education monitoring completed in December 2010. Outstanding items were due December 20, 2011.

## Board Options

Option 1: The Board may decide to take no action at this time.

Option 2: The Board may approve withholding 10% of the charter holder's monthly state aid apportionment. Staff recommends the following language for consideration: I move, based upon the information contained in the staff report and provided today, to find Founding Fathers Academies, Inc. in noncompliance with its charter contract, and state and federal law as a result of its failure to provide a learning environment that improves pupil achievement and for failure to comply with laws related to the education of students with disabilities and, under A.R.S. § 15-185(H), approve withholding 10% of Founding Fathers Academies, Inc.'s monthly State aid apportionment until compliance is demonstrated. Compliance will be demonstrated by the charter holder:

- Submitting a complete performance management plan; and
- Satisfactorily closing out its Corrective Action Plan as required by ADE's Exceptional Student Services Division.

Option 3: The Board may vote to issue a Notice of Intent to Revoke the charter holder's charter contract. The following language is provided for consideration: I move to issue a Notice of Intent to Revoke the charter contract of Founding Fathers Academies, Inc. for failing to comply with its charter contract and state and federal law when it failed to provide a learning environment that improves pupil achievement in accordance with A.R.S. §15-181(A) and failed to comply with laws related to the education of students with disabilities under A.R.S. § 15-183(E)(7).

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

Option 4: The Board may choose to withhold 10% of the charter holder's monthly State aid apportionment and to issue a Notice of Intent to Revoke the charter holder's charter contract. The following language is provided for consideration: I move, based upon the information contained in the staff report and provided today, to find Founding Fathers Academies, Inc. in noncompliance with its charter contract, and state and federal law as a result of its failure to provide a learning environment that improves pupil achievement and for failure to comply with laws related to the education of students with disabilities and, under A.R.S. § 15-185(H), approve withholding 10% of Founding Fathers Academies, Inc.'s monthly State aid apportionment until compliance is demonstrated. Compliance will be demonstrated by the charter holder:

- Submitting a complete performance management plan; and
- Satisfactorily closing out its Corrective Action Plan as required by ADE's Exceptional Student Services Division.

Further, I move to issue a Notice of Intent to Revoke the charter contract of Founding Fathers Academies, Inc. for failing to comply with its charter contract and state and federal law when it failed to provide a learning environment that improves pupil achievement in accordance with A.R.S. §15-181(A) and failed to comply with laws related to the education of students with disabilities under A.R.S. § 15-183(E)(7).

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