AGENDA ITEM: StrengthBuilding Partners. (Model Community Learning Center) – Request for a Good Cause Extension

Issue

StrengthBuilding Partners (SBP) is requesting a Good Cause Extension to the execution of their approved new charter application, which was granted January 14, 2013. They are requesting an extension until June 2014 and plan to provide educational instruction in August, 2014.

Policy Statement for a Good Cause Extension to Execute a Charter

Background

StrengthBuilding Partners (SBP) was granted a charter at the January 14, 2013, Board meeting to open a school in Tucson for the 2013-2014 school year, serving grades 6-12 through the new charter application process. As part of the new charter application package, the applicant agrees and signs a statement acknowledging that the approved applicant must execute the charter contract within twelve (12) months of the date of approval. As a condition to signing the charter contract, the approved applicant must provide proof of a secured facility.

As of December 2, 2013, SBP had not signed the charter contract and Board staff sent SBP a letter on that same date explaining that if a charter is not timely executed the Board's decision to grant the new charter expires, unless the applicant applies for and is granted a one-time good cause extension to execute the charter.

Summary of Letter Provided

On December 18, 2013, Ms. Pamela Clark-Raines, Authorized Representative of SBP, submitted a request for a one-time Good Cause Extension to allow the charter school, Model Community Learning Center, to open in August 2014 (presented in the charter holder's portfolio: b. Letter to ASBCS). Ms. Clark-Raines explains that as of 2010, SBP had been in negotiations with Texas Instruments (TI) to acquire a facility "that possesses the unique characteristics that would appropriately provide the academic setting as described in our application" (presented in the charter holder's portfolio: c-e: Attachments 1-3). The TI facility represented those "unique characteristics" which had the space requirements for: "a financial institution, institutions of higher learning, an early childhood learning center, adequate space for high family involvement as well as large and open spaces that will accommodate project based learning." In 2011, SBP was not granted a charter and negotiations with TI were stalled.

In January 2013, SBP was granted a charter and began negotiations with TI once again. In February 2013, the SBP Board of Directors voted to postpone the opening of the charter school until August 2014, both to attempt to obtain the TI property (or another appropriate facility) and receive information on whether they would be granted an Arizona Charter Schools Program Grant (presented in the charter holder's portfolio: f-g: Attachments 4-5).

On December 9, SBP met with the property company overseeing the leasing options for the TI facility. According to the narrative, "It is at this time that it was revealed that there may be an [Environmental Protection Agency] (EPA) issue re: a contamination of the land at the property that, although being treated, was still on the EPA charts as land that was not available for use with children" (presented in the charter holder's portfolio: h. Attachment 6). SBP decided not to pursue the TI facility.

According to the Planning Guide submitted with this request, SBP will finalize an appropriate facility selection by this month. SBP was also granted an Arizona Charter Schools Program Grant on March 25, 2013 (presented in the charter holder's portfolio: i-j: Attachments 7-8).

Additional Information
On January 28, 2014 Board staff requested additional information to include evidence to support the circumstances outlined in the letter for not being able to open timely in August 2013 and a revised narrative to include the current name of the proposed school as stated in the new charter application package. On January 30, Ms. Clark-Raines provided an updated narrative and 7 exhibits providing evidence of the reasons given in the December 18 letter (presented in the charter holder's portfolio: b-j: Letter to ASBCS, Attachments 1-8).

Staff reviewed evidence provided by SBP, including correspondence with the property company and SBP realtor, grant award letter, and a planning guide of action steps with a timeline. Based on the documents submitted, staff determined the timeline and action steps provided will enable the charter holder to provide educational instruction by August, 2014.

Board Options
Option 1: The Board may approve the Good Cause Extension. Staff recommends the following language for consideration: I move, based on the information contained in the Board materials and presented today, that the Board approve a one-time Good Cause Extension to the execution of the charter contract for StrengthBuilding Partners, such that the contract is executed in time to begin providing instruction to students in the fall of the 2014-15 school year. Further that, as a condition of signing, the approved applicant shall submit any documentation necessary to bring the new charter application package current with policy, rule, state or federal law at least 90 days prior to the signing of the contract. Should the approved applicant not meet the new charter application requirements at the time set for the execution of the contract, the matter must be brought back to the Board prior to the execution of a charter contract.

Option 2: The Board may deny the request for a Good Cause Extension. The following language is provided for consideration: I move, based on the information contained in the Board materials and presented today, that the Board deny the request for a Good Cause Extension to the execution of the charter contract for StrengthBuilding Partners, for the reason that the charter holder failed to provide:

- Evidence to support the reasons given for not opening timely;
- A viable and adequate timeline with action steps;
- (Other specific reasons the Board may have found during its consideration including…)

If the request is denied, StrengthBuilding Partners has the option to reapply for a charter through the new charter application process.