
AGENDA ITEM: Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc.

Background Information

TLC Charter Schools, Inc., an Arizona non-profit corporation, operates Transformational Learning Centers in Tucson, Arizona, and serving approximately 83 students in grades K-12. The Board entered into a contract with TLC Charter Schools, Inc. on April 17, 2001.

On May 28, 2010, staff received the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc. to be effective June 30, 2010. The Charter Holder provided minutes approving the terms of the Consent Agreement for the Voluntary Surrender and Termination of the Charter.

Board Options

1. Accept the terms of the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc.;
2. Reject the terms of the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc.

Staff Recommendation:

Option 1: Accept the terms of the Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract for TLC Charter Schools, Inc.



TLC CHARTER SCHOOLS, Inc.

2555 N. Stone Ave. Tucson, AZ 85705
Ph. (520) 628-1404 Fax (520) 628-1394
www.tlc-inc.org

RECEIVED

MAY 28 2010

May 26, 2010

Arizona State Board for Charter Schools
ATTN: Heather Kelley
Contracts & Administrative Services Manger
1700 W Washington St. #164
Phoenix, AZ 85007

Dear Ms. Kelley,

I am writing to inform you that TLC Charter Schools, Inc., board voted to close as of Jun 30, 2010 due to budget cuts and low student enrollment for the school year 2010-2011. We therefore agree to the consent agreement for voluntary surrender and termination of the charter contract.

All present students records have been scanned into an electronic format and we have provided parents with a complete copy of their students' records along with a list of schools we feel would be a good fit for their student.


We are in the process of scanning past student records and upon completion will forward an electronic copy of all student records both past and present to the Arizona State Board for Charter Schools for storage and future requests for records. Tina Giberti will keep an additional electronic copy; student records can be requested in writing:

Tina Giberti
12081 W Alameda Pkwy #244
Lakewood, CO. 80228

All year-end reports are in the process of being completed. Student level data has been submitted and will be verified and closed out by Jun 30, 2010.

I would like to thank the Arizona State Board for Charter Schools for their support during our nine years as a charter school.

Sincerely,



Tina Giberti
Director

**BEFORE THE ARIZONA STATE BOARD
FOR CHARTER SCHOOLS**

In the matter of:

TLC CHARTER SCHOOLS, INC.
(a non-profit corporation)

and

**TRANSFORMATIONAL LEARNING
CENTERS**
(a charter school)

**CONSENT AGREEMENT FOR
VOLUNTARY SURRENDER AND
TERMINATION OF THE
CHARTER CONTRACT**

This Agreement is entered into by TLC Charter Schools, Inc., by and through its authorized agent, and the Arizona State Board for Charter Schools, by and through its authorized representatives, and provides the following terms and agreement:

1. Transformational Learning Centers (“School”) is a charter school established pursuant to Arizona Revised Statutes (“A.R.S.”) § 15-181 *et seq.*
2. The Charter for the School is held by TLC Charter Schools, Inc. (“Charter Operator”), a non-profit corporation, organized under the laws of the state of Arizona. The Arizona State Board for Charter Schools (“Board”) is the Charter Operator’s sponsor.
3. The charter contract was signed by Richard E. Giberti, as the person authorized to sign for the Charter Operator.
4. Pursuant to A.R.S. § 15-183 and the Charter Contract, the Board sponsors the Charter Operator to operate one School site to serve students in kindergarten and grades one through twelve.
5. The Charter Contract was executed on April 17, 2001.
6. On January 13, 2005, the Charter Contract was amended to delete Richard E. Giberti as the Charter Representative and add Tina Giberti as the Charter Representative.
7. The Charter Operator voluntarily tenders and surrenders its Charter Contract to its sponsor, the Board, with the intent to voluntarily terminate its Charter Contract effective June 30, 2010 for the purpose of further performance.

Agreement is effective immediately upon its approval and execution by the authorized representatives of the Board for TLC Charter Schools, Inc. and the Board.

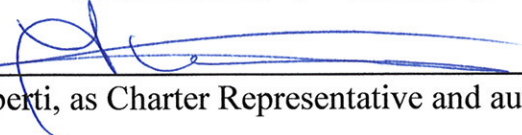
21. If the Board rejects this Agreement or any part of it, then this Agreement is null and void, and not binding on the Charter Operator or the Board.

22. TLC Charter Schools, Inc. understands that it has the legal right to consult with an attorney prior to entering into this Agreement.

23. Each party shall be responsible for its own attorneys' fees and costs in this matter.

TLC Charter Schools, Inc.

Executed this 19th day of MAY 2010.

By 
Tina Giberti, as Charter Representative and authorized signer for TLC Charter Schools, Inc.

The Arizona State Board for Charter Schools

Executed this _____ day of _____ 2010.

By _____
Norm Butler, President of the Arizona State Board for Charter Schools



TLC CHARTER SCHOOLS, Inc.

2555 N. Stone Ave. Tucson, AZ 85705
Ph. 520-628-1404

A regular meeting of TLC Charter Schools was called to order at 6:03pm on Wednesday May 19, 2010 at TLC Charter Schools, 2555 N. Stone Ave. Tucson, AZ.

Present at the meeting were the following board members of TLC Charter Schools:

Tina Giberti - Director
Laura B. Rubio – Secretary
John Shay – Board Member
Juan Gaxiola – Board Member

Absent were: Richard W. Giberti – Board Member

Reading of minutes were dispensed upon a motion by Tina Giberti and seconded by Juan Gaxiola.

Tina Giberti welcomed the parents and staff who were in attendance. Mrs. Giberti informed all who were present that Prop 100 passed and she asked that Mr. Giberti inform those present what this meant to TLC Charter Schools.

New Business

NEW BUSINESS

- a. Discussion/Decision to continue operation of TLC Charter Schools – A letter had been sent to parents and staff outlining the cuts that TLC Charter School would need to do for the upcoming school year –
 - i. Layoffs of over 5 positions
 - ii. 5% pay cut for all staff / 10% for Mrs. Giberti
 - iii. Reduction to half-day kindergarten – Elimination due to inadequate enrollment
 - iv. Increase in class size by up to five students
 - v. Elimination of school sponsored/funded field trips
 - vi. A purchasing freeze on any unessential curriculum and technology
 - vii. Reduction to, or possible elimination of the lunch program

With the current student enrollment far below “break-even” of 75 students, to continue to operate the school would necessitate a very significant reduction to both personnel and programmatic services that we would be hard pressed to meet our mission.

Tina Giberti motioned that the board move into an executive session to discuss legal issues if the school closed. Mrs. Rubio seconded the motion.

Upon returning to the public meeting – Jon Shay called for a vote of the board to accept the “Consent Agreement for Voluntary Surrender and Termination of the Charter Contract” with the Arizona State Board for Charter Schools. The vote passed 4:1 for the closing of TLC Charter Schools at the end of this school year – Jun 30, 2010.