

Arizona State Board for Charter Schools

1700 W. Washington Street, Room 164
Phoenix, AZ 85007



Phone: (602) 364-3080
Fax: (602) 364-3089

December / , 2011

The Odyssey Preparatory Academy, Inc.
Frank Yanez, Charter Representative
Megan Olson, Charter Representative
6500 South Apache
Buckeye, AZ 85326

RE: Notification of first time noncompliance with fingerprinting requirements under A.R.S. § 15-185.I

HAND DELIVERED TO SCHOOL

Dear Mr. Frank Yanez and Ms. Megan Olson:

On December / , 2011, staff of the Arizona State Board for Charter Schools ("Board") conducted a site visit to The Odyssey Preparatory Academy Goodyear. During this visit, staff reviewed the school's compliance with fingerprinting requirements as prescribed in A.R.S. § 15-183.C.5 and A.R.S. § 15-512.

The school could not provide valid fingerprint clearance cards in accordance with A.R.S. § 15-183.C.5 for the following:

Debra L. Walker
Irmina Agata Bieda

The school could not provide evidence of compliance with A.R.S. § 15-183.C.5 or § 15-512, as applicable, for the following personnel:

A.R.S. § 15-185.I grants the Board the authority to impose a civil penalty of \$1,000.00 per occurrence if a charter school fails to comply with the fingerprinting requirements prescribed in A.R.S. § 15-183.C.5 or A.R.S. § 15-512, as applicable.

This letter serves as written notice for civil penalty purposes under A.R.S. § 15-185.I of your school's first time failure to comply with statutory fingerprinting requirements. Pursuant to A.R.S. § 15-185.I, your school has 48 hours from the receipt of this notification to provide proof to the Board's office that an application for the appropriate fingerprint check as required by

either A.R.S. § 15-183.C.5 or A.R.S. § 15-512 has been received by the Arizona Department of Public Safety for each individual listed on this letter's first page and currently employed at your school. At its meeting on January, 2012 the Board will determine whether the school has failed to comply with statutory fingerprinting requirements, whether the school's noncompliance with statutory fingerprinting requirements is a first time occurrence, whether the school has demonstrated compliance with the requirements of A.R.S. § 15-185.I within 48 hours of written notification, and whether a civil penalty of \$1,000.00 per occurrence will be imposed. Based on the violations noted above, the civil penalty could be as much as \$1000.00.

Provided with this letter are copies of A.R.S. § 15-185.I and the Board's Policy Statement on Civil Penalties for Fingerprinting Violations.

If you have any questions, please contact me at (602) 364-3080.

Sincerely,

Johanna Medina
Johanna Medina
Director of School Quality

The signatures and information below satisfy the requirements of the Board in A.R.S. § 15-185.I, to provide written notification identifying the date of the deadline by which your school must provide proof of compliance with statutory fingerprinting requirements.

Johanna Medina
ASBCS Staff Signature

Dec 1, 2011
Date

12:36 a.m. (p.m.)
Time

Elizabeth M. Payne
School Representative Signature

Dec 1, 2011
Date

12:36 a.m. (p.m.)
Time

BASED ON THE DATE AND TIME STATED ABOVE, YOUR 48-HOUR DEADLINE TO PROVIDE PROOF OF COMPLIANCE WITH STATUTORY FINGERPRINTING REQUIREMENTS AS STATED IN A.R.S. § 15-185.I AND TO AVOID CIVIL PENALTIES IS DECEMBER 3 BY 12:36 A.M. (P.M.)

Arizona State Board for Charter Schools

1700 W. Washington Street, Room 164
Phoenix, AZ 85007



Phone: (602) 364-3080
Fax: (602) 364-3089

December 6, 2011

The Odyssey Preparatory Academy, Inc.
Frank Yanez, Charter Representative
Megan Olson, Charter Representative
5920 S. 331 Ave.
Tonopah, AZ 85354

RE: Notification of first time noncompliance with fingerprinting requirements under A.R.S. § 15-185.I

HAND DELIVERED TO SCHOOL

Dear Mr. Yanez and Ms. Olson:

On December 1, 2011, staff of the Arizona State Board for Charter Schools ("Board") conducted a site visit to The Odyssey Preparatory Academy Goodyear. During this visit, staff reviewed the school's compliance with fingerprinting requirements as prescribed in A.R.S. § 15-183.C.5 and A.R.S. § 15-512.

The school could not provide valid fingerprint clearance cards in accordance with A.R.S. § 15-183.C.5 for the following:

The school could not provide evidence of compliance with A.R.S. § 15-183.C.5 or § 15-512, as applicable, for the following personnel:

Joe Martinez

A.R.S. § 15-185.I grants the Board the authority to impose a civil penalty of \$1,000.00 per occurrence if a charter school fails to comply with the fingerprinting requirements prescribed in A.R.S. § 15-183.C.5 or A.R.S. § 15-512, as applicable.

This letter serves as written notice for civil penalty purposes under A.R.S. § 15-185.I of your school's first time failure to comply with statutory fingerprinting requirements. Pursuant to A.R.S. § 15-185.I, your school has 48 hours from the receipt of this notification to provide proof to the Board's office that an application for the appropriate fingerprint check as required by

either A.R.S. § 15-183.C.5 or A.R.S. § 15-512 has been received by the Arizona Department of Public Safety for each individual listed on this letter's first page and currently employed at your school. At its meeting on January 23, 2012 the Board will determine whether the school has failed to comply with statutory fingerprinting requirements, whether the school's noncompliance with statutory fingerprinting requirements is a first time occurrence, whether the school has demonstrated compliance with the requirements of A.R.S. § 15-185.I within 48 hours of written notification, and whether a civil penalty of \$1,000.00 per occurrence will be imposed. Based on the violations noted above, the civil penalty could be as much as \$1000.00.

Provided with this letter are copies of A.R.S. § 15-185.I and the Board's Policy Statement on Civil Penalties for Fingerprinting Violations.

If you have any questions, please contact me at (602) 364-3080.

Sincerely,

Johanna Medina

Johanna Medina
Director of School Quality

The signatures and information below satisfy the requirements of the Board in A.R.S. § 15-185.I, to provide written notification identifying the date of the deadline by which your school must provide proof of compliance with statutory fingerprinting requirements.

Johanna Medina
ASBCS Staff Signature

12-6-2011
Date

10:00 (a.m.) / p.m.
Time

Elizabeth M. ...
School Representative Signature

12-6-2011
Date

10:00 (a.m.) / p.m.
Time

BASED ON THE DATE AND TIME STATED ABOVE, YOUR 48-HOUR DEADLINE TO PROVIDE PROOF OF COMPLIANCE WITH STATUTORY FINGERPRINTING REQUIREMENTS AS STATED IN A.R.S. § 15-185.I AND TO AVOID CIVIL PENALTIES IS DECEMBER 8 BY 10:00 (A.M.) / P.M.

Johanna Medina

From: Johanna Medina
Sent: Monday, December 05, 2011 12:12 PM
To: 'fyanez@cox.net'; theodysseyacademy@yahoo.com
Subject: Notification of first time noncompliance with fingerprinting requirements under A.R.S. 15-185.I

Mr. Yanez and Ms. Olson,

On December 1, I conducted a first year site visit for The Odyssey Preparatory Academy Goodyear and spoke with Mr. Yanez in regards to the civil penalties letter that I issued to the school. The letter was signed by Ms. Douglas and she received the original copy. In our phone conversation I explained what was needed from your organization within the 48 hour timeframe for Debra L. Walker. I did state that I did have a copy of the application for a FCC for Irmina Agata Bieda and a screen shot from the common logon indicating her application had been received by DPS on 11/25/2011. In addition, I stated that Ms. Douglas would be sending me a copy of the background check for their bus driver, Joe Martinez. To this date I have not received the documentation. It is urgent that I receive this information by 3:00 pm today.

Please let me know if you have any questions.

Sincerely,

Johanna Medina
Director of School Quality
Arizona State Board for Charter Schools
1700 W. Washington Street, Room 164
Phoenix, AZ 85007
Phone: (602) 364-3084
Fax: (602) 364-3089
<http://asbcs.az.gov>

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Johanna Medina

From: Douglass, Liz <ldouglass@topamail.com>
Sent: Monday, December 12, 2011 1:06 PM
To: Johanna Medina; Frank
Subject: Fingerprints

Mrs. Medina,

I just faxed to you the confirmation we got from DPS this morning that Deb Walker's prints are officially in processing.

Thank You,

--

Liz Douglass

Principal
17532 W. Harrison St.
Goodyear, AZ 85338
623-882-1140

"Stay Hungry, Stay Foolish" - - Steve Jobs

Johanna Medina

From: Frank <fyanez@cox.net>
Sent: Tuesday, December 13, 2011 7:24 AM
To: Douglass, Liz; Johanna Medina
Subject: Re: Fwd: Background check

Good morning Johanna, I wanted to let you know that DPS did not offer anything to show that the other process meets their requirements. The fingerprints for Joe Martinez were dropped off last Thursday morning. I am following up with them today to see where they are in the process. The lady I spoke with at DPS suggested I wait until today to call since they are running a little behind in their process.

Frank Yanez

From: Douglass, Liz
Sent: Monday, December 12, 2011 5:01 PM
To: Frank
Subject: Fwd: Background check

Will you let her know about Martinez fingerprints.

----- Forwarded message -----

From: **Johanna Medina** <Johanna.Medina@asbcs.az.gov>
Date: Mon, Dec 12, 2011 at 4:44 PM
Subject: RE: Background check
To: "Douglass, Liz" <ldouglass@topamail.com>
Cc: "fyanez@cox.net" <fyanez@cox.net>, "theodysseyacademy@yahoo.com" <theodysseyacademy@yahoo.com>

Ms. Douglass,

Thank you for submitting the documentation on Ms. Walker. I had not heard back from you in regards to the last email I sent. Was DPS able to provide you the information that I asked below?

Johanna Medina
Director of School Quality

From: Johanna Medina
Sent: Wednesday, December 07, 2011 3:43 PM
To: Douglass, Liz
Cc: fyanez@cox.net; theodysseyacademy@yahoo.com
Subject: RE: Background check

Ms. Douglass,

I will need additional information regarding your communication with DPS. I would like to know what requirement DPS said was satisfied? In addition, whom did you speak with at DPS and what unit were they

Johanna Medina

From: Frank <fyanez@cox.net>
Sent: Friday, January 13, 2012 4:26 PM
To: Johanna Medina
Subject: update Odyssey

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Johanna I wanted to update you with the status following our meeting this week. Joe Martinez had his prints rejected due to them not being able to be read. We have sent a new application in as of Wednesday. He is not driving or at work and has not been at work since we found out his prints were not up to date. We are hopeful this will happen this coming week. I will keep you informed as to what is going on.

Frank Yanez
The Odyssey Preparatory Academy
602-402-4090