

**Arizona State Board for Charter Schools
On-going Board Actions as of November 15, 2010**

Withholding					
School Name	Date of Board Action	Violation	Notes	Status of Corrective Action Plan	Date issue, if unresolved, will come back before the Board
Back-to-Basics	May 10, 2010	Noncompliance with state law for failing to report student attendance data in accordance with A.R.S. §§ 15-185(B)(2), 15-901 and 15-902	<p>Corrective action plan for the charter holder includes:</p> <ul style="list-style-type: none"> • Demonstration that the charter holder has corrected the student attendance data for fiscal year 2010 reported to ADE and used for funding purposes. This would include providing all information to and completing all steps required by ADE. Board staff will review the revised student attendance data for the charter holder after the data have been aggregated by ADE to ensure the data accurately reflect, within 2%, the information found on the teacher-marked attendance rosters. • Detailed policies and procedures related to student attendance recording and reporting that address the charter holder's overall processes as well as specific steps included to ensure the issues identified by the Board during its site visits to the school do not recur. • Evidence that the policies and procedures have been adopted by the charter holder's corporate or governing body, as appropriate (e.g., meeting minutes). • Implementation of the policies and procedures developed and adopted by the charter holder that result in the submission of accurate data through the first 40 days of 	<p>At the July 12, 2010 Board meeting, the school provided attendance policies and procedures and minutes from the school's July 5, 2010 governing board meeting. Staff is reviewing these documents.</p> <p>On July 29, 2010, staff notified the charter representative that the information provided was insufficient and did not address all of the corrective action plan requirements.</p>	Notice of Intent to Revoke was issued as part of the motion.

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			FY 2011.	On October 14, 2010, staff sent a follow-up letter describing the remaining deficiencies and information required for further review of corrective actions.	
Global Education Foundation, Inc.	June 14, 2010	<ul style="list-style-type: none"> ▪ 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 	<ul style="list-style-type: none"> ▪ For Classroom Site Fund, either through the fiscal year 2010 audit or through Agreed-Upon Procedures established by Board staff. ▪ 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. ▪ For federal and state payroll taxes, through the satisfactory completion of the corrective action plan requested in the Board's March 22, 2010 audit letter. 	FY10 audit received 10/20/10 demonstrated continued noncompliance with Classroom Site Fund (CSF) requirements and compliance with attendance record retention requirements. For the federal and state payroll taxes issue, the charter holder never provided the information requested in the Board's 3/22/10	January 2011

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		requirements as required by 26 U.S.C. §3402 and A.R.S. §§43-401 and 43-1111.		letter. However, based on information provided by the audit firm and included in the FY10 audit, no further response to the Board is required. Due to the CSF noncompliance, the withholding continues.	
Scottsdale Horizons Charter School	May 10, 2010	Noncompliance with state law for failing to report student attendance data in accordance with A.R.S. §§ 15-185(B)(2), 15-901 and 15-902	<p>Corrective action plan for the charter holder includes:</p> <ul style="list-style-type: none"> •Demonstration that the charter holder has corrected the student attendance data for fiscal year 2010 reported to ADE and used for funding purposes. This would include providing all information to and completing all steps required by ADE. Board staff will review the revised student attendance data for the charter holder after the data have been aggregated by ADE to ensure the data accurately reflect, within 2%, the information found on the teacher-marked attendance rosters. •Detailed policies and procedures related to student attendance recording and reporting that address the charter holder's overall processes as well as specific steps included to ensure the issues identified by the Board 	<p>At the July 12, 2010 Board meeting, the school provided attendance policies and procedures and minutes from the school's July 5, 2010 governing board meeting. Staff is reviewing these documents.</p> <p>On July 29, 2010, staff notified the charter</p>	After school's 40 th day of FY2011

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			<p>during its site visits to the school do not recur.</p> <ul style="list-style-type: none"> •Evidence that the policies and procedures have been adopted by the charter holder's corporate or governing body, as appropriate (e.g., meeting minutes). •Implementation of the policies and procedures developed and adopted by the charter holder that result in the submission of accurate data through the first 40 days of FY 2011. 	<p>representative that the information provided was insufficient and did not address all of the corrective action plan requirements.</p> <p>On October 14, 2010, staff sent a follow-up letter describing the remaining deficiencies and information required for further review of corrective actions.</p>	
<p>Vechij Himdag Alternative School, Inc.</p>	<p>June 14, 2010</p>	<ul style="list-style-type: none"> ▪ Failure to comply with Classroom Site Fund requirements found in A.R.S. §15-977 	<ul style="list-style-type: none"> ▪ Compliance with Classroom Site Fund requirements either through the fiscal year 2010 audit or through Agreed-Upon Procedures established by Board staff. 	<p>FY10 audit received 11/15/10 demonstrated compliance with Classroom Site Fund requirements. 10% will be returned with December</p>	<p>January 2011</p>

Withholding

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				payment.	

Schools Under a Notice of Intent to Revoke

School Name	Date of Board Action	Alleged Violation	Date of Revocation Hearing/Orders	Status
Academy of Arizona, Inc.	9/13/10	Failing to comply with its charter contract and A.R.S. § 15-183 (E)(3) when it ceased providing educational services to students		Communication with charter holder remains on-going. Notice of Intent to Revoke is being developed.

Other Legal Matters

School Name	Date of Board Action	Status
Kachina Country Day School, Inc.	7/12/10	Charter holder has requested a formal hearing be set regarding the Board's action denying the renewal application. Formal non-renewal hearing before OAH Administrative Law Judge scheduled for January 3, 4 and 5, 2011.

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
Back-to-Basics/Scottsdale Horizons Charter School	10/12/10	Scottsdale Horizons agrees to voluntarily dismiss its appeal of the Board's decision to deny Scottsdale Horizons' request for renewal of its charter. Scottsdale Horizons further agrees to waive all rights to a hearing on these matters and, further, waives its rights to judicial review of these matters. Scottsdale Horizons shall notify the Board of the location of its educational	

Consent/Settlement Agreements that are being monitored

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		<p>records no later than June 30, 2011.</p> <p>The Board agrees to notify the Department to return the 10% withholding of the monthly apportionment of state aid that would otherwise be due Back-to-Basics and Scottsdale Horizons upon the submission of corrective action plans that demonstrate to the Board's satisfaction that Back-to-Basics and Scottsdale Horizons have completed the required steps specified in the agreement.</p> <p>Back-to-Basics and Scottsdale Horizons shall provide copies of daily classroom attendance rosters for the period of 10/11/10 through 2/4/11 to the Board no later than 2/9/11.</p> <p>Back-to-Basics and Scottsdale Horizons agree to locate and pay a person or firm determined by the Board to possess sufficient qualifications and experience ("consultant") to monitor and audit the compliance of Back-to-Basics and Scottsdale Horizons with state law and with the Department's policies and procedures pertaining to student attendance reporting for the remainder of fiscal year 2011 and additionally for Back-to-Basics for fiscal year 2012.</p> <p>Back-to-Basics and Scottsdale Horizons agree to submit to regular compliance checks by the Board to ensure the accuracy of student data uploaded to the Department.</p> <p>Back-to-Basics and Scottsdale Horizons agree to accurately report student attendance data to the Department through the end of fiscal year 2011 and that the reported attendance data accurately reflects, within 2% accuracy, the student attendance information found in daily classroom attendance rosters of Back-to-Basics and Scottsdale Horizons and does not include any incidences of duplicative student attendance data. The agreement provides for how this will be determined.</p> <p>No later than 8/1/11, the consultant shall certify to the Board, in writing, that Back-to-Basics has reviewed its student attendance reporting and recording policies for conformity to state law and Department guidelines for fiscal year</p>	

Consent/Settlement Agreements that are being monitored

School Name	Date of Board Action	Terms	Status of compliance with Terms
		<p>2012.</p> <p>The agreement specifies certain procedures that the consultant must complete in fiscal year 2012 related to the student attendance data recording and reporting by Back-to-Basics. The consultant is required to issue four reports. The procedures include reviewing classroom attendance rosters, withdrawal forms and other supporting documentation to verify the accuracy of the student attendance data housed in Back-to-Basics student management system and also reported to the Department and conducting physical counts of students. In order for Back-to-Basics to be in compliance with this agreement, each of the four reports must reflect that Back-to-Basics accurately reported its student attendance data to the Department within 2% accuracy, that no duplicative student attendance data was reported to the Department, that the physical count of students corresponds to the most current Department reports within 2% accuracy, and that Back-to-Basics corrected all deficiencies within the required timeframes as certified by the consultant.</p> <p>Back-to-Basics shall not submit an amendment or notification to modify its charter contract to change legal status, change entity name, increase enrollment cap, add grade levels, add a site, or for approval as an online course provider or online school until Back-to-Basics has complied with all of the terms of this agreement. Nothing in this paragraph prohibits Back-to-Basics from selecting and moving its existing school site to a new location upon the Board's approval of a School Site Notification Request submitted by Back-to-Basics.</p>	
Gila Educational Group	7/12/10	<p>The Charter Operator agrees that it shall discontinue the operation of its Middle School effective June 30, 2010 and that it shall cease to serve students in grades 7 and 8.</p> <p>By August 13, 2010, the Charter Operator shall develop and submit to the Board a Performance Management Plan ("PMP") for the High School for reading and mathematics using the templates provided by the Board. The PMP is a strategic plan addressing the School's academic performance deficiencies and shall cover the period of August 13, 2010 through June 30, 2013. The Board shall identify the Measure, Metric, Target and Strategies for the PMP. The Charter Operator shall identify the Action Steps, Timeline,</p>	<p>On August 11, 2010 staff received the completed Performance Management Plan (PMP) from Gila Preparatory Academy High School. Staff will review the PMP for content.</p> <p>First Quarterly Report due in October.</p>

Consent/Settlement Agreements that are being monitored

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		<p>Responsible Party, Evidence of Meeting Action Steps, and Budget of the PMP. The Timeline(s) identified by Gila Educational Group in the PMP must correspond with the Quarterly Report submission dates identified in paragraph 15. The PMP to be submitted to the Board by August 13, 2010 shall be incorporated into this Agreement as Attachments A and B.</p> <p>Throughout the duration of the PMP (August 13, 2010 through June 30, 2013) and within 10 days of the end of every calendar quarter (October 1, January 1, April 1, June 1), the Charter Operator shall complete and submit a Quarterly Report to the Board. Each Quarterly Report shall:</p> <ul style="list-style-type: none"> • Detail the Charter Operator’s progress on the implementation of the Action Steps identified in the PMP within the Timelines(s) identified; • Provide evidence that the High School is progressing toward the prescribed Targets, which includes a data comparison in chart and graph format depicting the High School’s academic student performance; and • Provide documentation of the High School’s budget expenditures for the Action Steps implemented for the quarter. <p>Throughout the duration of the PMP (August 13, 2010 through June 30, 2013) and within 10 days of the end of the quarter (October 1, January 1, April 1, June 1), the Charter Operator shall provide a current list of the High School’s instructional staff that identifies each staff’s content area assignments and highly qualified status that evidence that the High School’s teachers of core academic subjects (English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography) are “highly qualified” under the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 <i>et seq.</i>).</p> <p>By June 30, 2013 and for every year thereafter for the duration of the charter, the High School’s reading and mathematics AIMS scores shall meet or exceed the State average percent proficient in reading and math on the state assessment.</p>	
Legacy Schools	5/10/10	By July 1, 2010, the Charter Operator shall develop and submit to the Board a Performance Management Plan (“PMP”) for reading and mathematics using the templates provided by the Board. The PMP is a strategic plan addressing	On June 28, 2010 staff received the completed Performance Management Plan (PMP) from Legacy Elementary

Consent/Settlement Agreements that are being monitored

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		<p>the School’s academic performance deficiencies and shall cover the period of July 1, 2010 through June 30, 2012. The Board shall identify the Measure, Metric, Target and Strategies for the PMP. The Charter Operator shall identify the Action Steps, Timeline, Responsible Party, Evidence of Meeting Action Steps, and Budget of the PMP. The Timeline(s) identified by the Charter Operator in the PMP must correspond with the Quarterly Report submission dates identified in paragraph 21. The PMPs to be submitted to the Board by July 1, 2010 shall be incorporated into this Agreement as Attachment A and B.</p> <p>Throughout the duration of the PMP (July 1, 2010 through June 30, 2012) and within 10 days of the end of every calendar quarter (October 1, January 1, April 1, June 1), the Charter Operator shall complete and submit a Quarterly Report to the Board. Each Quarterly Report shall:</p> <ul style="list-style-type: none"> ▪ Detail the Charter Operator’s progress on the implementation of the Action Steps identified in the PMP within the Timeline(s) identified; ▪ Provide evidence that the School is progressing toward the prescribed Targets, which includes a data comparison in chart and graph format depicting the School’s academic student performance; and ▪ Provide documentation of the School’s budget expenditures for the Action Steps implemented for the quarter. <p>Throughout the duration of the PMP (July 1, 2010 through June 30, 2012) and within 10 days of the end of the quarter (October 1, January 1, April 1, June 1), the Charter Operator shall provide a current list of the School’s instructional staff that identifies each staff’s content area assignments and highly qualified status that evidences that the School’s teachers of core academic subjects (English, reading or language arts, mathematics, science, foreign languages, civics and government, economics, arts, history, and geography) are “highly qualified” under the No Child Left Behind Act of 2001 (20 U.S.C. § 6301 et seq.).</p> <p>By June 30, 2012 and for every year thereafter for the duration of the charter, the School’s reading and math AIMS scores shall meet or exceed the State average percent proficient in reading and math on the state assessment.</p>	<p>School. Staff will review the PMP for content.</p> <p>First Quarterly Report due in October.</p>

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		By June 30, 2012 and for every year thereafter for the duration of the charter, the School must have a student growth percentile of no less than minus one standard deviation from the State median growth percentile in reading and math.	

Status of Board Requested Reports/Site Visits

School Name	Date of Board Action	Board Request of School/Staff	Status of compliance with request

Failing Schools

School Name	Date of Board Action	Violation	Hearing Information	Status

Civil Penalties

School Name	Date of Board Action	Violation	Amount of Withholding	Date Appeal Timeframe Expires	Status of Corrective Action Plan