

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

In the matter of:

VICKI A. ROMERO HIGH SCHOOL
(a non-profit corporation)

and

VICKI A. ROMERO HIGH SCHOOL
(a charter school).

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

This Agreement is entered into by Vicki A. Romero High School, a nonprofit corporation operating Vicki A. Romero High School, a charter school, and the Arizona State Board for Charter Schools, by and through its authorized representatives, and provides the following terms and agreement:

1. Vicki A. Romero High School (hereafter, “the School”) is a charter school established pursuant to Arizona Revised Statutes (hereafter, “A.R.S.”) § 15-181 et seq. and sponsored by the Arizona State Board for Charter Schools (hereafter, “the Board”).
2. The School operates pursuant to a Charter Contract (hereafter, “Charter”) between Vicki A. Romero High School, a non-profit corporation, organized under the laws of the state of Arizona (hereafter, “the Charter Operator”), and the Board.
3. The Charter was signed by Dr. Roger Romero, as Charter Representative and the person authorized to sign for the Charter Operator.
4. Pursuant to A.R.S. § 15-183 and the Charter, the Board sponsors the Charter Operator to operate one school site to serve students in grades 9 through 12.
5. The Charter was executed on June 4, 1998.
6. On May 14, 2012 the Board denied the Charter Operator’s request for renewal of the charter on the basis that the charter holder, during the term of the contract, failed to meet the obligations of the contract or failed to comply with state law when it failed to provide a learning environment that improved pupil achievement in accordance with A.R.S. § 15-181(A).
7. In June 2012, the Charter Operator notified the Board that the School would not open or provide instruction to students for the 2012-2013 school year.

8. 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, 2012 for the purpose of further performance.

9. The Charter Operator shall mail a complete copy of each student's educational record to the student's parent or legal guardian.

10. The Charter Operator shall notify the Board of the location of the student records of the School no later than July 31, 2012.

11. The Charter Operator agrees that all necessary student level data has been submitted to the Arizona Department of Education through the Student Accountability Information System ("SAIS").

12. The Charter Operator is entitled to receive state equalization assistance funds for the 2011-2012 school year to which it is entitled under the school funding formula provided in Arizona law, but no more.

13. The Charter Operator is entitled to receive Classroom Site Funds for the 2011-2012 school year to which it is entitled under the provisions of Arizona law, but no more.

14. The Charter Operator agrees to refund any overpayment of state equalization assistance funds in the amount determined by the Arizona Department of Education in the manner directed by the Arizona Department of Education.

15. The Charter Operator agrees to refund any overpayment of Classroom Site Funds monies in the amount determined by the Arizona Department of Education in the manner directed by the Arizona Department of Education.

16. The Charter Operator agrees to submit any outstanding grant reports and to refund any outstanding grant monies or allocation of education funds to the Arizona Department of Education in the manner directed by the Arizona Department of Education.

17. The Charter Operator shall expend the Classroom Site Funds in a manner consistent with its intent as specified in A.R.S. § 15-977.

18. The Charter Operator shall expend the Instructional Improvement Funds in a manner consistent with its intent as specified in A.R.S. § 15-979.

19. Nothing in this Agreement is intended to prevent the Charter Operator from exercising its rights under statutes or regulations to contest amounts determined by the Arizona Department of Education to be owed.

20. The Board accepts the surrender of the Charter Contract of the Charter Operator for the operation of the School.

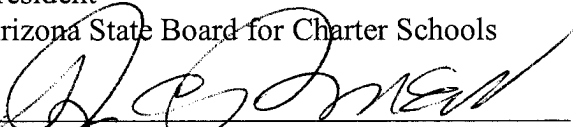
21. The Charter Contract between the Board and the Charter Operator for the operation of the School is terminated effective June 30, 2012 for the purposes of further performance.

22. This Agreement is not binding on either party until both the Board and the Charter Operator's governing board accept it by the number of votes necessary to pass a measure at a public meeting. This Agreement is effective immediately upon its approval and execution by the authorized representatives of the Charter Operator and the Board.

23. 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.

24. The Charter Operator understands that it has the legal right to consult with an attorney prior to entering into this Agreement.

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

Jake Logan
President
Arizona State Board for Charter Schools


Roger O. Romero
Charter Representative
Charter Operator, Vicki A. Romero High School

Date: _____

Date: July 5 2012

Vicki A. Romero High School
Minutes of Board of Directors

Thursday, July 5, 2012, 4:00pm

Members present in person: Roger Romero, Bonnie Rabe, Jane Juliano; present by phone: Frank Medina

Legal Counsel present: Deanna Rader

Jane Juliano called the meeting to order at approximately 4:03pm and took roll call.

Acceptance of the Agenda

Bonnie Rabe made the motion to approve the agenda, Roger Romero seconded the motion. Jane Juliano called for the vote and the vote was unanimous to accept the agenda.

Call for Executive Session

Roger Romero made the motion to go into executive session pursuant to A.R.S. 38-431.03(A)(3) and (A)(4) to discuss the three items as stated under 2.01, 2.02 and 2.03 in the agenda. Bonnie Rabe seconded the motion. Jane Juliano called for the vote and the vote was unanimous to go into executive session pursuant to the above.

The board went into executive session at 4:03 pm.

The board resumed the regular meeting at 4:26 pm.

3.0 School Business

3.01 It is recommended that the Board approve the Consent Agreement for Voluntary Surrender and Termination of the Charter Contract.

Discussion: Jane Juliano indicated the Consent Agreement looks standard and will be filed with the Arizona State Board for Charter Schools if approved. Roger Romero made the motion to approve the Consent Agreement and Bonnie Rabe seconded the motion. Jane Juliano called for the vote and the vote was unanimous to approve the Consent Agreement.

3.02 It is recommended that the Board approve the transfer of funds from all student activity accounts in to the Student Council Account to be used to fund college scholarships for graduating students.

Discussion: Jane Juliano indicated there is less than \$1,000.00 contained in various student activity accounts, some of which were for clubs that were not active in the

past school year. Heinfeld & Meech has advised her that the funds can be transferred to the Student Council account to be used as directed by the Student Council, which decided to use all remaining funds to fund some scholarships for college students. Frank Medina made the motion to transfer the funds from all student activity accounts to the Student Council Account and Roger Romero seconded the motion. Jane Juliano called for the vote and the vote was unanimous to approve the transfer.

3.03 It is recommended that the Board approve the continuing employment of Jane Juliano at her current rate of pay to perform services necessary to wind down the operations of Vicki A. Romero High School and to ensure compliance with the Consent Agreement with the Arizona State Board for Charter Schools.

Discussion: Jane Juliano explained this will allow her to complete and finalize the tasks needed to shut down the corporation. Bonnie Rabe made the motion to approve the continuance of employment of Jane Juliano. Roger Romero seconded the motion. Jane Juliano called for the vote. Jane Juliano abstained from the vote. Roger Romero and Bonnie Rabe voted yes, and Frank Medina voted no. Item passed with majority vote.

3.04 It is recommended that the Board authorize Jane Juliano to employ staff and contractors as necessary to perform services necessary to wind down the operations of Vicki A. Romero High School and to ensure compliance with the Consent Agreement with the Arizona State Board for Charter Schools.

Discussion: Discussion was held regarding Jane Juliano having this responsibility. Bonnie Rabe made the motion to authorize Jane Juliano to employ staff and contractors as necessary and Roger Romero seconded the motion. Jane Juliano called for the vote. Jane Juliano abstained from the vote. Roger Romero and Bonnie Rabe voted yes, and Frank Medina voted no. Item passed with majority vote.

4.0 Adjournment.

Bonnie Rabe made the motion to adjourn the meeting. Roger Romero seconded the motion. Jane Juliano called for the vote and the vote was unanimous to adjourn the meeting. The meeting was adjourned at approximately 4:50pm.

