

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

This Consent Agreement for the Voluntary Surrender and Termination of the Charter Contract (“Agreement”) is made by and between NAZLINI COMMUNITY SCHOOL, INC. (“Charter Operator”), a nonprofit corporation organized under the laws of the State of Arizona and the Navajo Nation and authorized, in part, to operate NAZLINI COMMUNITY SCHOOL, a charter school, and the Arizona State Board for Charter Schools (“Board”) collectively referred to herein as the “Parties.”

JURISDICTION

The Board is charged by Arizona Revised Statutes (“A.R.S.”) §§ 15-182(E)(1) and (2) and 15-183(R) with granting charter status to qualifying applicants for charter schools and exercising general supervision over the charter schools it sponsors. An approved plan to establish a charter school is effective for fifteen years. A.R.S. § 15-183(I). The charter may be amended at the request of the governing body of the charter school and on approval of the Board. A.R.S. § 15-183(G). The Board may revoke a charter of a school it sponsors at any time if the charter school breaches one or more provisions of its charter. A.R.S. § 15-183(I)(3). The charter may be renewed for successive period of twenty years if the Board deems that the charter school is in compliance with its own charter and Title 15, Chapter 1, Article 8, A.R.S. A.R.S. § 15-183(I)(1).

RECITALS

1. The Charter Operator is authorized to operate NAZLINI COMMUNITY SCHOOL (“the School”), a charter school established pursuant to A.R.S. § 15-181 *et seq.*
2. The School is authorized to operate pursuant to a charter contract executed on

June 27, 2006 between the Charter Operator and the Board ("Charter").

3. 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 7th – 8th grades.

4. Ms. Marleita Begay is the Charter Representative and person authorized to execute documents on behalf of the Charter Operator.

5. On January 22, 2013, the Charter Operator notified the Board that the School was ceasing its charter school operations and provision of instruction to students effective January 25, 2013.

AGREEMENT

The Parties agree as follows:

6. The Charter Operator voluntarily tenders and surrenders the Charter to its sponsor, the Board, with the intent to voluntarily terminate its Charter effective January 25, 2013 for the purpose of further performance.

7. The Board accepts the surrender of the Charter for the operation of the School.

8. The Charter between the Charter Operator and the Board for the operation of the School is terminated effective March 1, 2013 for the purpose of further performance.

9. This Agreement is not binding on the Parties 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 Raymond Van Winkle, President and authorized signer of the Charter Operator, and the Board.

10. 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.

11. The Charter Operator shall mail a complete copy of each student's educational record

to the student's parent or legal guardian for each student enrolled in the school in the 2012-2013 school year.

12. The Charter Operator shall notify the Board of the location of the School's student educational records no later than March 1, 2013.

13. The Charter Operator shall submit all requisite student level data for its receipt of state equalization funding for 2012-2013 school year to the Arizona Department of Education through the Student Accountability Information System ("SAIS").

14. The Charter Operator is entitled to receive state equalization assistance funds for the 2012-2013 school year to which it is entitled under the school funding formula provided in Arizona law, but no more.

15. The Charter Operator shall refund any overpayment of state equalization assistance funds in the amount determined by the Arizona Department of Education ("Department") in the manner directed by the Department.

16. The Charter Operator is entitled to receive Classroom Site Funds for the 2012-2013 school year to which it is entitled under the provisions of Arizona law, but no more. The Charter Operator shall expend the Classroom Site Funds in a manner consistent with its intent as specified in A.R.S. § 15-977.

17. The Charter Operator shall refund any overpayment of Classroom Site Funds in the amount determined by the Department in the manner directed by the Department.

18. The Charter Operator shall submit any outstanding grant reports and shall refund any outstanding grant monies or allocation of education funds in the amount determined by the Department in the manner directed by the Department.

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 Department to be owed by the Charter Operator.


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

21. The Parties shall be responsible for their own attorneys' fees and costs in this matter.

ARIZONA STATE BOARD FOR CHARTER SCHOOLS

By: Jake Logan
President, Arizona State Board for Charter Schools
Date: _____

NAZLINI COMMUNITY SCHOOL, INC. AND NAZLINI COMMUNITY SCHOOL



By: Raymond Van Winkle
President, Nazlini Community School, Inc.
Date: 3/11/13

COPY mailed this
_____ day of _____, 2013 to:

NAZLINI COMMUNITY SCHOOL, INC.
Attention: Raymond Van Winkle, President
HC 58, Box 35
Ganado, AZ 86505

By _____

NOTICE OF THE GOVERNING BOARD
NAZLINI COMMUNITY SCHOOL, INC.
CHARTER SCHOOL BOARD SPECIAL MEETING #9
SY 2012/2013

Pursuant to A.R.S. § 38-431 to 38-431.09, notice is hereby given to the members of the Governing Board of Nazlini Community School and to the general public that the Governing Board will hold a Special Board meeting open to the public on **March 11, 2013 at 7:00 PM** at Nazlini Community School, Nazlini Arizona. The order in which items on this Agenda are considered by the board may be changed without prior notice during the meeting. Pursuant to A.R.S. § 38-341.03, the board may vote to go into Executive Session, which will not be open to the public, at any time during the meeting, with regard to any item listed on the Agenda to discuss or consider Personnel matters, records exempt by law from public examination, litigation or other matters allowed by law. All Board decisions will be made in open public meeting.

AGENDA

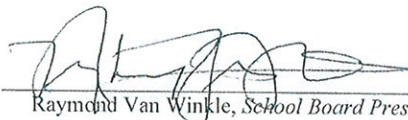
- I. PRELIMINARIES**
 - A. Call to Order
 - B. Invocation
 - C. Roll Call of Board Members
 - D. Mission Statement
 - E. Call to the Public
- II. AGENDA:** Adoption of Agenda
- III. OLD BUSINESS**
 - A. Review, Discussion and Possible Action to approve Charter School Surrender Agreement
- IV. NEW BUSINESS**
 - NONE
- V. TRAVEL:**
 - In State and Out of State –Motion to approve:**
 - NONE
- VI. PERSONNEL:**
 - NONE
- VII. ADJOURNMENT:**

A copy of the agenda background material provided to Board members (with the exception of material relating to possible executive sessions) is available for public inspection at the Nazlini Community School, Executive Director's Office, HC 58 Box 35, Ganado, Arizona.

DATE AND POSTED this 10th day of March, 2013

Per Telephone – Sylvia Largo

Sylvia Largo, Principal



Raymond Van Winkle, School Board President

MINUTES

I. PRELIMINARIES

- A. *Call to order:* Governing Charter School Board Special Meeting #9 was called to order by Governing Board President Mr. Van Winkle on March 11, 2013 at 6:40 PM.
- B. *Invocation:* Governing Board President Ray Van Winkle offered the Invocation
- C. *Roll Call of Board Members:*
Mr. Raymond Van Winkle, President Present Ms. Marilyn Tracey, Secretary Absent
Mrs. JoAnn Dedman, Vice-President Present Mr. Leo Dodge, Member Present
THREE BOARD MEMBERS CONSTITUTE A QUORUM.
- D. *Mission Statement:* Governing Board Member Leo Dodge read the Mission Statement.

II. AGENDA: Adoption of Agenda

Motion to adopt Agenda as read by the Governing Board President, offered by Governing Board Member Leo Dodge
Motion Seconded by Governing Board Vice President JoAnn Dedman
No Discussion
Vote 2 in favor; 0 Opposed and 1 abstained

III. OLD BUSINESS

- A. Discussion, Possible Action to approve Charter School Surrender Agreement
Motion to approve Charter School Surrender Agreement, offered by Governing Board Member Leo Dodge
Motion Seconded by Governing Board Vice President JoAnn Dedman
No Discussion
Vote 2 in favor; 0 Opposed and 1 abstained

IV. NEW BUSINESS

NONE

V. TRAVEL

In State & Out of State – Motion to approve:

NONE

VI. PERSONNEL

NONE

VII. ADJOURNMENT


Motion to adjourn at 6:50PM, offered by Governing Board Member Leo Dodge, seconded by JoAnn Dedman
Vote 2 in favor; 0 Opposed and 1 abstained

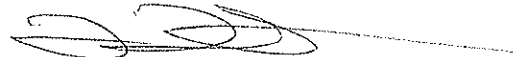
Submitted By:



Raymond Van Winkle, President

Marilyn Tracey, Secretary


JoAnn Dedman, Vice-President


Leo Dodge, Member