



**Maricopa County Community College District
Governing Board Agenda
March 14, 2017**

vision A Community of Colleges—Colleges for the Community—working collectively and responsibly to meet the life-long learning needs of our diverse students and communities.

mission The Maricopa Community Colleges provide access to higher education for diverse students and communities. We focus on learning through: University Transfer Education, General Education, Developmental Education, Workforce Development, Student Development Services, Continuing Education, Community Education, Civic Responsibility, and Global Engagement.

The meetings noted below will be held in the location specified below.

District Support Services Center | 2411 West 14th Street | Tempe, AZ 85281 | Governing Board Room, Second Floor
Executive Session: Maricopa Room M103

WORK SESSION

6:00 P.M.

CALL TO ORDER

PRESENTATION ON COMPENSATION AND CLASSIFICATION IMPLEMENTATION UPDATE

- **Implementation Plan and Timeline**
- **Communications**
- **Reconsideration Window**
- **Policy Considerations**
- **Current Status of the Study**
- **Consultant Methodology**

ADJOURNMENT TO EXECUTIVE SESSION

EXECUTIVE SESSION

(Immediately following Work Session – 7:05 p.m.)

Maricopa Room, M103

1. Discussion or consultation with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property - A.R.S. Section 38-431.03.A.7 – Hope College and Career Readiness Academy

ADJOURNMENT TO SPECIAL BOARD MEETING

SPECIAL BOARD MEETING

(Immediately following Executive Session – 7:15 p.m.)

Governing Board Room, M200

CALL TO ORDER

ACTION

1. Notice of Intent to Revoke Charter Contract of Hope College and Career Readiness Academy and Notice of Hearing

ADJOURNMENT

NON-CONSENT ACTION ITEM

Governing Board Agenda

Meeting Date: March 14, 2017

Item Number	Item Title	Responsible Agents
1.	Notice of Intent to Revoke the Charter Contract of Hope College and Career Readiness Academy and Notice of Hearing	Dr. Maria Harper-Marinick Gaye Murphy

Recommendation

It is recommended that the Governing Board approve the issuance of the attached Notice of Intent to Revoke Charter Contract and Notice of Hearing (“Notice”) to the Hope College and Career Readiness Academy (“Hope”) based on the facts specified in that notice.

Justification

The Notice details the facts that are the basis for the proposed issuance of the Notice. Under the Charter Contract, Hope has six months in which to cure the contract breach noted in the Notice.

Funding	Approvals/Certifications
<u>Source:</u>	Chancellor _____
<u>Account Identification:</u>	Academic & Student Affairs _____
	Business Services _____
	Human Resources _____ ITS _____
	Res Dev & Cmty Relations _____
	College President _____

BEFORE THE MARICOPA COUNTY COMMUNITY COLLEGE DISTRICT

<p>In the Matter of:</p> <p>Hope College and Career Readiness Academy, a charter school and subsidiary of Kids At Hope Corporation.</p>	<p>NOTICE OF INTENT TO REVOKE CHARTER CONTRACT AND NOTICE OF HEARING</p>
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Pursuant to A.R.S. § 15-183(I)(3) & (5), Maricopa County Community College District (“MCCCD”) hereby provides notice to Hope College and Career Readiness Academy (“Hope Academy”) of its intent to revoke the charter contract entered into between them and dated March 25, 2015 (the “Charter”). As set forth in more detail below, Hope Academy has breached one or more provisions of the Charter.

Statement of Reasons for Revocation

As the statutory sponsor of Hope Academy, MCCCD may revoke the Charter at any time if the school breaches “one or more provisions of the charter contract.” A.R.S. § 15-183(I)(3). That statutory authority is confirmed by the Charter itself. Charter ¶ 18.1. MCCCD believes that Hope Academy has breached the following provisions of the Charter:

- Failure to “pay debts as they fall due or in the usual course of business.” Charter ¶ 15.3.
- Engaging in “gross incompetence of systematic and egregious mismanagement of the school’s finances or financial records.” *Id.* at ¶ 15.4.

In particular, Hope Academy has failed to pay MCCCD, for and on behalf of South Mountain Community College, the required rental payments due under a ground lease dated February 4, 2016, and was therefore declared in default under that lease on March 1, 2017. In addition, Hope Academy has failed to pay CORE Construction, Inc. an amount in excess of \$10 million related to the construction of the Hope Academy building on the land leased from

MCCCD. Both of those actions not only violate the specific requirements of the Charter, but also significantly threaten the financial stability of Hope Academy's operations, which in turn threatens the school's ability to provide educational services to its students.

Opportunity for Cure

As required by Paragraph 18.1 of the Charter and A.R.S. § 15-183(I)(5), Hope Academy shall have at least six months from the date of this Notice of Intent to Revoke Charter Contract to remedy the reasons for the revocation set forth above. In the event that Hope Academy believes that it has corrected all of the reasons for the revocation within the six month cure period, it shall provide written notice to MCCCD along with evidence that supports its belief that all of the reasons for the revocation have been fully corrected. Upon receiving such information, MCCCD shall determine whether to proceed with the proposed revocation of the Charter.

Notice of Hearing

MCCCD will hold a formal hearing in a public meeting on September 15, 2017, at a time to be set, to make a final determination regarding whether grounds exist to revoke Hope Academy's Charter. The hearing date may be reset by mutual agreement of MCCCD and Hope Academy. The hearing will be a formal hearing in front of the MCCCD Governing Board, and it will be conducted in accordance with the applicable requirements of Article 10 of the Administrative Procedures Act, which is found at A.R.S. §§ 41-1092 through 1092.12. MCCCD will be represented by legal counsel at the hearing, and Hope Academy may also be represented by legal counsel of its own choosing and at its own expense. MCCCD's decision regarding the revocation of the Charter will be final and cannot be appealed.

Notification of Staff and Parents/Guardians

Within 48 hours of MCCCD's approval and issuance of this Notice of Intent to Revoke Charter Contract and Notice of Hearing (the "Notice"), Hope Academy shall notify all staff and

all parents/guardians of registered students of this Notice and indicate in the notification a school location where a copy of the Notice may be reviewed. Within 20 days of its receipt of the Notice, Hope Academy shall provide MCCCCD with copies of all correspondence and communications used to comply with the previous notification requirement.

ADOPTED at a public meeting by the MCCCCD Governing Board on _____, 2017.

This Notice of Intent to Revoke Charter Contract and Notice of Hearing was sent via certified mail, return receipt requested, on _____, 2017 to:

Hope College and Career Readiness Academy
Kids at Hope Corporation
2400 W. Dunlap, Ste. 135
Phoenix, Arizona 85017
Attn: Mr. Steven Fox

Hope College and Career Readiness Academy
6900 S. 24th St.
Phoenix, Arizona 85042
Attn: Harry V. Garewal, Jr.

Copies of the Notice of Intent to Revoke Charter Contract and Notice of Hearing were sent via certified mail on _____, 2017 to:

Maricopa County Regional School District
3409 W. Whitton Ave.
Phoenix, Arizona 85017
Attn: Steve Watson and Ernest Rose

Kids at Hope Corporation
2400 W. Dunlap, Ste. 135
Phoenix, Arizona 85017
Attn: Mr. Rick Miller

Signature of person performing required mailing