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**Please Reply to San Bernardino Office**

November 11, 2010

**Via E-Mail Transmission and U.S. Mail**

Lisa A. Corr  
Middleton Young & Minney  
701 University Avenue, suite 150  
Sacramento, CA 95825

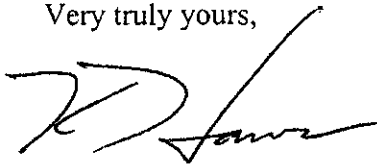
Re: School of Arts & Enterprises

Dear Ms. Corr:

As you are aware, on November 3, 2010, the Board of the Pomona Unified School District denied the request for renewal of the Charter Petition of the School of Arts & Enterprises on a three-two vote. Attached for your reference is a copy Resolution No. 7 (2010-11) denying the renewal. You will notice that Dr. Roberta A. Perlman inadvertently signed the Resolution even though she voted "No." Consequently, at her express authorization after speaking with her personally, she has directed me to strike out her signature. This is reflected on the attached Resolution.

Thank you for your ongoing professional courtesy. If you have any questions, please do not hesitate to call.

Very truly yours,



Karl N. Haws

KNH/kc  
Enclosure

**POMONA UNIFIED SCHOOL DISTRICT**  
**Resolution No. 7 (2010-11)**  
**Denial of Charter School Petition and Findings of Fact**  
**The School of the Arts and Enterprise**

WHEREAS, The Charter Schools Act (California Education Code section 47600 et seq.) (the "Charter Schools Act") requires the governing board of a school district to review charter petitions to determine whether granting or renewing the charter is consistent with sound educational practice; and

WHEREAS, On October 11, 2010, a charter school petition (the "Petition") was submitted by various individuals named therein (collectively, "Petitioner") to the Board of Education ("Board") of the Pomona Unified School District ("District") for the charter renewal of a charter school called "The School of Arts and Enterprise"; and

WHEREAS, On November 3, 2010, pursuant to Education Code 47605(b), the Board held a public hearing on the Petition at which time the Board received public comment regarding the Petition, including comments from the lead representative for the Petition, and considered the level of support for the Petition by District employees and parents/guardians; and


WHEREAS, The Board has complied with all the procedural requirements set forth in the Charter Schools Act relating to the receipt and review of the Petition; and

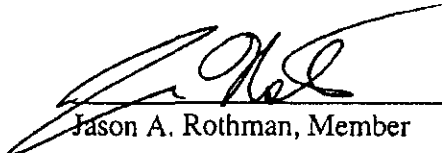
WHEREAS, Education Code section 47605 requires the governing board of a school district that denies a charter petition to make written factual findings specifying the basis for denial in accordance with one or more of the grounds set forth in Education Code section 47605(b).

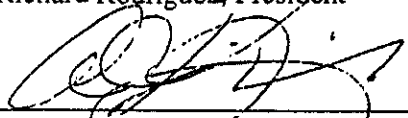
NOW THEREFORE, BE IT RESOLVED THAT the Board of Education of the Pomona Unified School District ("the Board") denies the Petition on the grounds that the Petition presents an unsound educational program for the pupils to be enrolled in the school or, in the alternative, that Petitioner is demonstrably unlikely to successfully implement the program as set forth in the Petition. The Board hereby adopts as its findings the "Deficiencies and Concerns" identified by Dr. Laurel Adler on pages 4-7 of her "Response to Charter Petition Renewal Request" which is attached hereto.

Dated this 3rd day of November 2010.

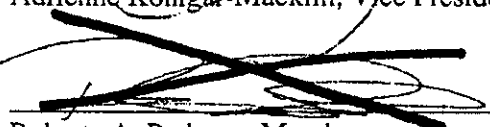
POMONA UNIFIED SCHOOL DISTRICT  
MEMBERS, BOARD OF EDUCATION AND SUPERINTENDENT

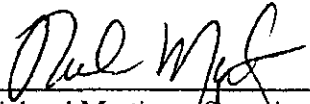
  
Richard Rodriguez, President

  
Jason A. Rothman, Member

  
Adrienne Konigar-Macklin, Vice President

\_\_\_\_\_  
Andrew S. Wong, Member

  
Roberta A. Perlman, Member

  
Richard Martinez, Superintendent  
and Secretary, Board of Education

**RESPONSE TO CHARTER PETITION RENEWAL REQUEST  
FROM  
THE SCHOOL OF ARTS AND ENTERPRISE  
OCTOBER 2010**

**Dr. Laurel Adler, Reader**

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## **FINDINGS**

Below are the Reader's comments on some of the major reported positive outcomes, followed by the deficiencies and/or concerns that the Reader has identified. All bolding has been added by the Reader and is not in the original text of the petition:

### **REPORTED POSITIVE OUTCOMES FROM THE APPLICATION**

#### **WASC Accreditation**

The School of Arts and Enterprises ("SAE") reports that it has earned full accreditation for three years on the initial accreditation in 2006. In 2009, SAE earned the maximum, a full six-year accreditation, by the Western Association of Schools and Colleges ("WASC").

#### **Reported Graduation Rate**

The applicants report that SAE's graduation rate was 100% in 2008-2009, and its graduation rate was 98.7% in 2009-2010.

#### **Reported College Going Rate**

The school reports that 95% of the Class of 2010 received admission to college while 4% were admitted to technical and vocational schools; the remaining 1% went to the military or directly into the workforce.

#### **Reported Fiscal Audits/ Fiscal Viability**

SAE reports that it has never had an audit exception or deficiency.

#### **Reported Student Accomplishments include:**

- SAE reports a 50% increase in the number of students scoring above the 60% percentile statewide on standardized tests.
- SAE reports that students who initially scored below the 25th percentile on standardized tests increased their test scores of at the rate of 7-10% a year until graduation.
- SAE reports it students pass the CAHSEE at a 98% rate.

## DEFICIENCIES AND CONCERNS

### API SCORES AND DEMOGRAPHIC COMPARISONS

While, as the applications indicates, SAE doubled its API Growth Target in the last two year's, SAE's API scores remain markedly below those of PUSD's other high schools with enrollments over 200.

The three smallest schools in PUSD (Pomona Alternative, Park West, and School of Extended Options) cannot be used as a point of comparison as they have enrollments ranging from 28 to 57. CDE has indicated at the bottom of their web page regarding these scores for the above three schools:

"This API is calculated for a small school, defined as having between 11 and 99 valid Standardized Testing and Reporting (STAR) Program test scores included in the API. APIs based on small numbers of students are less reliable and therefore should be carefully interpreted. Similar schools ranks are not calculated for small schools. " (CDE Website)

The only PUSD secondary school with a similar size to SAE is **Village Academy High School at Indian Hill**. The enrollment is 392. The California Department of Education ("CDE") reports that **Village Academy** in 2009-10 had a base API of 734 and a 2010 target of 739. According to CDE, SAE's enrollment is 246 with a 2009 base API of 631 and a 2010 target of 639. The demographic data for the two schools is very similar, with the overwhelming majority of students beings Hispanic. Additionally, CDE cites both schools as having "numerically significant enrollments of Economically Disadvantaged, and English Learners." (CDE Website pages in Appendices)

Thus, despite their earnest efforts, SAE's scores are still below those of any of the secondary schools in PUSD.

Based on the CDE website, (2009-10 data) parent education level is higher at SAE than at Village Academy in PUSD. 30% of SAE parents are college graduates, while only 7% of Village Academy parents are college graduates. Typically, schools with parents who have higher education levels have higher student achievement scores than schools that have parents with lower education levels.

92% of Village Academy students are on Free or Reduced lunch, while CDE reports only 22% of SAE students are on Free or Reduced lunch. Thus, the socio economic data would be more predictive that Village Academy would have lower scores than SAE. (CDE Website Demographics Pages in Appendices)

The application does report that 70% of SAE students are on Free or Reduced Lunch (p. 7); in contrast to the 22% 2009-10 figure on the CDE Website. It is possible that a current snapshot of SAE might show 70% Free and Reduced Lunch. Nonetheless, the CDE site shows 22%.

Another important contrast is that, according to CDE, Village Academy's teachers are 100% "Fully Credentialed" whereas only 63% of SAE's teachers are "Fully Credentialed". (CDE Website Demographics Pages in Appendices)

## **OTHER CONCERNS**

It is difficult for the Reader to draw any conclusions regarding the numerous anecdotal data that is presented throughout the application. For example, on pages 3 through 6 under "Student Accomplishments", there is a list of individual student leadership activities and projects that were done, some of which were accomplished by only one to four students. It is impossible to know if this list of accomplishments represented a small group of the same students who were heavily involved in most of these projects, or whether the majority of SAE students participated somewhere in this list of examples, the



exception being the reported 200 students having been involved in "The Big Read" (Application, p. 4)

The Project Based Learning Activities described in the report are admirable (Application, pp. 14, 15). But there is no data based information to tie these activities directly to improved student achievement. There are many positive reasons to incorporate Project Based Learning into an Arts school. Such activities will certainly improve students' chances of admission to Art colleges or being hired in an arts related occupation. But there is no empirical data submitted than can directly tie improved SAE student scores to Project Based Learning. Nonetheless, it is a mark of distinction in the school and would certainly want to be continued. There are methods available to measure the impact of Project Based Learning, and the school might want to pursue this avenue.

The same observation can be made concerning other SAE student activities, that are admirable but for which one cannot directly show impact through standardized testing, the positive impact on such activities. Examples include:

- The reported three to five hours of visual or performing arts weekly (Application, p. 10)
- The significant numbers of parent volunteer hours (Application p. 9)
- The Integration of computer instruction. (Application p. 10)
- The Field Study activities (Application p. 15)
- Student "Houses". (Application p. 19)
- Community Service Learning (Application p. 19)

### **READER'S SUMMARY AND RECOMMENDATION**

**Despite SAE's genuine efforts and creative approaches to education, its students API scores remain below those of students in comparable school environments at PUSD. For that reason and the other reasons cited above, it appears that SAE will likely not provide a sound educational program for its students. SAE's reliance on anecdotal information in its application does not provide the Reader with sufficient evidence to overcome the above-described conclusion. Accordingly, the Reader would recommend to the Board that SAE's petition not be approved.**



LAW OFFICES OF MIDDLETON, YOUNG & MINNEY, LLP

NOVEMBER 12, 2010

Via Facsimile and US Mail  
(909) 890-9580

PAUL C. MINNEY  
JAMES E. YOUNG  
MICHAEL S. MIDDLETON  
LISA A. CORR  
AMANDA J. MCKECHNIE

Karl N. Haws, Esq.  
Mundell, Odlam & Haws, LLP  
650 E. Hospitality Lane Suite 470  
San Bernardino, CA. 92408-3595

**Re: District Findings for Denial of The School of Arts and  
Enterprise Charter Renewal Petition**

JESSICA ADAMS ROBISON

JERRY W. SIMMONS

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JULIE D. ROBBINS

JAMES L. SHEA

KIMBERLY RODRIGUEZ

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ELLE A. RULEY

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OF COUNSEL

SUZANNE A. TOLLEFSON

Dear Mr. Haws:

This office represents The School of Arts and Enterprise ("The SAE" or the "Charter School") in its charter petition submission to the Pomona Unified School District ("PUSD" or the "District"). As you know, the governing board of the District denied The SAE's charter petition on November 3, 2010. The petitioners received the District's factual findings for denial of the charter petition on November 1<sup>st</sup> in the afternoon. As such, there was not sufficient time for the petitioners to prepare a thorough written response to the findings prior to the District's public hearing and decision on the charter renewal petition. This letter will serve as the petitioners' response.

At the outset, we wish to point out the legal basis for denial of a charter renewal petition. Education Code Section 47607(a)(2) states: "[r]enewals ... of charters are governed by the standards and criteria in Section 47605...." Education Code Section 47605(b) states:

The governing board of the school district shall grant a charter for the operation of a school under this part if it is satisfied that granting the charter is consistent with sound educational practice. The governing board of the school district shall not deny a petition for the establishment of a charter school unless it makes written factual findings, specific to the particular petition, setting forth specific facts to support one or more of the following findings:

- (1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.

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Re: District Findings for Denial of The School of Arts and Enterprise Charter Renewal Petition

November 12, 2010

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- (3) The petition does not contain the number of signatures required by subdivision (a).
- (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d).
- (5) The petition does not contain reasonably comprehensive descriptions of [the 16 required elements]. (Emphasis added.)

Accordingly, the law is written such that the default position for a school district governing board is to approve a charter renewal petition, unless it makes written factual findings to support a denial. None of the District's findings, contained in Dr. Laurel Adler's October 2010 were based on fact, and therefore the findings constitute an impermissible basis for denial of The SAE's renewal charter.

Below please find our responses (in plain text) to the District's "factual findings," characterized as "deficiencies and concerns" (in italicized text), in the order in which the District presented them.

1. *While, as the applications indicates, SAE doubled its API Growth Target in the last two year's [sic.], SAE's API scores remain markedly below those of PUSD's other high schools with enrollments over 200.*

Education Code Section 47607 sets forth threshold requirements for charter school renewal. It states:

...[A] charter school shall meet at least one of the following criteria prior to receiving a charter renewal pursuant to paragraph (1) of subdivision (a):

(1) Attained its Academic Performance Index (API) growth target in the prior year or in two of the last three years, or in the aggregate for the prior three years.

(2) Ranked in deciles 4 to 10, inclusive, on the API in the prior year or in two of the last three years.

(3) Ranked in deciles 4 to 10, inclusive, on the API for a demographically comparable school in the prior year or in two of the last three years.

(4)(A) The entity that granted the charter determines that the academic performance of the charter school is at least equal to the academic performance of the public schools that the charter school pupils would otherwise have been required to attend, as well as the academic performance of

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Re: District Findings for Denial of The School of Arts and Enterprise Charter Renewal Petition

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the schools in the school district in which the charter school is located, taking into account the composition of the pupil population that is served at the charter school. ...

(5) Has qualified for an alternative accountability system pursuant to subdivision (h) of Section 52052. (Emphasis added)

The SAE's API growth in 2010 was 15 points, nearly double its growth target of 8 points. Accordingly, the Charter School has met the legal requirement for renewal. No law mandates that a charter school's API growth score match those of other authorizer schools, especially when those schools are not in the charter school's "similar schools" band. The state does not compare The SAE to PUSD schools, and thus neither should the District make this comparison.

Yet, since the District did make this comparison in its factual findings, it bears mention what the actual API growth scores are of the District's three comprehensive high schools. They are as follows:

School	2009-10 API Growth Target	2009-10 Growth	2010 API Growth Score	Target vs. Growth
Ganesha High	8	2	646	-6
Garey Senior High	8	-5	638	-13
Pomona Senior High	8	13	661	+5
<b>The SAE</b>	<b>8</b>	<b>15</b>	<b>646</b>	<b>+7</b>

The SAE's API growth score is in the middle of the range of PUSD comprehensive high schools, and in 2009-2010, it had the best API target vs. API growth ratio.

Further demonstrating the success that The SAE has had in providing an extremely strong educational program for its students is the Charter School's graduation and college-going rates. The SAE graduation rate has consistently exceeded the rate of the local District high schools; from 2006-2008, the graduation rate was 100%, and in 2008-2009, the SAE graduation rate was 98.7%. By graduation, all students will have had an opportunity to fulfill all requirements necessary to successfully apply for college admission to a 2 or 4 year college. 95% of the class of 2010 received admission to college while 4% were admitted

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to technical and vocational schools; the remaining 1% went to the military or directly into the workforce.

Therefore, this finding is an impermissible basis for denial of the charter renewal petition.

2. *The three smallest schools in PUSD (Pomona Alternative, Park West, and School of Extended Options) cannot be used as a point of comparison as they have enrollments ranging from 28 to 57.*

The SAE does not, and did not, ever compare itself to the three smallest schools in the District. Accordingly, this finding is an impermissible basis for denial of the charter renewal petition.

3. *The only PUSD secondary school with a similar size to SAE is Village Academy High School at Indian Hill. The enrollment is 392. The California Department of Education ("CDE") reports that Village Academy in 2009-10 had a base API of 734 and a 2010 target of 739. According to CDE, SAE's enrollment is 246 with a 2009 base API of 631 and a 2010 target of 639. The demographic data for the two schools is very similar, with the overwhelming majority of students beings Hispanic. Additionally, CDE cites both schools as having "numerically significant enrollments of Economically Disadvantaged, and English Learners." (CDE Website pages in Appendices)*

The SAE vehemently disagrees that Village Academy is a fair or relevant comparison school. Village Academy offers an educational program nearly as different from the Charter School's as possible. According to the Village Academy's website: "VAHS is a school of choice in the Pomona Unified School District located in a redesigned mall. It has a high-tech environment and focuses on providing students with technology-based instruction, real-world projects, and opportunities for accelerated college and career preparation through our Early College Partnership with Mt. San Antonio College and DeVry University. We also provide training for technical certifications to support our additional collaborations with businesses and community agencies."

The SAE, as described in its charter, "is a start-up charter high school that is located in the Arts Colony in downtown Pomona, California. ... The SAE will be recognized in the community and in particular amongst feeder schools as the top choice in college preparatory public high schools offering a focus in the arts and business. Students at The SAE will understand their options in post-secondary education, and be prepared for the option of their choice."

On a logical level, the comparison of the Village Academy to The SAE fails. While both are schools of choice, the similarity ends there. The Village Academy offers a high-tech environment and provides students a technology-based instruction. The SAE attracts students who wish to pursue the arts and business.

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Re: District Findings for Denial of The School of Arts and Enterprise Charter Renewal Petition

November 12, 2010

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Regardless of the on-paper demographics of the two schools, the students who choose between the schools are making fundamentally, pedagogically different choices. They are different types of students with different goals who make different choices. They cannot reasonably be compared. Accordingly, this finding is an impermissible basis for denial of the charter renewal petition.

4. *Thus, despite their earnest efforts, SAE's scores are still below those of any of the secondary schools in PUSD.*

This finding is factually untrue. The SAE's 2010 API growth score was 646, eight points higher than Garey Senior High School's 2010 API growth score of 638. The law requires the denial of a charter to be supported by facts. As such, this is an impermissible basis for the denial of The SAE's charter renewal petition.

5. *Based on the CDE website, (2009-10 data) parent education level is higher at SAE than at Village Academy in PUSD. 30% of SAE parents are college graduates, while only 7% of Village Academy parents are college graduates. Typically, schools with parents who have higher education levels have higher student achievement scores than schools that have parents with lower education levels.*

It is unclear how the District compiled this data, as it is factually untrue. As reported on the CDE's website for 2010 API School Demographic Characteristics:

Parent Education Level	The SAE	Village Academy <sup>1</sup>
Not a high school graduate	49%	34%
High school graduate	20%	48%
Some college	13%	13%
College graduate	13%	4%
Graduate school	5%	1%

The District apparently concludes, without citing any research to show a factual foundation, that The SAE's API growth score should be higher than that of Village Academy's simply because a higher percentage of parents of The SAE

<sup>1</sup> The District utilized the Village Academy as a comparison and thus, we respond with the same, despite the inequity of the comparison.

Karl N. Haws, Esq.

Re: District Findings for Denial of The School of Arts and Enterprise Charter Renewal Petition

November 12, 2010

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students are college graduates. However the discrepancy between parents who are college graduates is only 9%, not 23% as the District states. Furthermore, the District neglects to point out that nearly half of The SAE parents are not high school graduates, while nearly half of Village Academy parents are. Based on the District's analysis, then, The SAE's API score is more impressive than that of Village Academy.

The law requires the denial of a charter to be supported by facts. Because this finding is demonstrably untrue, and because it omits relevant information, it is an impermissible basis for denial of the charter renewal petition.

6. *92% of Village Academy students are on Free or Reduced lunch, while CDE reports only 22% of SAE students are on Free or Reduced lunch. Thus, the socio economic data would be more predictive that Village Academy would have lower scores than SAE. (CDE Website Demographics Pages in Appendices) The application does report that 70% of SAE students are on Free or Reduced Lunch (p. 7); in contrast to the 22% 2009-10 figure on the CDE Website. It is possible that a current snapshot of SAE might show 70% Free and Reduced Lunch. Nonetheless, the CDE site shows 22%.*

It is unclear how the District compiled this data, as it is factually untrue. As reported on the CDE's website for 2010 API School Demographic Characteristics, 76% of The SAE students are participants in Free and Reduced Lunch. As with finding #5 above, the District appears to be concluding, without citing any research to support its position, that students from lower socio-economic levels ought to be performing lower than students from higher socio-economic levels. This line of thinking from the District is certainly troubling and raises questions about the goals it sets for its own students. The law requires the denial of a charter to be supported by facts. This finding is demonstrably untrue and is thus an impermissible basis for denial of the charter renewal petition.

7. *Another important contrast is that, according to CDE, Village Academy's teachers are 100% "Fully Credentialed" whereas only 63% of SAE's teachers are "Fully Credentialed". (CDE Website Demographics Pages in Appendices)*

It is unclear how the District compiled this data, as it is factually untrue. As required by Education Code Section 47605(I), 100% of The SAE's core teachers are fully credentialed. The law requires the denial of a charter to be supported by facts. Accordingly, this finding is an impermissible basis for denial of the charter renewal petition.

8. *Labeled as "Other Concerns," the District notes that The SAE provided no data to tie Project Based Learning ("PBL") activities to student achievement.*

This section of Dr. Adler's report provides no factual finding upon which to base a finding for denial of the charter renewal petition. The appendix to The SAE's



Karl N. Haws, Esq.

Re: District Findings for Denial of The School of Arts and Enterprise Charter Renewal Petition

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charter provides the research for the Charter School's selection of PBL as a way to improve student learning. Project Based Learning, Problem Based Learning (used in medical schools and other professional graduate schools) and Design Based Learning are examples of ways to make the contextual connections and create a functional integration for most young minds.

\* \* \*

Although the School for Arts and Enterprise's charter renewal petition was denied by the Pomona Unified School District, the Charter School continues to desire a presence in the area and a cooperative relationship with the District. Consequently, should the District wish to discuss our analysis of any of the findings above, please do not hesitate to contact me.

Sincerely,

**LAW OFFICES OF**

**MIDDLETON, YOUNG & MINNEY, LLP**



LISA A. CORR

ATTORNEY AT LAW

Cc: Lucille Berger, Lead Petitioner

## CERTIFICATION OF COMPLIANCE WITH APPLICABLE LAW

### *California Code of Regulations, Title 5, Section 11967(b)(3)*

A charter petition that has been previously denied by the governing board of a school district may be submitted to the county board of education or the State Board of Education. See Education Code Section 47605(j)(1). As per Education Code Section 47605(j)(5), the State Board of Education has adopted regulations implementing the provisions of Section 47605(j)(1). See Title 5, California Code of Regulations Section 11967 (5 CCR Section 11967).

Education Code Section 47605(k)(3) states: "A charter school that has been granted its charter through an appeal to the state board and elects to seek renewal of its charter shall, prior to expiration of the charter, submit its petition for renewal to the governing board of the school district that initially denied the charter. If the governing board of the school district denies the school's petition for renewal, the school may petition the state board for renewal of its charter." 5 CCR Section 11967 requires that a charter school petition that has been previously denied by a school district must be received by the next level of authorizer not later than 180 calendar days after the denial. 5 CCR Section 11967(a). In addition, subdivision (b)(3) of Section 11967 requires the charter petitioner to provide a "signed certification stating that petitioner(s) will comply with all applicable law" when submitting the denied petition to the County Board of Education.

The following certification is submitted in compliance with 5 CCR Section 11967(b)(3).

### Certification

By signing below, I certify as follows:

1. That I am the authorized representative, and that I am competent and qualified to certify to the facts herein;
2. That, as authorized representative, I have personal knowledge of the facts forming the basis of this certification;
3. That I make this certification for purposes of 5 CCR Section 11967(b)(3) only; and
4. That the charter petitioner(s) and the charter petition are in compliance with applicable law.

Name: Lucille Berger, Authorized Representative

Signature: *Lucille H. Berger*

Date: *11/12/10*

School Name: **The School of Arts and Enterprise**



LAW OFFICES OF MIDDLETON, YOUNG & MINNEY, LLP

NOVEMBER 12, 2010

VIA: HAND DELIVERY

Charter Schools Division  
California Department of Education  
1430 N Street  
Sacramento, CA 95814

PAUL C. MINNEY  
JAMES E. YOUNG  
MICHAEL S. MIDDLETON  
LISA A. CORR  
AMANDA J. MCKECHNIE

**Re: Description of Changes to the Petition Necessary to Reflect the State  
Board of Education as the Authorizing Entity**

JESSICA ADAMS ROBISON  
JERRY W. SIMMONS  
CHASTIN H. PIERMAN  
JULIE D. ROBBINS  
JAMES L. SHEA  
KIMBERLY RODRIGUEZ  
ANDREA C. SEXTON  
NARAH J. KOLLMAN  
JANELLE A. RULEY  
ANDREW G. MINNEY

To Whom It May Concern:

The School of Arts and Enterprises (the "Charter School") charter renewal petition was submitted to the Pomona Unified School District (the "District") for review. The District voted to deny the petition on November 3, 2010.

The Charter School respectfully submits its charter petition on appeal to the State Board of Education (the "SBE"). We have listed below the relevant and appropriate changes to the charter petition which are necessary to reflect approval by the SBE:

**Chartering Authority**

*Any text referring to the Pomona Unified School District, PUSD, or the District as the chartering authority would be revised to read "State Board of Education ("SBE"), "California Department of Education ("CDE"), or collectively as the "State." We believe there are very few such changes in the charter.*

We will make every effort to submit any supplemental documentation that the State may request in a timely manner.

Sincerely,  
**LAW OFFICES OF  
MIDDLETON, YOUNG & MINNEY, LLP**

LISA A. CORR  
ATTORNEY AT LAW

OF COUNSEL  
SUZANNE A. TOLLEFSON