

**AMEND BOARD REPORT 03-0527-EX06**  
**APPROVE THE GRANTING OF A CHARTER AND ENTERING INTO A CHARTER SCHOOL**  
**AGREEMENT WITH THE CHARTER SCHOOL OF THE CHICAGO CHILDREN'S CHOIR**  
**CHOIR ACADEMY CHARTER SCHOOL OF CHICAGO**

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS:**

Approve the granting of a charter and entering into a Charter School Agreement with the Charter School of the Chicago Children's Choir for a five-year period. The Charter School Agreement applicable to this term is currently being negotiated. The authority granted herein shall automatically rescind in the event a written Charter School Agreement is not executed by the Board and the charter school's governing board within 120 days of the date of this Board Report. The agreement authorized herein will only take effect upon certification by the Illinois State Board of Education. Information pertinent to this agreement is stated below.

This amendment is necessary to (a) authorize a new governing body for the charter school; (b) change the charter school name; (c) authorize the charter school to increase grades served; (d) increase the enrollment capacity; (e) extend the term of the charter agreement and (f) approve the assignment of the agreement to Choir Academy Charter School of Chicago. A written amendment to the Charter School Agreement is required. The authority granted herein shall automatically rescind in the event a written amendment is not executed by the Board and the charter school's governing board within 120 days of the date of this Board Report. The amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

**CHARTER**

**SCHOOL:** ~~Charter School of the Chicago Children's Choir~~ Choir Academy Charter School of Chicago  
 3737 South Paulina  
 Chicago, IL 60609  
 Phone: (773) 890-4720  
 Contact Person: ~~Ron Giles~~ Kersen de Jong, Board President

**OVERSIGHT:** ~~Charter Schools Office~~ Department of New School Support  
 125 S. Clark, ~~12<sup>th</sup> Floor~~ 5<sup>th</sup> Floor  
 Chicago, IL 60603  
 Phone: (773) 553-1535  
 Contact Person: ~~Greg Richmond, Director~~ Beatriz Rendon, Executive Director

**DESCRIPTION:**

The Charter Schools Law (105 ILCS 5/27A et seq.) provides that up to 30 charter schools may be operated in the City of Chicago. Proposals to operate charter schools are submitted to the Board for evaluation pursuant to the standards set forth in 105 ILCS 5/34-27A-8, and the Board convenes a public meeting to obtain information to assist in its decision to grant or deny each proposal and report its action to the State Board of Education. The State Board determines whether the approved charter school proposal and the proposed contract satisfy the provisions of the Charter Schools Law and, if so, certifies the charter school.

**CHARTER APPLICATION PROPOSAL:**

The Board of Education received the Charter School of the Chicago Children's Choir proposal on April 21, 2003, and held a public meeting thereon on May 9, 2003. The Charter School of the Chicago Children's Choir proposal was submitted by Chicago Children's Choir and is planned to open in the fall of 2003, serving 250 students in grades 4-8. The cost of 250 students in 2003-04 will be approximately \$1,300,000. However, because the school will replace one campus of the existing Global Villages Charter School, approval of this charter will have no financial impact. The school will be located at 3737 South Paulina.

On April 5, 2006, the Chicago Children's Choir filed a material modification application to change the governing board of the charter school, change the name of the charter school, increase grades served and enrollment capacity. The school will resume in Fall 2006 as the Choir Academy Charter School of Chicago, serving a maximum of 275 students in grades 3-8. At full capacity the school will serve 450 students in grades K-8. The cost of 275 students in 2006-07 will be approximately \$1,430,000. A public hearing to discuss the material modifications was held on April 12, 2006.

**TERM:** The term of the ~~Charter School of the Chicago Children's Choir~~ charter and agreement will be for six (6) five (5) years commencing July 1, 2003 and ending June 30, 2009 2008.

**AUTHORIZATION:** Authorize the General Counsel to include relevant terms and conditions, including any indemnities which shall be provided to the charter school in the written Charter School Agreement which terms and conditions shall reflect any resolution of any and all outstanding issues between the Board and the governing body of the charter school including, but not limited to: site location, enrollment, funding, educational program, financial controls and practices, academic accountability, and evaluations. Authorize the President and secretary to execute the Charter School Agreement. Authorize the Director of the ~~Charter Schools~~ New School Support to issue a letter notifying the Illinois State Board of Education of the actions approved hereunder and to submit the approved proposal and signed Charter School Agreement to the Illinois State Board of Education for certification. Authorize the General Counsel to further negotiate, and execute any amendments to the Agreement required by the State Board.

**LSC REVIEW:** Approval of Local School Councils is not applicable to this report.

**FINANCIAL:** The financial implications will be addressed during the development of the ~~2003-2004~~2006-2007 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond ~~FY03~~ FY06 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

**GENERAL CONDITIONS:**

Inspector General – Each Party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-2.4b, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3.4b which restricts the employment of, or the letting of contracts to, former Board members during the one-year period following expiration or other termination of their terms of office.

Indebtedness – The Board's indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time shall be incorporated into and made a part of the agreement.

Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time shall be incorporated into and made a part of the agreement.

Approved:



Barbara Eason-Watkins  
Chief Education Officer

Respectfully Submitted:



Arne Duncan  
Chief Executive Officer

Within Appropriation:



John Maiorca  
Chief Financial Officer

Approved as to Legal Form 



Patrick J. Rocks  
General Counsel