

FAILED OF ADOPTION

08-0326-EX6

March 26, 2008

AMEND BOARD REPORT 07-1024-EX3
AMEND BOARD REPORT 06-1220-EX3
AMEND BOARD REPORT 06-0222-EX14
**APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH
L.E.A.R.N. CHARTER SCHOOL**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:

Approve the renewal of the Charter School Agreement with L.E.A.R.N Charter School for an additional five-year period. A new Charter School Agreement applicable to this renewal term will be 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 renewal is stated below.

This December 2006 amendment is necessary to correct the date of the renewal term for the Charter School Agreement.

This October 2007 amended Board Report is necessary to (a) authorize L.E.A.R.N. Charter School to add one new campus in the fall of 2008 at a location to be determined and (b) increase the at capacity enrollment by 600 students to 1,050 students. The addition of this new campus is contingent upon Board approval of the location of the new campus. The authority granted herein shall automatically rescind in the event a written amendment to the Charter School Agreement is not executed within the time specified in an amended Board Report approving the site location. The amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

This October 2007 amended Board Report is also necessary to authorize L.E.A.R.N. Charter School to establish an additional campus in the fall of 2009 at a location to be determined with an at capacity enrollment of 600 students. The addition of this new campus to open in the fall of 2009 and the corresponding change to enrollment is contingent upon an assessment of the District's need for this new campus based on demographics and student demands, any required subsequent public hearings, achievement of certain benchmarks by the Charter School, and Board approval of the location of the new campus. The authority granted herein shall automatically rescind in the event a written amendment to the Charter School Agreement is not executed within the time specified in an amended Board Report approving the site location. The amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

This March 2008 amended Board Report is necessary to (a) identify a site for the new L.E.A.R.N. Charter School campus to open in 2008 (b) change the grades served at the 2008 Campus and (c) change the first year capacity enrollment at the 2008 Campus. The authority granted herein shall automatically rescind in the event a written Charter School Agreement is not executed 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.

CHARTER SCHOOL:

L.E.A.R.N. Charter School
1132 South Homan Avenue
Chicago, IL 60624
Phone: (773) 826-6330
Contact Person: Courtney Francis

OVERSIGHT:

Office of New Schools
125 South Clark Street, 5th Floor
Chicago, IL 60603
Phone: (773) 553-1530
Contact Person: Josh Edelman, Executive Officer

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 01-0627-EX7) is for a term commencing July 15, 2001, and ending July 15, 2006. The agreement authorizes the operation of a single facility charter school with enrollment not to exceed 400 students in grades Kindergarten through eighth. The Agreement incorporates an accountability plan whereby the school is evaluated by the Board each year based on numerous factors related to its academic, financial, and operational performance.

CHARTER RENEWAL PROPOSAL: L.E.A.R.N. submitted a renewal proposal on November 22, 2005, to continue the operation of the school under the same mission and educational programs. The school is currently located at 1132 South Homan Avenue and serves 334 students in grades Pre-kindergarten through eighth. The proposal requests an increase in maximum student enrollment to permit up to approximately 450 students. The school would grow gradually to that level, adding 15-30 students each year. In 2006-2007, the cost of 30 additional students would be approximately \$177,750.00.

On August 6, 2007 L.E.A.R.N. submitted a Renaissance Proposal to (a) establish a new campus in the fall of 2008 and a new campus in 2009 and (b) to increase their at capacity enrollment by 1200 students to 1,650 students. The L.E.A.R.N. Charter School — 2008 Campus will open in 2008 at a location to be determined and serve approximately 278 students in grades Pre-K - 3. The L.E.A.R.N. Charter School — 2009 Campus will open in 2009 at a location to be determined and will serve approximately 216 students in grades Pre-K — 3. In successive years, the 2008 Campus will grow to serve 600 students in grades Pre-K — 8 at capacity. The 2009 Campus will grow to serve 600 students grades Pre-K — 8 at capacity. A public hearing was held on October 11, 2007.

In March 2008, L.E.A.R.N. submitted a material modification to (a) identify a site for the new L.E.A.R.N. Charter School campus anticipated to open in 2008, (b) change the grades served at the 2008 Campus and (c) change the first year at capacity enrollment at the 2008 Campus. The campus will be located at 3715 W. Polk Street and will serve 198 students in grades K – 3. In successive years, the 2008 Campus will grow to serve 600 students in grades K – 8. A public hearing, as required by statute was held on March 20, 2008 at 3715 W. Polk Street. The hearing was recorded. A summary report of the hearing is available for review.

CONTINGENT APPROVAL: The addition of the new campus anticipated to open in the fall of 2008 and the corresponding changes to enrollment is contingent upon Board approval of the new site as indicated by a subsequent amendment to this Board Report.

The addition of the new campus anticipated to open in the fall of 2009 and the corresponding changes to enrollment is contingent upon an assessment of the District's need for the 2009 campus based upon demographics, student demands, any required subsequent public hearings, and Board approval of the proposed site for the new campus. Approval of the 2009 campus is also contingent upon L.E.A.R.N. Charter School meeting benchmarks established by the Office of New Schools including, but not limited to, ADA compliance on or before April 15, 2008. The Office of New Schools will oversee the enforcement of these deadlines. Failure by L.E.A.R.N. Charter School to meet these deadlines, at the option of the Board, may result in the rescission of the authority granted herein and the denial of the approval of the 2009 campus. A final review of the charter school proposal for the 2009 campus will be conducted by the Chief Executive Officer on or before May 15, 2008. This final review will be conducted to determine compliance with the terms indicated above. The CEO's recommendation to approve the 2009 campus will be subject to Board approval as indicated by a subsequent amendment to this Board Report.

CHARTER EVALUATION: The Renewal Evaluation Committee ("Committee") has reviewed and evaluated L.E.A.R.N.'s renewal proposal as well as the school's past academic, financial, and operational performance. The committee also conducted a site visit of the charter school. During the last school year, L.E.A.R.N. satisfied its academic accountability requirements in eight of the eight areas reviewed. On the ITBS Reading, 77.3% of L.E.A.R.N. students performed at or above national norms. 87.9% of L.E.A.R.N. students have ITBS Math scores at or above national norms. On the ISAT, 80.95% of L.E.A.R.N. students met or exceeded state standards. Finally, the school has a high attendance rate of 95.8%. The committee recommends that L.E.A.R.N. be authorized to continue operating as a charter school.

RENEWAL TERM: The term of L.E.A.R.N.'s charter status is being extended for five (5) years commencing July 16, 2006 and ending July 15, 2011.

AUTHORIZATION: Authorize the General Counsel to include relevant terms and conditions, including any indemnities to be provided to the charter school, in the written Charter School Agreement, which shall reflect 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 Executive Officer of Office of New Schools to issue a letter notifying the Illinois State Board of Education of the action(s) approved hereunder and to submit the approved proposal and signed Charter School Agreement to the Illinois State Board of Education for certification.

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 2008- 2009 and 2009 - 2010 fiscal year budgets. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY08 are deemed to be contingent liabilities only subject to appropriations in subsequent fiscal year budgets. The cost of ~~278~~ 198 students in 2008 - 2009 will be approximately ~~\$1,788,652.00~~ \$1,273,932.00. These budget figures are based on revised per pupil funding amounts released on October 16, 2006.

GENERAL CONDITIONS:

Inspector General - Each Party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, 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, 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 June 26, 1996 (96-0626-P03), 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.

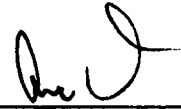
FAILED OF ADOPTION

Approved:



Barbara Eason-Watkins
Chief Education Officer

Respectfully Submitted:



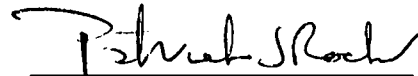
Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to Legal Form:



Patrick J. Rocks
General Counsel

