

AMEND BOARD REPORT 09-1123-EX15
APPROVE THE GRANTING OF A CHARTER AND ENTERING INTO A CHARTER SCHOOL
AGREEMENT WITH NORTHWESTERN UNIVERSITY SETTLEMENT ASSOCIATION,
AN ILLINOIS NOT-FOR-PROFIT CORPORATION

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:

Approve the granting of a charter and entering into a Charter School Agreement with Northwestern University Settlement Association, an Illinois not-for-profit corporation for a five-year period. The Charter School Agreement 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 April 2010 amendment is necessary to authorize the Northwestern University Settlement Association to (a) relocate the Rowe Elementary Charter School to 1424 N. Cleaver and (b) clarify the relationship of any pre-kindergarten program to the charter school. 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 amended 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.

SCHOOL OPERATOR: Northwestern University Settlement Association
 1400 W. Augusta Blvd.
 Chicago, IL 60622
 773-278-7471
 Contact Person: Ron Manderschied, President

CHARTER SCHOOL: Rowe Elementary Charter School
~~1454 W. Superior~~ 1424 N. Cleaver
 Chicago, Illinois 60622 42
 312-445-5870
 Contact Person: Ana Martinez, Principal

OVERSIGHT: Office of New Schools
 125 S. Clark, 5th Floor
 Chicago, IL 60603
 773-553-1530
 Contact Person: Jaime Guzman, Acting Executive Officer

DESCRIPTION: The Charter Schools Law (105 ILCS 5/27A-1 et seq., as amended) provides that up to 70 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 5/27A-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 Illinois 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. This school operated as an existing public school during the 2009-2010 school year (Board Report 09-0826-EX13). This proposal to convert a public school to charter school status is consistent with Section 27A-8(b) of the Illinois Charter Schools Law.

CHARTER APPLICATION PROPOSAL: Rowe Elementary Charter School (Rowe Elementary) proposal was submitted by the Northwestern University Settlement Association and received by the Board on August 10, 2009. The school's mission is to prepare all of their K-8 students to succeed in and graduate from college. They will do so by cultivating the expectation that all students can and will go to college and

by delivering an academically rigorous curriculum infused with unique socially and emotionally supportive wraparound programs for the student and the family, led by the Northwestern University Settlement House. This school's vision is that the K-8 school will best serve their students and families by instilling the college mindset and holistically preparing both students and families to successfully navigate the long road to college graduation. The school will serve 256 students in grades K-3 in the fall of 2010. In successive years, the school will grow one grade at a time, until reaching a capacity of 581 students in grades K – 8. The school will be located at 1454 W. Superior. Public hearings on Renaissance 2010 charter school submissions submitted in 2009, as required by statute, were held on September 10, 2009 and November 9, 2009.

In January 2010, the Northwestern University Settlement Association submitted a material modification to (a) identify a new facility located at 1424 N. Cleaver as the new location for the Rowe Elementary Charter School and (b) clarify the relationship of any pre-kindergarten program to the charter school. A community meeting on these proposed changes was held on Friday, April 23, 2010. The meeting was recorded and a summary report is available for review.

This site will require that the Rowe Elementary Charter School share its facility with Lozano Elementary School. The two schools will share their facility in accordance with the Board's Shared Facility Policy, 05-0126-PO1.

The Northwestern University Settlement Association is authorized to operate a pre-kindergarten program in the same building as the charter school. The children enrolled in the pre-kindergarten will not be included in the enrollment of the charter school and the pre-kindergarten program will not be governed by the Charter School Agreement. To the extent the Board provides funding for the pre-kindergarten program, the program will be subject to a separate agreement with and separate funding authorized by the Office of Early Childhood Education. A material breach of any contract between the Board and NUSA for the operation of a pre-kindergarten program or the charter school may be treated as a breach of the other contract.

TERM: The term of the Rowe Elementary charter and agreement shall commence July 1, 2010 and end June 30, 2015.

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, educational program, financial controls and practices, academic accountability and evaluations. Authorize the President and Secretary to execute the Charter School Agreement. Authorize the Acting Executive Officer of the 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. Authorize the General Counsel to further negotiate and execute any amendments to the Agreement as required by the Illinois State Board of Education.

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

AFFIRMATIVE ACTION: Not applicable.

FINANCIAL: The financial implications will be addressed during the development of the 2010-2011 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY10 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets. The cost of 256 students in 2010-2011 will be approximately \$1,565,952.00. These budget figures are based on the revised per pupil funding amounts for FY10.

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, 2006 (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 June 23, 2004 (04-0623-PO4), 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:




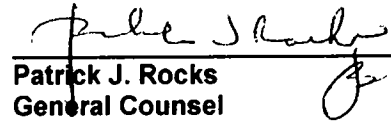
Ron Huberman
Chief Executive Officer

Within Appropriation:



Diana S. Ferguson
Chief Financial Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel