

**AMEND BOARD REPORT 10-0526-EX9**  
**APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH  
 LEGACY CHARTER SCHOOL**

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:**

Approve the renewal of the Charter School Agreement with Legacy 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 June 2011 amendment is necessary to authorize Legacy Charter School to increase its at capacity enrollment by 72 students to a new at capacity enrollment of 554 students beginning in the fall of 2011. 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 amendment authorized herein will only take effect upon certification by the Illinois State Board of Education.

**CHARTER SCHOOL:** Legacy Charter School  
 4217 W. 18<sup>th</sup> Street  
 Chicago, IL 60623  
 Phone: 773-542-1640  
 Contact Person: Lisa Kenner, Principal

**OVERSIGHT:** Office of New Schools  
 125 S. Clark, 5<sup>th</sup> Floor  
 Chicago, IL 60603  
 (773) 553-1530  
 Contact Person: ~~Jaime Guzman, Acting Executive Officer~~  
Andrea Saenz, Chief of Staff

**ORIGINAL AGREEMENT:** The original Charter School Agreement (authorized by Board Report 05-0126-EX7) was for a term commencing July 1, 2005 and ending June 30, 2010 and authorized the operation of a charter school serving no more than 482 students in grades K – 8.

**CHARTER RENEWAL PROPOSAL:** Legacy Charter School submitted a renewal proposal on September 14, 2009, to continue the operation of the Legacy Charter School under a unified mission. The Charter School shall serve grades K - 8 with a maximum student enrollment of 482 students.

The Legacy Charter School 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, that 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 Legacy for the operation of a pre-kindergarten program or the charter school may be treated as a breach of the other contract.

The agreement incorporates an accountability plan in which the school is evaluated by the Board each year based on numerous factors related to academic, financial and operational performance.

In May 2011, Legacy Charter School submitted a material modification to increase its at capacity enrollment by 72 students to a new at capacity enrollment of 554 students beginning in the fall of 2011. A public hearing on this proposed enrollment increase was held on Wednesday, June 15, 2011. The hearing was recorded and a summary report is available for review.

**CHARTER EVALUATION:** After receiving the charter renewal proposal, the Office of New Schools conducted a comprehensive evaluation of Legacy's performance and operations. This evaluation included a review of the proposal, facilities surveys, financial and governance analyses, and site visit of the school in which teaching and learning, leadership and governance, learning community and services for ELL students and students with special needs were assessed. A public hearing was conducted on Monday May 10, 2010 to receive public comment on the application to renew the Charter School Agreement with Legacy Charter School for an additional five years. In addition, the Office of New Schools evaluated the school's student performance. From 2005-2006 to 2008-2009, Legacy Charter School received 10 out of 17 high ratings and 6 out of 17 middle ratings on their absolute student indicators found in the framework put forth by the district for assessing charter school pupil performance. From 2005-2006 to 2008-2009, Legacy's student attendance averaged 94.3%. In 2009, the percentage of students meeting/exceeding state standards on the ISAT Composite was 73.4%, an increase of 16.3 percentage points from 2007-2008. The committee recommends that, based on the school's performance on these and other accountability criteria, Legacy Charter School be authorized to continue operating as a charter school.

**RENEWAL TERM:** The term of Legacy Charter School's charter and agreement is being extended for a five (5) year term commencing July 1, 2010 and ending 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, funding, 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.

**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 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 FY11 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets. The cost of this enrollment will be approximately \$ 2,948,394.00 in 2010-2011. The financial implications for this increased enrollment will be addressed during the development of the 2011-2012 fiscal year budget.

**GENERAL CONDITIONS:**

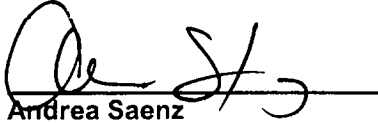
Inspector General - Each Party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary 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-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

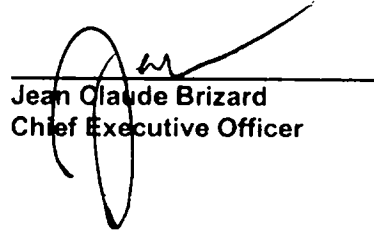
Ethics - The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved:



Andrea Saenz  
Chief of Staff

Respectfully Submitted:



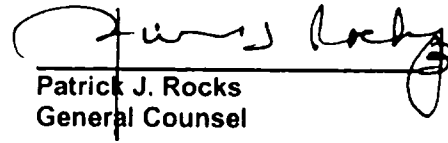
Jean Claude Brizard  
Chief Executive Officer

Within Appropriation:



Melanie A. Shaker  
Interim Chief Financial Officer

Approved as to Legal Form: 



Patrick J. Rocks  
General Counsel