

AMEND BOARD REPORT 12-0125-EX3
APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH
ACADEMY OF COMMUNICATIONS AND TECHNOLOGY CHARTER SCHOOL

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Approve the renewal of the Charter School Agreement with the Academy of Communications and Technology Charter School for an additional 5-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 the time specified in an amended Board Report approving the location of the school. 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.

The March 2012 amendment is necessary to identify 4837 W. Erie Street as the new location of the Academy of Communications and Technology 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.

SCHOOL OPERATOR: Academy of Communications and Technology Charter School
1945 S Halsted Avenue
Chicago, IL 60608
Phone: (773) 877-4774
Contact Person: Nicole Boardman

CHARTER SCHOOL: Academy of Communications and Technology Charter School
~~Location to Be Determined~~ 4837 W. Erie Street
Chicago, IL 60644
Phone: (773) 877-4774
Contact Person: Nicole Boardman

OVERSIGHT: Portfolio Office
125 S. Clark, 10th Floor
Chicago, IL 60603
(773) 553-1530
Contact Person: Carly Bolger, Executive Director, Office of New Schools and Programs

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 97-0122-EX4) with the Academy of Communications and Technology (ACT) Charter School was for a term commencing July 1, 1997, and ending June 30, 2002. In 2002, the charter and Charter School Agreement were renewed (authorized by Board Report 02-0123-EX3) for a two-year term commencing July 1, 2002, and ending June 30, 2004. In 2004, the charter and Charter School Agreement were renewed (authorized by Board Report 04-0428-EX3) for a three-year term commencing July 1, 2004 and ending June 30, 2007. The charter and Charter School Agreement were further renewed (authorized by Board Report 07-0328-EX2) for a five-year term commencing July 1, 2007 and ending June 30, 2012. The Charter School Agreement authorized the operation of a single facility charter school focusing on communications and technology for students in grades 7-12 with enrollment not to exceed 450 students. The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 07-0822-EX9: Approved a change of the address of the charter school to 2908 W. Washington, Chicago, IL 60612 for the 2007 – 2008 school year only.
- Board Report 08-0827-EX6: Approved a relocation of the charter school to its original location at 4319 W. Washington, Chicago, IL 60624.
- Board Report 09-0527-EX3: Approved the addition of a sixth grade to the current grade structure at the charter school for the beginning of the 2010-2011 school year.
- Board Report 10-0127-EX3: Approved ACT Charter School's request to not add a sixth grade to the current grade structure at the charter school for the beginning of the 2010-2011 school year.
- Board Report 10-0526-EX4: Approved ACT Charter School's request to voluntarily suspend its educational services after the 2009-2010 school year for a period of no more than 2 years. To remove suspension of charter status, ACT Charter School was required to notify the Office of New Schools of its intent to reinstate educational services by submitting a proposal that outlined the educational, financial and operational practices of the charter school. The proposal had to be submitted in accordance with the timelines established by the Office of New Schools through the new schools selection process or within six months of the anticipated date of reinstatement of educational services by the charter school. This proposal required Board approval prior to the reinstatement of educational services at ACT Charter School.

CHARTER RENEWAL PROPOSAL: The ACT Charter School submitted a material modification and renewal proposal on November 2, 2011, to reinstate the operation of the ACT Charter School under a mission to provide a college-preparatory education to urban youth empowering them to take their place in society as competent, confident, creative and compassionate citizens of the world. This renewal proposal requests to enter into a new five-year charter agreement and to change the grades served from grades 7-12 to grades 5-8 and to allow KIPP Chicago to manage the operations of the school starting in the fall of 2012. The ACT Charter School will resume services in the fall of 2012, serving 90 students in grade 5. The school will add a grade each year until reaching full capacity in the 2015-2016 school year, serving a maximum of 360 students in grades 5-8.

ACT Charter School entered into a multi-year educational management agreement with KIPP Chicago to provide comprehensive school management services at the charter school beginning in the fall of 2012.

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.

CHARTER EVALUATION: In May 2011, the Charter School Agreement was amended to voluntarily suspend the charter and the agreement effective June 30, 2010 for a period of no more than two years (10-0526-EX4). In accordance with that amendment, ACT Charter School was required to submit a proposal outlining the educational, financial, and operational practices to be put in place in order to reinstate the charter and agreement in accordance with the timelines established by the Office of New Schools through the new schools selection process or within six months prior to the resumption of educational services. On November 2, 2011, ACT Charter School submitted a proposal to enter into an agreement with KIPP Chicago to manage the operations of the school starting in the fall of 2012. The Portfolio Office reviewed the plans included in the proposal to improve the academic performance and operations of the ACT Charter School. A public hearing was conducted on Wednesday, January 11, 2012 to receive public comment on the application to renew the Charter School Agreement with ACT Charter School for an additional five years.

In February 2012, the Board proposed a new location for ACT Charter School. ACT Charter School shall be located at 4837 W. Erie Street beginning with the 2012-2013 school year. A public hearing for the proposed location was held on Thursday, March 15, 2012. The hearing was recorded and a summary report is available for review.

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

RENEWAL TERM: The term of ACT Charter School's charter and agreement is being extended, subject to resolving outstanding issues including finalization of a facility to house the school, for a five (5) year term commencing July 1, 2012 and ending June 30, 2017.

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 written Charter School Agreement. Authorize the Executive Director of the Office of New Schools and Programs 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 2012-2013 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY12 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

GENERAL CONDITIONS:

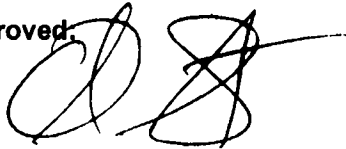
Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary 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:



Oliver Sicat
Chief Portfolio Officer

Respectfully Submitted:



Jean Claude Brizard
Chief Executive Officer

Within Appropriation:



David Watkins
Chief Financial Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel