

AMEND BOARD REPORT 13-0522-EX101
AMEND BOARD REPORT 11-0126-EX11
APPROVE THE GRANTING OF A CHARTER AND ENTERING INTO A CHARTER SCHOOL AGREEMENT WITH KWAME NKURUMAH ACADEMY, INC., 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 Kwame Nkrumah Academy, Inc., 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 May 2013 amendment is necessary to authorize Kwame Nkrumah Academy, Inc. to identify the CPS facility at 8524 South Green Street as the location of the Kwame Nkrumah Academy Charter School. The authority granted herein shall automatically rescind in the event a written amendment to the 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 amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

This August 2013 amendment is necessary to authorize Kwame Nkrumah Academy, Inc. to identify the independent facility at 314 West 108th Street as the location of the Kwame Nkrumah Academy Charter School. Board Report 13-0522-EX97 which authorized the co-location of Walter Q. Gresham Elementary School and Kwame Nkrumah Academy Charter School shall be rescinded at the August 28, 2013 board meeting. Board Report 13-0724-OP3 which authorized a new lease agreement with Kwame Nkrumah Academy, Inc. for a portion of the Walter Q. Gresham Elementary School building shall also be rescinded at the August 28, 2013 board meeting. The authority granted herein shall automatically rescind in the event a written amendment to the 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 amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

SCHOOL OPERATOR: Kwame Nkrumah Academy, Inc.
~~901 E. 95th Street~~ 314 West 108th Street
 Chicago, Illinois 60619
 Phone: 773-548-6675
 Contact: Dr. Iva Carruthers, Chair, Board of Trustees

CHARTER SCHOOL: Kwame Nkrumah Academy Charter School
~~8524 South Green Street~~ 314 West 108th Street
 Chicago, Illinois ~~60629~~ 60628
 Phone: 773-548-6675
 Contact: Dr. Iva Carruthers, Chair, Board of Trustees

OVERSIGHT: Office of Innovation and Incubation
 125 S. Clark, 10th Floor
 Chicago, IL 60603
 773-553-1530
 Contact Person: Jack Elsey, Chief 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 2008-2009, 2009-2010 and 2010-2011 school years (Board Report 07-1024-EX14). 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: The Kwame Nkrumah Academy Charter School (Kwame Nkrumah Academy) proposal was submitted by Kwame Nkrumah Academy, Inc. and received by the Board in August 2010. The Kwame Nkrumah Academy aims to be a global model of African-centered teaching and learning, a center and community of academic excellence and uncompromised expression. Kwame Nkrumah Academy will equip students with a strong sense of personal identity, requisite ethical moorings, and academic and leadership skills to prepare them for participation in the global community of the 21st Century. The curriculum of the Kwame Nkrumah Academy will focus on discipline and measured instructional outcomes, and include the use of age-appropriate global scholar mentorships, community-based experiential learning, exploration dialogue with diverse peers, language immersion and exchange programs. The school is slated to open in the fall of 2011 serving 201 students in grades K-4. At capacity, the school will serve 421 students in grades K-8. The school will be located at 8524 S. Green Street 314 W. 108th Street. Public hearings on charter school submissions submitted in 2010, as required by statute, were held on December 13, 2010 and January 18, 2011.

In March 2013, the CEO recommended to the Board that the CPS facility at 8524 South Green Street be identified as the location of the Kwame Nkrumah Academy Charter School. This site will require that the Kwame Nkrumah Academy Charter School share its facility with Walter Q. Gresham Elementary School. The two schools will share their facility in accordance with the Board's Shared Facility Policy, 05-0126-PO1.

A public hearing on the proposed co-location was held on May 7, 2013 at Board Chambers, 125 South Clark, 5th floor. The hearing was recorded and a summary report is available for review.

In July 2013, Kwame Nkrumah Academy, Inc. submitted a material modification to relocate Kwame Nkrumah Academy Charter School to the independent facility at 314 West 108th Street, beginning in the fall of 2013. A public hearing on the proposed relocation was held on Monday, August 19, 2013. The hearing was recorded and a summary report is available for review.

Board Report 13-0522-EX97 which authorized the co-location of Walter Q. Gresham Elementary School and Kwame Nkrumah Academy Charter School shall be rescinded at the August 28, 2013 board meeting.

Board Report 13-0724-OP3 which authorized a new lease agreement with Kwame Nkrumah Academy, Inc. for a portion of the Walter Q. Gresham Elementary School building shall also be rescinded at the August 28, 2013 board meeting.

TERM: The term of the Kwame Nkrumah Academy charter and agreement shall commence July 1, 2011 and end June 30, 2016.

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 and amendment, 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 written Charter School Agreement and amendment. Authorize the Executive Director of the Office of New Schools and Innovative Models 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 Council is not applicable to this report.

AFFIRMATIVE ACTION: Not applicable.

FINANCIAL: The financial implications will be addressed during the development of the 2013-2014 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY13 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

GENERAL CONDITIONS:

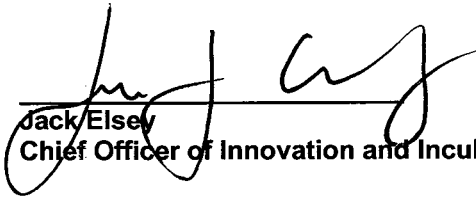
Inspector General - Each Party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary 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, 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)~~ May 25, 2011 (11-0525-PO2), as amended from time to time shall be incorporated into and made a part of the agreement.

Approved for Consideration:



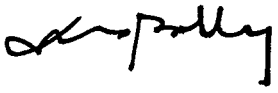
Jack Elsey
Chief Officer of Innovation and Incubation

Approved:



Barbara Byrd-Bennett
Chief Executive Officer

Approved as to Legal Form: 



James Bebley
General Counsel