

November 18, 2015

AMEND BOARD REPORT 13-0227-EX6
APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH
BETTY SHABAZZ INTERNATIONAL CHARTER SCHOOL

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Approve the renewal of the Charter School Agreement with Betty Shabazz International 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 November 2015 amendment is necessary to (a) revoke the Betty Shabazz International Charter School – Barbara A. Sizemore Academy Campus at the end of the 2015-2016 school year for the reasons set forth below, (b) authorize an amendment to the Charter School Agreement with respect to that campus revocation, and (c) authorize campus wind down agreements for the Barbara A. Sizemore Academy Campus and the DuSable Leadership Academy Campus which is in its final year of phase out. Betty Shabazz International Charter School shall wind down and cease operations of its Barbara A. Sizemore Academy Campus and DuSable Leadership Academy Campus. After the revocation of the Barbara A. Sizemore Academy Campus and the final year of phase out for the DuSable Leadership Academy Campus, the overall at capacity enrollment for the charter school shall decrease to 400 students by the fall of 2016.

SCHOOL OPERATOR: Betty Shabazz International Charter School
 7823 S. Ellis
 Chicago, IL 60616
 Phone: (773) 651-0302
 Contact Person: David Ireland, CEO

OVERSIGHT: Office of New Schools Innovation and Incubation
 125 S. Clark, 10th Floor 42 West Madison Street, 3rd Floor
 Chicago, IL 606032
 (773) 553-1530
 Contact Person: Carly Bolger, Executive Director
Elizabeth Kirby, Chief of School Strategy and Planning

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 98-0429-EX12) was for a term commencing July 1, 1998 and ending June 30, 2003 and authorized the operation of a charter school serving no more than 300 students in grades K – 8. The charter and Charter School Agreement were subsequently renewed for a term commencing July 1, 2003 and ending June 30, 2008 (authorized by Board Report 03-0225-EX6). The charter and Charter School Agreement were further renewed for an additional five (5) year term commencing July 1, 2008 and ending June 30, 2013 (authorized by Board Report 08-0602-EX4). The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 09-0325-EX4: Approved the identification of a new location for the Barbara A. Sizemore Academy Campus at 6936 S. Hermitage.

CHARTER RENEWAL PROPOSAL: Betty Shabazz International Charter School submitted a renewal proposal on September 4, 2012 to continue the operation of the Betty Shabazz International Charter School (Betty Shabazz) under a unified mission at all three campuses. The Board is considering the phase-out of the DuSable Leadership Academy Campus under Board Report 13-0227-EX6A.

The charter school shall, during the renewal term, serve grades Kindergarten through 12 with a maximum enrollment of 1,300 students. If the Board authorizes the phase-out of the DuSable Leadership Academy Campus, the grades served by the charter school will decrease to Kindergarten through 8 and the maximum enrollment will decrease to 800 students by the end of the 2015-2016 school year. The maximum enrollment for each Betty Shabazz International Charter School Campus is indicated on the chart below.

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

In early November 2015, the CEO provided written notice to Betty Shabazz International Charter School that he intended to recommend to the Board the revocation of the Betty Shabazz International Charter School – Barbara A. Sizemore Academy Campus at the end of the 2015-2016 school year due to the following reasons:

Section 27A-9(c)(2) of the Illinois Charter Schools Law states that a charter may be revoked if it fails to “meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter”. Furthermore, Section 27A-9(c)(4) of the Illinois Charter Schools Law states that, after being notified of the reason for revocation, the charter school must submit a written plan for remediation and the plan for remediation will be reviewed and a determination will be made whether the charter failed to implement the plan.

In addition, Betty Shabazz International Charter School’s Charter School Agreement dictates that the charter campus will be evaluated annually in accordance with the CPS School Quality Rating Policy (SQRP) to determine if the campus is meeting or making reasonable progress toward achievement of the content standards or pupil performance standards. In the 2014-2015 school year the Betty Shabazz International Charter School - Barbara A. Sizemore Academy Campus received a Level 3 rating on the SQRP. On December 3, 2014, the Office of Innovation and Incubation notified Betty Shabazz International Charter School that, for school year 2014-2015, its Barbara A. Sizemore Academy Campus was failing to meet standards or make reasonable progress toward achievement of the content standards or pupil performance standards and the revocation process began. Betty Shabazz International Charter School - Barbara A. Sizemore Academy Campus submitted a remediation plan. The Office of Innovation and Incubation, in conjunction with the Office of Accountability, reviewed the remediation plan and its implementation. The CEO has decided that Betty Shabazz International Charter School - Barbara A. Sizemore Academy Campus failed to implement its remediation plan. Pursuant to the Illinois Charter Schools Law and the Charter School Agreement, the CEO recommends that the Betty Shabazz International Charter School - Barbara A. Sizemore Academy Campus be revoked at the end of the 2015-2016 school year.

The Betty Shabazz International Charter School shall wind down and cease operations of its Barbara A. Sizemore Academy Campus and DuSable Leadership Academy Campus. After the revocation of the Barbara A. Sizemore Academy Campus and the final year of phase out for the DuSable Leadership Academy Campus, the overall at capacity enrollment for the charter school shall decrease to 400 students by the fall of 2016. Both parties shall enter into an amendment to the Charter School Agreement with respect to the revocation of the Barbara A. Sizemore Academy Campus. In addition, both parties shall enter into campus wind down agreements for the Barbara A. Sizemore Academy Campus and the DuSable Leadership Academy Campus which is in its final year of phase out.

Campus Name	Year Opened	Address	At Capacity Grades	2012-2013 Enrollment	At Capacity Enrollment
Betty Shabazz Academy	1998	7823 S. Ellis	K – 8	300	400
Barbara A. Sizemore Academy	2005	6936 S. Hermitage	K – 8	307	400 (campus revocation by June 30, 2016)

DuSable Leadership Academy	2005	4934 S. Wabash	9 – 12	333	5000 (phase out by June 30, 2016 is subject to 13-0227-EX6A)
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CHARTER EVALUATION: After receiving the charter renewal proposal, the Office of New Schools conducted a comprehensive evaluation of Betty Shabazz's performance and operations. This evaluation included a review of the proposal, facilities surveys, financial analysis, and academic site visit of the school in which student performance, teaching and learning, leadership and governance, and the learning communities were assessed. A public hearing was held on February 21, 2013 for all charter schools going through renewals to receive public comments, including Betty Shabazz. In addition to the foregoing, the Office of New Schools evaluated the school's student performance. From 2007-2008 to 2011-2012, the Shabazz Campus received 19 out of 52 high ratings and 20 out of 52 middle ratings, and the Sizemore Campus received 9 out of 52 high ratings and 31 out of 52 middle ratings. From 2007-2008 to 2011-2012, Betty Shabazz's student attendance averaged approximately 94.5% at the Shabazz Campus and 94.0% at the Sizemore Campus. In 2011-2012, the percentage of students meeting/exceeding state standards on the ISAT Composite at the Shabazz Campus was 73.0%, a decrease of 8.9 percentage points from 2007-2008 and at the Sizemore Campus was 58.7%, a decrease of 2.8 percentage points from 2007-2008. The Office of New Schools recommends that, based on the school's performance on these and other accountability criteria, Betty Shabazz be authorized to continue operating as a charter school at the Shabazz Campus and the Sizemore Campus. Continued operation of the DuSable Leadership Academy Campus is subject to determination under Board Report 13-0227-EX6A.

RENEWAL TERM: The term of Betty Shabazz's charter and agreement is being extended for a five (5) year term commencing July 1, 2013 and ending June 30, 2018.

ADDITIONAL TERMS AND CONDITIONS: Additional terms and conditions will be communicated to the charter school and included as an attachment to the Charter School Agreement with Betty Shabazz. Also, any campus phase-out authorized under Board Report 13-0227-EX6A shall be included in the Charter School Agreement with Betty Shabazz.

AUTHORIZATION: Authorize the General Counsel to include relevant terms and conditions, including any indemnities to be provided to the charter school and any campus phase-out authorized under Board Report 13-0227-EX6A, in the written Charter School Agreement, amendment and campus wind down agreements 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, amendment and campus wind down agreements. Authorize the ~~Executive Director of the Office of New Schools~~ Chief of School Strategy and Planning to issue a letter notifying the Illinois State Board of Education of the revocation of the campus 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 as well as any other information as may be necessary due to the closure of the two campuses.

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 fiscal year 2014-2016-2017 budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY4316 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

GENERAL CONDITIONS:

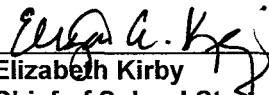
Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary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

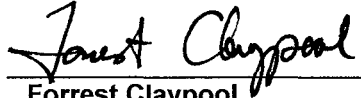
Ethics - The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved for Consideration:




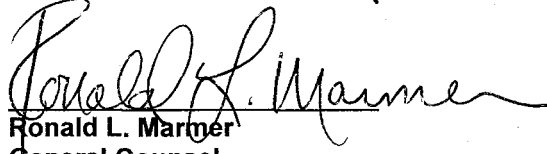
Elizabeth Kirby
Chief of School Strategy and Planning

Approved:



Forrest Claypool
Chief Executive Officer

Approved as to Legal Form: 



Ronald L. Marmor
General Counsel