

April 27, 2016

**AMEND BOARD REPORT 15-0527-EX12**  
**AUTHORIZE RENEWAL OF THE LEGACY CHARTER SCHOOL AGREEMENT**

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

Authorize renewal of the Legacy Charter School Agreement (the "Charter School Agreement") 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 April 2016 amendment is necessary to delay the relocation date of the charter school to the new facility to be constructed at 3318 West Ogden Avenue until no later than the fall of 2017. This Board approval of the relocation site is contingent upon the subsequent approval of the facility by the CPS Facility Department which shall include, without limitation, the receipt of all necessary zoning and occupancy permits and health and safety approvals for that site. 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 on or before May 24, 2017.

**SCHOOL OPERATOR/** Legacy Charter School, an Illinois not-for-profit corporation  
**CHARTER SCHOOL:** 4217 West 18<sup>th</sup> Street (2015-~~16~~17 school years ~~only~~)  
 Chicago, Illinois 60623  
 and  
 3300~~18~~ West Ogden Avenue (beginning no later than 20~~16~~17-18 school year)  
 Chicago, Illinois 60623  
 Phone: 773-542-1640  
 Contact Person: Lisa Kenner, Principal

**OVERSIGHT:** Office of Innovation and Incubation  
 42 West Madison Street, 3<sup>rd</sup> Floor  
 Chicago, Illinois 60602  
 Phone: 773-553-1530  
 Contact Person: ~~Jack Elsey, Chief Innovation and Incubation Officer~~  
Mary K. Bradley, Executive Director

**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 through 8. The charter and Charter School Agreement were subsequently renewed for a term commencing July 1, 2010 and ending June 30, 2015 (authorized by Board Report 10-0526-EX9). The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 11-0622-EX3: Approved the increase in the maximum enrollment of the charter school by 72 students to 554 students beginning in the fall of 2011.

**CHARTER RENEWAL PROPOSAL:** Legacy Charter School (Legacy) submitted a renewal proposal on November 17, 2014 to continue the operation of Legacy. The charter school shall be located at 4217 West 18<sup>th</sup> Street and shall serve grades K through 8 with a maximum enrollment of 554 students.

In November 2014, Legacy Charter School proposed to build a facility to relocate its charter school at 3300 West Ogden Avenue for the fall of 2016. Board approval of this site shall be contingent upon the subsequent approval of the facility by the CPS Facility Department. A public hearing on the proposed

relocation was held on Thursday, May 21, 2015. The hearing was recorded and a summary report is available for review.

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

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 its academic, financial and operational performance.

In January 2016, Legacy Charter School submitted an application to request a delay in the relocation date of the charter school to the new facility to constructed at 3318 West Ogden Avenue until no later than the fall of 2017. This Board approval of the relocation site is contingent upon the subsequent approval of the facility by the CPS Facility Department which shall include, without limitation, the receipt of all necessary zoning and occupancy permits and health and safety approvals for that site. A public hearing on the delay of the proposed relocation was held on Tuesday, April 19, 2016. The hearing was recorded and a summary report is available for review.

**CHARTER EVALUATION:** After receiving the charter renewal proposal, the Office of Innovation and Incubation conducted a comprehensive evaluation of Legacy's academic performance, financial viability, and legal and contract compliance. This evaluation included a review of the proposal, academic results, financial performance, governance documents, parental issues, facilities surveys, and special education documentation. A public hearing was held on May 20, 2015 for all charter schools going through renewals to receive public comments, including Legacy. The Office of Innovation and Incubation recommends that, based on the school's performance on these and other accountability criteria, Legacy be authorized to continue operating as a charter school.

**RENEWAL TERM:** The term of Legacy's charter and agreement is being extended for a five (5) year term commencing July 1, 2015 and ending June 30, 2020.

**ADDITIONAL TERMS AND CONDITIONS:** No additional terms and conditions are included as an attachment to the Charter School Agreement with Legacy Charter School.

**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. Authorize the President and Secretary to execute the written Charter School Agreement and amendment. Authorize the Chief Executive Director of the Office of Innovation and Incubation ~~Officer~~ 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 Charter School Agreement required by the Illinois State Board of Education.

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

**FINANCIAL:** The financial implications will be addressed during the development of the 2015-2016 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY1516 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

**GENERAL CONDITIONS:**

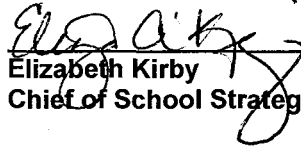
Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary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