

April 27, 2016

**AUTHORIZE RENEWAL OF THE KWAME NKURUMAH ACADEMY CHARTER SCHOOL AGREEMENT
WITH CONDITIONS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Authorize renewal of the Kwame Nkrumah Academy Charter School Agreement (the "Charter School Agreement") with conditions for an additional three-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.

SCHOOL OPERATOR: Kwame Nkrumah Academy, Inc.
314 West 108th Street
Chicago, Illinois 60628
Phone: 773-548-6675
Contact: Dr. Iva Carruthers, Chair, Board of Trustees

CHARTER SCHOOL: Kwame Nkrumah Academy Charter School
314 West 108th Street
Chicago, Illinois 60628
Phone: 773-568-8000
Contact: Dr. Iva Carruthers, Chair, Board of Trustees

OVERSIGHT: Office of Innovation and Incubation
42 W. Madison, 3rd Floor
Chicago, IL 60602
Phone: 773-553-1530
Contact Person: Mary K. Bradley, Executive Director

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 11-0126-EX11) was for a term commencing July 1, 2011 and ending June 30, 2016, and authorized the operation of a charter school serving no more than 421 students in grades K through 8. The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 13-0522-EX101: Approved the relocation of the charter school to a CPS facility at 8524 S. Green Street which would be a co-location with Walter Q. Gresham Elementary School beginning in the fall of 2013.
- Board Report 13-0828-EX2: Approved the relocation of the charter school to an independent facility at 314 W. 108th Street beginning in the fall of 2013. Noted the rescission at the August 28, 2013 Board Meeting of Board Report 13-0522-EX97 which had authorized the co-location of the charter school with Walter Q. Gresham Elementary School.
- Board Report 14-0924-EX2: Ratified the temporary relocation of the charter school due to exigent circumstances to an independent facility at 1250 W. 119th Street from September 8, 2014 until completion of renovations at its permanent facility at 314 W. 108th Street which was in the winter of 2014.

CHARTER RENEWAL PROPOSAL: Kwame Nkrumah Academy, Inc. submitted a renewal proposal on October 19, 2015 to continue the operation of Kwame Nkrumah Academy Charter School (Kwame Nkrumah). The charter school shall continue to be located at 314 W. 108th Street, and to serve grades K through 8 with a maximum enrollment of 421 students.

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.

CHARTER EVALUATION: After receiving the charter renewal proposal, the Office of Innovation and Incubation conducted a comprehensive evaluation of Kwame Nkrumah'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 April 19, 2016 for all contract and charter schools going through renewals to receive public comments, including Kwame Nkrumah. The Office of Innovation and Incubation recommends that, based on the school's performance on these and other accountability criteria, as well as the school's demonstration of intent to satisfy the "Additional Terms and Conditions" referred to herein below, Kwame Nkrumah be authorized to continue operating as a charter school.

RENEWAL TERM: The term of the Kwame Nkrumah's charter and agreement is being extended for a three (3) year term commencing July 1, 2016 and ending June 30, 2019.

ADDITIONAL TERMS AND CONDITIONS: Kwame Nkrumah's charter and agreement shall be recommended for renewal with the following conditions to be included in the agreement:

- On or before July 15, 2016, the school must provide evidence to the Office of Innovation and Incubation (I&I) that a Freedom of Information Act (FOIA) officer has been identified and has completed the Attorney General FOIA training.
- On or before July 15, 2016, the school must submit evidence to I&I that all current board members have completed Open Meetings Act (OMA) training.
- On or before July 15, 2016, the school must provide evidence to I&I that an STLS (Students in Temporary Living Situations) liaison and clerk have been identified and trained.
- On or before July 15, 2016, the school must present to I&I a compliant transportation policy consistent with state charter law.
- Starting July 15, 2016, the school must submit to I&I a cash forecast on a monthly basis and also submit accounts payable aging for the previous month.
- On or before June 1, 2017, and thereafter every June 1, the school must show evidence to I&I that it is and shall remain in compliance with CPS Diverse Learner expectations of timely completion of evaluations/Individualized Education Plans (IEPs) and Related Service Provider (RSP) service documentation as measured by the Board's Office of Diverse Learners and Support Services.
- On or before October 1, 2017, the school must demonstrate to I&I full resolution of facilities and ADA issues.

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. Authorize the President and Secretary to execute the written Charter School Agreement. Authorize the Executive Director of the Office of Innovation and Incubation 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 as 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 2016-2017 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY16 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. Marmer
General Counsel