

April 27, 2016

**AUTHORIZE RENEWAL AGREEMENT WITH BANNER LEARNING CORP. – CHICAGO WITH CONDITIONS FOR ALTERNATIVE LEARNING OPPORTUNITIES PROGRAM SERVICES****THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:**

Authorize renewal agreement with Banner Learning Corp. - Chicago with conditions for Alternative Learning Opportunities Program (ALOP) Services for an additional two-year period. A new agreement applicable to this renewal term will be negotiated. The authority granted herein shall automatically rescind in the event a written agreement is not executed by the Board and the provider within 120 days of the date of this Board Report. Information pertinent to this renewal is stated below.

**PROVIDER:** Banner Learning Corp. - Chicago, an IL not-for-profit corporation  
10136 S. Utica Avenue  
Evergreen Park, Illinois 60805  
Phone: (773) 934-2328  
Contact Person: Eric Carlton, President

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

**ORIGINAL AGREEMENT:** The original agreement (authorized by Board Report, 13-0527-EX27-1) was for a term commencing July 1, 2013 and ending June 30, 2016 and authorized the provider to provide ALOP services pursuant to Section 13B of the Illinois School Code (105 ILCS 5/13B-1 et seq.). In June 2012, the CEO made available the Call for Quality Schools to solicit responses from parties interested in providing a range of new alternative option school and program proposals, including proposals for ALOP services. An ALOP proposal was submitted by provider in response to the Call for Quality Schools. The proposal was evaluated using the criteria and standards set forth in the Call for Quality Schools and on January 23, 2013, the Board provided contingent approval of this proposal (Board Report 13-0123-EX2).

**ALOP RENEWAL PROPOSAL:** On October 19, 2015, Banner Learning Corp. – Chicago submitted a renewal proposal to continue the operation of its Alternative Learning Opportunity Program pursuant to Paragraph 11 of its Alternative Learning Opportunities Program Agreement.

**ALOP EVALUATION:** After receiving the ALOP renewal proposal, the Office of Innovation and Incubation conducted a comprehensive evaluation of the Alternative Learning Opportunity Program 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, special education documents. The Office of Innovation and Incubation recommends that, based on the school's performance on these and other accountability criteria, as well as the ALOP demonstration of the intent to satisfy the "Additional Terms and Conditions" referred to herein below, Banner Learning Corp. – Chicago, be authorized to continue operating its Alternative Learning Opportunity Program. A public hearing was held on Tuesday, April 19, 2016 to receive public comments. The hearing was recorded and a summary report is available for review.

**RENEWAL TERM:** The term of the agreement is being extended and renewed for two (2) years commencing July 1, 2016 and ending June 30, 2018.

**ADDITIONAL TERMS AND CONDITIONS:** Banner's agreement shall be recommended for extension and renewal with the following conditions to be included in the agreement:

- On or before July 15, 2016, the program must submit evidence to the Office of Innovation and Incubation (I&I) of a revised admission/enrollment policy consistent with the CPS enrollment policy.
- On or before June 1, 2017, and thereafter every June 1, the program must show evidence to I&I that it is and shall remain in compliance with CPS Diverse Learner expectations of timely completion of evaluations/IEPs and RSP service documentation as measured by the Board's Office of Diverse Learner and Support Services.
- On or before October 1, 2017, the program must demonstrate to I&I full resolution of facility and ADA issues identified in the Wallin/Gomez Architects, Ltd. report dated October 21, 2015.

**AUTHORIZATION:** Authorize the General Counsel to include relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the written agreement.

**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 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:**

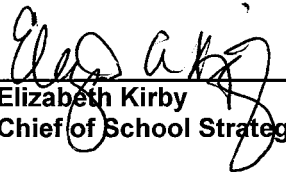
Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary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