

December 6, 2017

AMEND BOARD REPORT 16-0427-EX3
**AUTHORIZE RENEWAL OF THE ARCHITECTURE, CONSTRUCTION AND ENGINEERING
 TECHNICAL CHARTER SCHOOL AGREEMENT WITH CONDITIONS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Authorize renewal of the Architecture, Construction and Engineering Technical 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.

This December 2017 amendment is necessary to (a) revoke the charter and Charter School Agreement for Architecture, Construction and Engineering Technical Charter School at the end of the 2017-2018 school year for the reasons set forth below, and (b) authorize a wind down agreement for the charter school. Architecture, Construction and Engineering Technical Charter School shall wind down and cease operations of its charter school and return its charter to the Board effective as of July 1, 2018.

SCHOOL OPERATOR/ Architecture, Construction and Engineering Technical Charter School
CHARTER SCHOOL: 5410 S. State Street
 Chicago, Illinois 60609
 Phone: 773-548-8705
 Contact Person: Cecilia Baader, Principal

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 04-0225-EX4) was for a term commencing July 1, 2004 and ending June 30, 2009 and authorized the operation of a charter school serving no more than 500 students in grades 9 through 12. The charter and Charter School Agreement were subsequently renewed for a term commencing July 1, 2009 and ending June 30, 2012 (authorized by Board Report 09-0325-EX15). The charter and Charter School Agreement were further renewed for a term commencing July 1, 2012 and ending June 30, 2013 (authorized by Board Report 12-0328-EX10). The charter and Charter School Agreement were subsequently renewed for a term commencing July 1, 2013 and ending June 30, 2016 (authorized by Board Report 13-0227-EX3).

CHARTER RENEWAL PROPOSAL: Architecture, Construction and Engineering Technical Charter School ("ACE Tech") submitted a renewal proposal on October 19, 2015 to continue the operation of ACE Tech. The charter school shall continue to be located at 5410 S. State Street, and to serve grades 9 through 12 with a maximum enrollment of 500 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.

On November 22, 2017, the Office of Innovation and Incubation provided written notice to ACE Tech that the Chief Executive Officer ("CEO") intended to recommend to the Board the revocation of its charter and Charter School Agreement effective at the end of the 2017-2018 school year.

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 school failed to implement the plan.

ACE Tech's Charter School Agreement dictates that the charter school will be evaluated annually in accordance with the CPS School Quality Rating Policy ("SQRP") and Charter School Quality Policy ("CSQP") to determine if the school is meeting or making reasonable progress toward achievement of the content standards or pupil performance standards. On November 4, 2016, the Office of Innovation and Incubation notified ACE Tech that it received a Level 2 rating on the SQRP for the prior 2015-2016 school year and its school was failing to meet standards or make reasonable progress toward achievement of the content standards or pupil performance standards and the revocation process began. ACE Tech submitted a remediation plan and placed on the Academic Warning List. The Office of Innovation and Incubation, in conjunction with the Office of Accountability, reviewed the remediation plan and its implementation in accordance with the academic revocation process timeline. On October 20, 2017, ACE Tech also received a Level 2 rating on SQRP for the prior 2016-2017 school year. ACE Tech was placed on the Academic Warning List for a second consecutive year due to its continued failure to meet standards or make reasonable progress toward achievement of the content standards or pupil performance standards.

On October 30, 2017, ACE Tech was notified of a public hearing on November 6, 2017 for the consideration of revocation for the charter school. The hearing notice was published on October 31 on www.cps.edu and in the November 1st edition of the Chicago Sun Times. The hearing was conducted on November 6, 2017.

Pursuant to the Illinois Charter Schools Law and the Charter School Agreement, the CEO recommends that the charter and Charter School Agreement for ACE Tech be revoked at the end of the 2017-2018 school year because ACE Tech has been on the Academic Warning List for two consecutive years and there has been a failure to implement the remediation plan.

ACE Tech shall wind down and cease operations of its charter school and return its charter to the Board effective as of July 1, 2018. Both parties shall enter into a wind down agreement with respect to the revocation of the charter and Charter School Agreement.

CHARTER EVALUATION: After receiving the charter renewal proposal, the Office of Innovation and Incubation conducted a comprehensive evaluation of ACE Tech'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 ACE Tech. 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, ACE Tech be authorized to continue operating as a charter school.

RENEWAL TERM: The term of ACE Tech's charter and agreement is being extended for a three (3) year term commencing July 1, 2016 and ending June 30, 2019. ACE Tech's charter and agreement is being revoked at the end of the 2017-2018 school year. The charter for this school shall be returned to the Board effective as of July 1, 2018.

ADDITIONAL TERMS AND CONDITIONS: ACE Tech'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 present evidence to the Office of Innovation and Incubation (I&I) of a student application form consistent with state charter law.
- On or before July 15, 2016, the school must provide evidence to I&I of a compliant transportation policy consistent with state charter law.
- On or before July 15, 2016, the school must submit evidence to I&I of completion of Open Meetings Act (OMA) training for all current board members.
- On or before January 1, 2017, and thereafter every January 1, the school must show evidence to I&I that it is and shall remain in compliance with state and federal requirements governing English Learners as demonstrated on formal compliance reports from the Board's Office of Language and Cultural Education (OLCE). Chicago Public Schools has designated OLCE to conduct school visits and make a determination of compliance with state and federal requirements regarding English Learner Programs.
- By the end of the term of the agreement, the school must demonstrate that the number, length, and rate of in-school suspensions (ISS) and out-of-school suspensions (OSS) have declined.

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 wind down agreement for the charter school. Authorize the President and Secretary to execute the written Charter School Agreement and wind down agreement for the charter school. 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. Authorize the Executive Director of the Office of Innovation and Incubation to issue a letter notifying the Illinois State Board of Education and the Illinois State Charter School Commission of the revocation of the charter and the Charter School Agreement as well as any other information as may be necessary due to the closure of the charter school.

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~~ 2018-2019 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond ~~FY1618~~ 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:



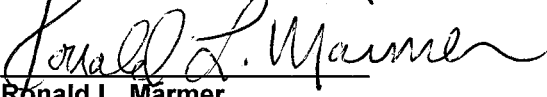
Elizabeth Kirby
Chief of School Strategy and Planning

Approved:



Forrest Claypool
Chief Executive Officer

Approved as to Legal Form:



Ronald L. Marmer
General Counsel