

December 11, 2019

AMEND BOARD REPORT 18-0425-EX2
AMEND BOARD REPORT 16-0427-EX4
AUTHORIZE RENEWAL OF THE CHICAGO VIRTUAL CHARTER SCHOOL AGREEMENT
WITH CONDITIONS

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Authorize renewal of the Chicago Virtual Charter School Agreement (the "Charter School Agreement") with conditions 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 2018 amendment is necessary to authorize Chicago Virtual Charter School to terminate its agreement with its education management organization, K12 Classroom LLC, effective July 1, 2018. 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 within 120 days of the date of this amended Board Report.

This December 2019 amendment is necessary to (a) revoke the charter and Charter School Agreement for Chicago Virtual Charter School at the end of the 2019-2020 school year for the reasons set forth below, and (b) authorize a wind down agreement for the charter school. Chicago Virtual Charter School shall wind down and cease operations of its charter school and return its charter to the Board effective as of July 1, 2020.

SCHOOL OPERATOR/ Chicago Virtual Charter School
CHARTER SCHOOL: 38 S. Peoria Street
 Chicago, Illinois 60607
 Phone: 312-267-4486
 Contact Person(s): ~~Farland Jenkins, Board Liaison~~ Dr. Vikki Stokes, CEO
~~Elizabeth Roth, Interim Head of School~~

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

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 06-0125-EX2) was for a term commencing August 16, 2006 and ending June 30, 2011 and authorized the operation of a charter school serving no more than 600 students in grades K through 8. The charter and Charter School Agreement were subsequently renewed (authorized by Board Report 11-0427-EX11) for a term commencing July 1, 2011 and ending June 30, 2016, serving grades K through 12. The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 13-0424-EX2: Approved the increase in the K-8 enrollment of the charter school by 80 to 680 students beginning in the fall of 2013.

CHARTER RENEWAL PROPOSAL: Chicago Virtual Charter School submitted a renewal proposal on October 19, 2015 to continue the operation of Chicago Virtual Charter School. The charter school shall continue to be located at 38 S. Peoria Street, and to serve grades K through 12 with a maximum enrollment of 680 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.

In February 2018, Chicago Virtual Charter School submitted an application for amendment to terminate its agreement with its education management organization, K12 Classroom LLC, effective July 1, 2018. A public hearing on the proposed termination was held on Wednesday, April 11, 2018. The hearing was recorded and a summary report is available for review.

On November 27, 2019, the Office of Innovation and Incubation provided written notice to Chicago Virtual Charter School that the Chief Executive Officer ("CEO") intended to recommend to the Board the revocation of the charter and Charter School Agreement for Chicago Virtual Charter School effective at the end of the 2019-2020 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, the plan for remediation will be reviewed and a determination will be made whether the charter school failed to implement the plan.

Chicago Virtual Charter School'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 October 26, 2018, Chicago Virtual Charter School was given notice that Chicago Virtual Charter School received a Level 2 rating on the SQRP for the prior 2017-2018 school year and its school was failing to meet or make reasonable progress toward achievement of the content standards or pupil performance standards, and was placed in Revocation status. Chicago Virtual Charter School was placed on the Academic Warning List and submitted a remediation plan. 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 November 8, 2019, Chicago Virtual Charter School received another Level 2 rating on SQRP for the prior 2018-2019 school year. Chicago Virtual Charter School was placed on the Academic Warning List for a second consecutive year due to its continued failure to meet or make reasonable progress toward achievement of the content standards or pupil performance standards.

On November 8, 2019, Chicago Virtual Charter School was notified of a public hearing on November 14, 2019 for the consideration of revocation of the charter and Charter School Agreement for Chicago Virtual Charter School. The hearing notice was published in the November 9, 2019 edition of the Chicago Sun-Times. The hearing was conducted on November 14, 2019.

Pursuant to the Illinois Charter Schools Law and the Charter School Agreement, the CEO recommends that the charter and Charter School Agreement for Chicago Virtual Charter School be revoked at the end of the 2019-2020 school year because Chicago Virtual Charter School has been on the Academic Warning List for two consecutive years and has failed to implement its remediation plan.

Chicago Virtual Charter School shall wind down and cease operations of its charter school and return its charter to the Board effective as of July 1, 2020. Both parties shall enter into a wind down agreement with respect to the charter revocation.

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

RENEWAL TERM: The term of Chicago Virtual Charter School's charter and agreement is being extended for a five (5) year term commencing July 1, 2016 and ending June 30, 2021. Chicago Virtual Charter School's charter and agreement are being revoked at the end of the 2019-2020 school year. The charter for this school shall be returned to the Board effective as of July 1, 2020.

ADDITIONAL TERMS AND CONDITIONS: Chicago Virtual Charter School'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 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 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.
- 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 (ODLSS).
- On or before October 1, 2017, the school must demonstrate to I&I full resolution of facility 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 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 Interim 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 Interim 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 and 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 2018-2019 2020-2021 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY4820 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.

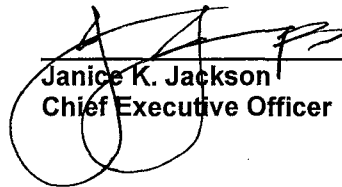
Ethics - The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved for Consideration:



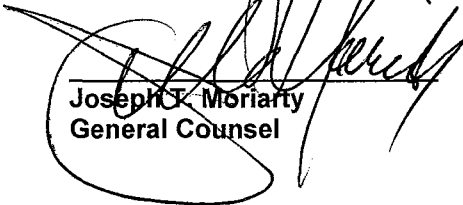
Bing A. Howell
Chief Portfolio Officer

Approved:



Janice K. Jackson
Chief Executive Officer

Approved as to Legal Form:



Joseph T. Moriarty
General Counsel