

January 22, 2020

**AUTHORIZE RENEWAL OF THE ERIE ELEMENTARY CHARTER SCHOOL AGREEMENT
WITH CONDITIONS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Authorize renewal of the Erie Elementary 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 Charter School 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/ Erie Elementary Charter School, an IL not-for-profit corporation
CHARTER SCHOOL: 1405 N. Washtenaw Avenue
 Chicago, Illinois 60622
 Phone: 773-486-7161
 Contact Person: Kim Kays, Principal

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

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 05-0126-EX8) 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 240 students in grades K through 5. 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 10-0428-EX6). The charter and Charter School Agreement were further renewed for a term commencing July 1, 2015 and ending June 30, 2020 serving no more than 415 students in grades K through 8 (authorized by Board Report 15-0527-EX5).

CHARTER RENEWAL PROPOSAL: Erie Elementary Charter School submitted a renewal proposal on July 31, 2019 to continue the operation of Erie Elementary Charter School ("Erie Elementary"). The charter school shall continue to be located at 1405 N. Washtenaw Avenue and shall continue to serve grades K through 8 with a maximum enrollment of 415 students.

The Charter School 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 Erie Elementary'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 January 9, 2020 for all contract and charter schools going through renewal to receive public comments, including Erie Elementary. 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, Erie Elementary be authorized to continue operating as a charter school.

RENEWAL TERM: The term of Erie Elementary's charter and Charter School Agreement is being extended for a five (5) year term commencing July 1, 2020 and ending June 30, 2025.

ADDITIONAL TERMS AND CONDITIONS: Additional terms and conditions will be communicated to the charter school by the Chief Executive Officer or her designee in a formal Letter of Conditions and will be included as an attachment to the Charter School Agreement with Erie Elementary 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. 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 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 FY20 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:

Approved:


Bing A. Howell
Chief Portfolio Officer


Janice K. Jackson
Chief Executive Officer

Approved as to Legal Form:


Joseph T. Moriarty
General Counsel