

APPROVE THE GRANTING OF A CHARTER AND ENTERING INTO A CHARTER SCHOOL AGREEMENT WITH THE ARCHITECTURE, CONSTRUCTION, AND ENGINEERING TECHNICAL CHARTER SCHOOL

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:

Approve the granting of a charter and entering into a charter school agreement with the Architecture, Construction, and Engineering Technical Charter School for a 5-year period. The Charter School Agreement applicable to this term is currently being 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 agreement is stated below.

CHARTER SCHOOL: Architecture, Construction and Engineering Technical Charter School
3901 S. State St.
Chicago, IL 60609
Phone: (708) 389-1340
Contact Person: Geri Harston

OVERSIGHT: Charter Schools Office
125 S. Clark, 5th Floor
Chicago, IL 60603
Phone: (773) 553-1535
Contact Person: Genita C. Robinson, Director

DESCRIPTION:

The Charter Schools Law (105 ILCS 5/27A-1 *et seq.*) provides that up to 30 charter schools may be operated in the City of Chicago. Proposals to operate charter schools shall be submitted to the Board of Education for evaluation pursuant to the standards set forth in 105 ILCS 5/27A-8, and the Board of Education shall convene a public meeting to obtain information to assist in its decision to grant or deny each proposal and report its action to the State Board of Education. The State Board determines whether the approved charter school proposal and the proposed contract satisfy the provisions of the Charter School law and, if so, certifies the charter school.

CHARTER APPLICATION PROPOSAL:

The Board of Education received the Architecture, Construction and Engineering Technical Charter School (ACE Tech) proposal on January 12, 2004, and held a public meeting thereon on February 6, 2004. The Charter School's Office Review Committee ("Committee") has evaluated ACE Tech's proposal to start a charter school and has determined that the proposal is strong in all areas. The ACE Tech Charter School proposal was submitted by ACE Tech, and the charter school plans to open in August 2004, serving 125 students in grade 9. In successive years, the school will add one grade level until it serves up to 500 students in grades 9-12. The cost of 125 students in 2004-05 will be approximately \$675,000. The cost of 500 students at full capacity in 2008-09 will be approximately \$2,700,000. The school will be located at 3901 S. State.

TERM: The term of the ACE Tech Charter School charter and agreement will be for five (5) years commencing July 1, 2004, and ending June 30, 2009.

AUTHORIZATION: Authorize the General Counsel to include relevant terms and conditions in the written Charter School Agreement which shall reflect resolution of any and all outstanding issues between the Board and the governing body of the charter school including, but not limited to: site location, enrollment, funding, educational program, financial controls and practices, academic accountability and evaluations. Authorize the CEO to provide financial assistance for facilities expenses. Authorize the President and Secretary to execute the Charter School Agreement. Authorize the Director of Charter Schools 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 Agreement required by the State Board.

LSC REVIEW: Approval of Local School Councils is not applicable to this report.

FINANCIAL: The financial implications will be addressed during the development of the 2004-2005 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY04 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 July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

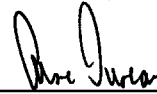
Ethics – The Board’s Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved:



Barbara J. Eason-Watkins
Chief Education Officer

Respectfully submitted:



Arne Duncan
Chief Executive Officer

Within Appropriation:


John Maiorca
Chief Financial Officer

Approved as to Legal Form: 


Ruth Moscovitch
General Counsel