

**AUTHORIZE GRANTS TO AND APPROVE ENTERING INTO GRANT AGREEMENTS WITH  
CHARTER SCHOOL ORGANIZATIONS IN NON-BOARD-CONTROLLED FACILITIES FOR  
ACCESSIBILITY RENOVATIONS**

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:**

Authorize grants to and approve entering into grant agreements with certain charter school operators who operate in independent (non-Board-controlled) facilities, for the purpose of making their facilities more accessible to people with disabilities, in an aggregate grant amount not to exceed \$3,000,000. This grant is being made pursuant to the Board's Policies on the Americans with Disabilities Act and the Rehabilitation Act and the Board's Charter School Capital and Facility Budget Policy. No payment shall be made to any charter school operator prior to their execution of a written grant agreement. The authority granted herein shall automatically rescind as to each charter school operator in the event a written grant agreement is not executed by such charter school operator within 180 days of the date of this Board report. Information pertinent to these grants is stated below.

**CHARTER SCHOOL OPERATORS:** See Attachment.

**OVERSIGHT:** Office of the Chief of Staff to the Chief Executive Officer  
Bebe Novich, Director of ADA Policy  
125 S. Clark St., 10<sup>th</sup> Floor  
773-553-2158

**DESCRIPTION:**

In mid-2007, the Board identified \$3,000,000 in program funds from the FY 07 Office of New Schools Budget that could be used to assist charter and contract schools in making their older independent site campuses more accessible, especially those campuses that were chosen before the Board began providing heightened ADA guidance to new school applicants in 2006. Between February 2007 and February 2008, the Board assigned ADA architectural experts to survey independent sites for compliance with ADA construction standards and to provide suggested renovations and cost estimates. In February 2008, applications for grants were distributed to all Board-authorized charter and contract school operators. The applications asked for information about each applicant, including: a) demographic, geographic, programmatic, and structural need for more access at the applicant campus; b) general facility condition, long-term plans, and other factors relevant to the prudence of investing funds into the campus; and c) demonstrated strength and reliability of the charter organization, especially with regard to facility care. Each applicant was asked to propose ADA renovation plans and to commit to those plans if grants are awarded. Each applicant was required to raise its own funds to cover a portion of its ADA renovation plans. Applicants were required to provide documentation assuring the feasibility of the construction and fundraising aspects of each plan.

Five charter school organizations submitted applications, one of which submitted applications regarding three of its campuses, for a total of seven applicant campuses. A Grant Evaluation Committee, comprised of the Board's Director of ADA Policy, representatives from the Office of New Schools, Department of Operations and Maintenance, Office of Specialized Services, Office of Management and Budget, and the Illinois Facilities Fund evaluated the applications and made recommendations that the grant money be awarded as described in the attached table.

**GRANT PERIOD/TERM:** The term of each grant agreement shall commence on the date the agreement is fully executed and shall end upon the expiration date specified in the agreement, or the completion of all of the agreed-upon building renovations, whichever comes first.

**CHARTER SCHOOL OPERATORS RESPONSIBILITIES:** Each charter school operator will be required to comply with the ADA renovation plan submitted to the Board and to provide funding to cover a certain percentage of the construction/renovation cost. Each charter school operator will also be required to perform dedicated outreach to the disability community. In addition, the grant agreements will provide that any charter school operator that does not complete the agreed-upon ADA renovation plan within the prescribed deadline will be required to repay to the Board all or a portion of grant funds expended.

**GRANT AMOUNTS:** The estimated grant amount for each charter school operator is listed on the Attachment. The total aggregate grant amount payable to all charter school operators shall not exceed \$3,000,000.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the grant distribution agreements. Authorize the President and Secretary to execute the grant agreements. Authorize the Director of ADA Policy to execute all ancillary documents required to administer or effectuate the grant agreements.

**AFFIRMATIVE ACTION:** Exempt.

**FINANCIAL:** Charge to Operations: \$3,000,000 Fiscal Year: 09  
Budget Classification: 10710-436-xxxx-xxxx-xxxx-2009  
Source of Funds: Miscellaneous Capital Funds  
Requisition Number: N/A

**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 Chicago 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.

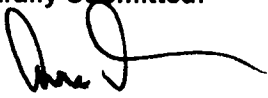
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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 June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

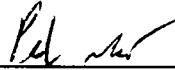
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

**Respectfully Submitted:**




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**Arne Duncan**  
**Chief Executive Officer**

**Within Appropriation:**



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**Pedro Martinez**  
**Chief Financial Officer**

**Approved as to Legal Form:**



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**Patrick J. Rocks**  
**General Counsel**



**ATTACHMENT**

**GRANT RECOMMENDATIONS:** Recommend that the Board hold in reserve a portion of the total \$3 million grant fund, to cover unanticipated cost overruns and additional Board-recommended ADA renovations; and recommend that the Board award grants to the five applicants listed below, based on each applicant's submitted ADA renovation plan, as specified in the table below.

<b>Charter School Operator/ Campus</b>	<b>Recommended Grant Amount</b>	<b>Conditions Precedent for Grant</b>
<p><b>1. Namaste Charter School – only campus</b></p> <p>3737 South Paulina Street Chicago, Illinois 60609</p> <p><u>Contact Person:</u> Kathleen Clarke Director of Operations Namaste Charter School 3737 S. Paulina St. Chicago, IL 60609 Ph: 773-715-9558 Fx: 773-375-6495</p>	<p><b>\$486,050</b></p>	
<p><b>2. Chicago International Charter School – Longwood Campus</b></p> <p>1309 West 95th Street</p> <p><u>Contact Person:</u> Thomas McGrath Chicago Charter School Foundation 228 S. Wabash Ave., Suite 500 Chicago, IL 60603 Ph: 312-651-5000 Fx: 312-651-5001</p>	<p><b>\$282,000 + up to \$250,000 more</b></p>	<p>CICS work with Board experts to redesign more holistic solutions to accessible route issues, with the Board awarding more grant money, up to \$250,000 in reserve for these solutions.</p>
<p><b>3. United Neighborhood Organization Charter School</b> (for 3 campuses below)</p> <p><u>Contact Person:</u> Cesar Santoy Vice President of Capital and Construction UNO Charter Schools 954 W. Washington Blvd., 3<sup>rd</sup> Fl. Chicago, IL 60607 Ph: 312-432-6301 Fx: 312-432-0077</p>		

<p>Octavio Paz Primary Campus 2651 West 23rd Street</p>	<p><b>\$58,000</b></p>	
<p>Rufino Tamayo Campus 5135 South California Avenue</p>	<p><b>\$88,000</b></p>	
<p>Carlos Fuentes Campus 2845 West Barry Avenue</p>	<p><b>Up to \$900,000</b></p>	<p>UNO work with Board experts to design an elevator to connect as many floor levels as possible.</p>
<p><b>4. Betty Shabazz International Charter School (BSICS) –</b> Shabazz Elementary Campus  7823 South Ellis Avenue  <u>Contact Person:</u> Anthony Daniels-Halisi Betty Shabazz Int'l Charter School 7823 S. Ellis Ave. Chicago, IL 60619 Ph: 773-651-2425 Fx: 773-651-2427</p>	<ul style="list-style-type: none"> <li>• <b>Hold \$600,000 in Reserve for Possible Grant</b></li> <li>• <b>Provide guidance and expertise, and engage in discussions with charter for long-term facility plan</b></li> </ul>	<ul style="list-style-type: none"> <li>• BSICS explore possibilities of long-term facilities plan with Board experts, including: moving this campus into an accessible Board-controlled site; and/or moving the other BSICS elementary school into an accessible Board-controlled site, and transporting people with disabilities to that site upon request</li> <li>• BSICS establish an acceptable long-term facilities plan with the Board by December 1, 2008.</li> <li>• Board award grant if necessary and appropriate under the long-term facilities plan.</li> </ul>
<p><b>5. Academy of Communications and Technology Charter School</b>  4319 W. Washington Blvd. Chicago, IL 60624  <u>Contact Person:</u> Sarah Howard ACT Charter School 4319 W. Washington Blvd. Ph: 773-626-4200 Fx: 773-626-4268</p>	<ul style="list-style-type: none"> <li>• <b>\$165,607, upon conditions</b></li> <li>• <b>Provide guidance and expertise, and engage in discussions with charter for long-term facility plan</b></li> </ul>	<p>Board award grant if, by December 1, 2008:</p> <ul style="list-style-type: none"> <li>• ACT performs required renovations, repairs, and ADA upgrades as planned during the summer of 2008 and all City citations are cleared or dismissed; and</li> <li>• ACT submits to the Board an acceptable long-term facility/capital improvement plan, with financing sources.</li> </ul>
<p><b>Total Approved for Immediate Distribution:</b></p>	<p><b>\$2,829,657</b></p>	
<p><b>In Reserve for Cost Overruns</b></p>	<p><b>\$170,343</b></p>	