

**AMEND BOARD REPORT 08-0602-EX5
APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH
KIPP ASCEND CHARTER SCHOOL**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Approve the renewal of the Charter School Agreement with KIPP Ascend Charter School 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 October 2008 amendment is necessary to authorize KIPP Ascend Charter School to (a) increase the grade levels served, (b) increase the at capacity enrollment of the school and (c) clarify the relationship of any pre-kindergarten program to the charter school. 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 the CEO files a report with the Secretary of the Board approving the charter school's proposal to increase the grade levels served at the charter school. The amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

CHARTER SCHOOL: KIPP Ascend Charter School
715 South Kildare Avenue
Chicago, IL 60624
Phone: 773-533-1770
Contact Person: Jim O'Connor, Founding School Leader

OVERSIGHT: Office of New Schools
125 S. Clark, 5th Floor
Chicago, IL 60603
(773) 553-1530
Contact Person: Josh Edelman, Executive Officer

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 03-0527-EX5) was for a term commencing July 1, 2003 and ending June 30, 2008 and authorized the operation of a charter school serving no more than 320 students in grades 5 – 8. The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 05-0727-EX9: Approved the relocation of the school to 4320 W. Fifth Avenue.
- Board Report 06-1025-EX2: Approved the correction of the address from 4320 W. Fifth Avenue to 715 South Kildare Avenue.

The agreement incorporates an accountability plan where the school is evaluated by the Board each year based on numerous factors related to its academic, financial and operational performance.

CHARTER RENEWAL PROPOSAL: The KIPP Ascend Charter School (KIPP) submitted a renewal proposal on October 5, 2007, to continue the operation of the KIPP Ascend Charter School under a unified mission. The Charter School shall serve grades 5 – 8 with a maximum student enrollment of 330 students.

On June 28, 2008, KIPP Ascend Charter School submitted a proposal to increase the grades served and

the at capacity enrollment of the charter school. KIPP proposes to increase the grades served at the school by adding grades K through 4. The school will add one grade each year starting with grade K at the start of the 2010 – 2011 school year with KIPP Ascend Charter School eventually growing to serve grades K through 8 by 2015-1016 school year. The at capacity enrollment for KIPP Ascend Charter School will increase by 619 to a new at capacity enrollment of 949. Public hearings were held on September 3, 2008, October 6, 2008 and October 15, 2008. The October 15th hearing was recorded and a summary report of each hearing is available for review.

KIPP Ascend Charter School is authorized to operate a pre-kindergarten program in the same building as the charter school. The children enrolled in the pre-kindergarten will not be included in the enrollment of the charter school and the pre-kindergarten program will not be governed by the Charter School Agreement. To the extent the Board provides funding for the pre-kindergarten program, that program will be subject to a separate agreement with and separate funding authorized by the Office of Early Childhood Education. A material breach of any contract between the Board and KIPP Ascend Charter School for operation of a pre-kindergarten program or the charter school may be treated as a breach of the other contract.

CONTINGENT APPROVAL: Approval to authorize KIPP Ascend Charter School to (a) increase the grade levels served at the school and (b) increase the at capacity enrollment of the school is contingent upon the KIPP Ascend Charter School meeting benchmarks detailed by the Office of New Schools related to the development of an elementary school curriculum and the identification of a school principal. These benchmarks will be communicated to KIPP Ascend Charter School in a formal Letter of Conditions, and all benchmarks must be met by March 15, 2010. The Office of New Schools will oversee the enforcement of these deadlines. Failure of KIPP Ascend Charter School to meet these deadlines may, at the option of the Board, result in the rescission of the authority granted herein and the denial of the proposal to add additional grade levels and increase at capacity enrollment. A final review of the proposal to increase the grade levels served at the school will be conducted by the Chief Executive Officer. The Chief Executive Officer or his designee will file a report, approved by the General Counsel as to form and legality, indicating the CEO's final approval or denial of the proposal to increase the grade levels served at the charter school. The report will be filed with the Secretary of the Board on or before April 15, 2010. This final review will be conducted to determine compliance with the terms indicated above.

CHARTER EVALUATION: After receiving the charter renewal proposal, the Office of New Schools conducted a comprehensive evaluation of KIPP's performance and operations. This evaluation included a review of the proposal, facilities surveys, financial analysis, and academic site visit of the school in which teaching and learning, leadership and governance, and the learning communities were assessed. A public hearing was conducted on May 12, 2008 to receive public comment on the application to renew the Charter School Agreement with KIPP Ascend Charter School for an additional five years. In addition, the Office of New Schools evaluated the school's student performance. From 2003-2004 to 2006-2007, KIPP Ascend received 11 out of 18 high ratings and 5 out of 18 middle ratings on their absolute student indicators found in the framework put forth by the district for assessing charter school pupil performance. Since 2003-2004, the charter schools attendance rate has exceeded 95%. From 2003-2004 to 2006-2007, the percentage of students meeting/exceeding state standards on the ISAT Composite increased by 32.7 percentage points (from 45.0% to 77.7%). The charter school also met Adequate Yearly Progress targets in 2005-2006 and 2006-2007. The committee recommends that, based on the school's performance on these and other accountability criteria, KIPP be authorized to continue operating as a charter school.

RENEWAL TERM: The term of KIPP Ascend Charter School's charter status is being extended for a five (5) year term commencing July 1, 2008 and ending June 30, 2013. The KIPP Ascend Charter School will be permitted to operate at its current location of 715 South Kildare Avenue for the 2008 – 2009 school year only. The Board will identify and approve a new location for the school for the 2009 – 2010 school year and beyond.

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, 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 President and Secretary to execute the Charter School Agreement. Authorize the Executive Officer of the Office of New 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.

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 2008-2009 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY09 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets. The cost of this enrollment will be approximately \$ 1,982,970.00 in 2008-2009.*

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.

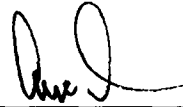
Ethics - The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved:



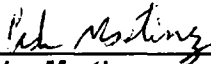
Barbara Eason-Watkins
Chief Education Officer

Respectfully Submitted:



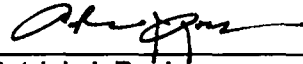
Arne Duncan
Chief Executive Officer

Within Appropriation:



Pedro Martinez
Chief Financial Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel