

10-0127-EX3

AMEND BOARD REPORT 09-0527-EX3**AMEND BOARD REPORT 08-0827-EX6****AMEND BOARD REPORT 07-0822-EX9****AMEND BOARD REPORT 07-0328-EX2****APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH
ACADEMY OF COMMUNICATIONS AND TECHNOLOGY CHARTER SCHOOL****THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:**

Approve the renewal of the Charter School Agreement with the Academy of Communications and Technology Charter School for an additional 5-year period for grades 7 through 12. 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 August 2007 amendment is necessary to change the address of the school from 4319 W. Washington to 2908 W. Washington. The Charter School Agreement 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 amended 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 August 2008 amendment is necessary to change the address of the school from 2908 W. Washington to 4319 W. Washington. The Charter School Agreement 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 amended 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 May 2009 amendment is necessary to add a sixth grade to the Academy of Communications and Technology Charter School beginning with the fall of 2010. The Charter School Agreement 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 amended 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 January 2010 amendment is necessary to change the start date of the sixth grade at the Academy of Communications and Technology Charter School. In December 2009, ACT Charter School notified the Office of New Schools that ACT will not add a sixth grade to their current grade structure in the fall of 2010. After a new date has been identified, an amendment to this Board Report approving the new start date and a written amendment to the Charter School Agreement will be required in addition to certification of the amendment by the Illinois State Board of Education.

CHARTER SCHOOL: Academy of Communications and Technology (ACT)
4319 W. Washington
Chicago, Illinois 60624
(773) 626-4200
Contact Person: Sarah Howard, Co-Executive Director

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

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 97-0122-EX4) with the ACT Charter School was for a term commencing July 1, 1997, and ending June 30, 2002. In 2002, ACT was renewed (authorized by Board Report 02-0123-EX3) for a two-year term commencing July 1, 2002, and ending June 30, 2004. In 2004, ACT was renewed (authorized by Board Report 04-0428-EX3) for a three-year term commencing July 1, 2004 and ending June 30, 2007. The Charter School Agreement authorizes the operation of a single facility Charter School focusing on communications and technology for students in grades 7-12 with current enrollment not to exceed 375 students. The Agreement incorporates an accountability plan whereby the school is evaluated by the Board each year based on numerous factors related to its academic, financial and operational performance.

In July of 2007 ACT Charter School submitted a material modification to change the address of the school. ACT Charter School will now be located at 2908 W. Washington, Chicago, IL 60612. ACT Charter School operated at this location for the 2007 – 2008 school year only.

In August 2008 ACT Charter School submitted a material modification to return to its original location at 4319 W. Washington, Chicago, IL 60624. A public hearing was held on August 25, 2008.

In March 2009 ACT Charter School submitted a material modification to add a sixth grade to its charter school at the beginning of the 2010-2011 school year. A public hearing was held on May 12, 2009. The hearing was recorded and a summary report is available for review.

In December 2009, ACT Charter School notified the Office of New Schools that ACT will not add a sixth grade to their current grade structure in the fall of 2010. ACT intends to add the sixth grade to their current grade structure at a later time.

CHARTER RENEWAL PROPOSAL: The ACT Charter School submitted a renewal proposal on December 1, 2006, to continue the operation of the school under the same mission and educational programs at its current location. The proposal requests an increase in the maximum student enrollment from 375 to 450 students. A public hearing on the renewal application was held on March 13, 2007. A report of this hearing is available.

RENEWAL TERM: The term of ACT's charter status is being extended for five (5) years commencing July 1, 2007, and ending June 30, 2012. ACT shall be closely monitored in all areas of academic and operational accountability.

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 Director of the Department of New School Support 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 2007-2008 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY07 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets. ACT plans to gradually increase its maximum enrollment from 375 to 450 students over the course of the renewal term. The total annual cost of the maximum enrollment will be approximately \$3,048,750 annually.

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 J. Eason-Watkins
Chief Education Officer

Respectfully submitted:



Ron Huberman
Chief Executive Officer

Within Appropriation:



~~Pedro Martinez~~ Christina Herzog
Acting Chief Financial Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel