

**AMEND BOARD REPORT 10-0728-EX8
APPROVE THE GRANTING OF A CHARTER AND ENTERING INTO A CHARTER SCHOOL
AGREEMENT WITH PROLOGUE, INC., AN ILLINOIS NOT FOR PROFIT
CORPORATION**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING DECISION:

Approve the granting of a charter and entering into a Charter School Agreement with Prologue, Inc., for a five-year period. 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 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.

This November 2010 amendment is necessary to authorize Prologue, Inc. to identify the independent facility located at 1549 W. 95th Street as the new location for the Joshua Johnston Charter School for Fine Art and Design. 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 of this amended Board Report. The amended agreement authorized herein will only take effect upon certification by the Illinois State Board of Education.

SCHOOL OPERATOR: Prologue, Inc.
1135 N. Cleaver St.
Chicago, Illinois 60622
Phone: 773-297-1215
Contact: Nancy Jackson

CHARTER SCHOOL: Joshua Johnston Charter School for Fine Art and Design
~~1060 East 47th Street~~ 1549 W. 95th Street
Chicago, Illinois 60653 43
Phone: 773-935-9925
Contact: Nancy Jackson

OVERSIGHT: Office of New Schools
125 S. Clark, 5th Floor
Chicago, IL 60603
773-553-1530
Contact Person: J. Terence Patterson, Interim Executive Officer

DESCRIPTION: The Charter Schools Law (105 ILCS 5/27A-1 et seq., as amended) provides that up to 70 charter schools may be operated in the city of Chicago. Proposals to operate charter schools are submitted to the Board for evaluation pursuant to the standards set forth in 105 ILCS 5/27A-8, and the Board convenes a public meeting to obtain information to assist in its decision to grant or deny each proposal and report its action to the Illinois State Board of Education. The State Board determines whether the approved charter school proposal and the proposed contract satisfy the provisions of the Charter Schools Law and, if so, certifies the charter school.

CHARTER APPLICATION PROPOSAL: The Joshua Johnston Charter School for Fine Art and Design (Joshua Johnston) proposal was submitted by Prologue, Inc. and received by the Board on September 28, 2009. Joshua Johnston's mission is to provide a comprehensive alternative education focused on fine art and design careers for at-risk youth who are not succeeding in Chicago's traditional high schools. The school will combine the collective experience and expertise of two successful community-based educational organizations, Prologue, Inc. and Little Black Pearl Workshop. This school will provide its students with the means to enhance their self-concepts, broaden their life choices, and understand their

own life condition and their communities. The school is slated to open in the fall of 2010 serving 150 students in grades 9-12. At capacity, the school will serve 250 students in grades 9-12. The school will be located at 1060 East 47th Street. Public hearings on Renaissance 2010 charter school submissions submitted in 2009, as required by statute, were held on September 10, 2009, November 5, 2009 and July 19, 2010.

In October 2010 Prologue, Inc. submitted a material modification to identify the independent facility located at 1549 W. 95th Street as the new location for the Joshua Johnston Charter School for Fine Art and Design. A public hearing on the proposed change was conducted on Wednesday, November 10, 2010. The hearing was recorded and a summary report is available for review.

TERM: The term of the Joshua Johnston charter and agreement shall commence July 1, 2010 and end June 30, 2015.

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 and amendment, 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, educational program, financial controls and practices, academic accountability and evaluations. Authorize the President and Secretary to execute the Charter School Agreement and amendment. 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 Council is not applicable to this report.

AFFIRMATIVE ACTION: Not applicable.

FINANCIAL: The financial implications will be addressed during the development of the 2010-2011 fiscal year budget. Since the School Code of Illinois prohibits the incurring of any liability unless an appropriation has been previously made, expenditures beyond FY11 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets. The cost of 150 students in 2010-11 will be approximately \$1,190,700.00. These budget figures are based on estimated per pupil funding amounts for FY11.

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, 2006 (96-0626-P03), 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 for Consideration:



J. Ference Patterson
Acting Executive Officer

Respectfully submitted:




Ron Huberman
Chief Executive Officer

Within Appropriation:



Diana S. Ferguson
Chief Financial Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel