

**AMEND BOARD REPORT 10-0526-EX6**  
**AMEND BOARD REPORT 10-0428-EX6**  
**APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH**  
**ERIE ELEMENTARY CHARTER SCHOOL**

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

Approve the renewal of the Charter School Agreement with Erie Elementary 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 May 2010 amendment is necessary to (a) authorize Erie Elementary Charter School to relocate to an independent facility located at 1405 N. Washtenaw starting in the fall of 2010, (b) add a sixth grade to the charter school beginning in fall of 2010 and (c) increase the at capacity enrollment of the charter school by 66 to a new at capacity enrollment of 306 students. 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.

This December 2010 amendment is necessary to (a) authorize Erie Elementary Charter School to add a 7 through 8 grade beginning in the fall of 2011 and (b) increase the at capacity enrollment of the charter school by 109 students to a new at capacity enrollment of 415 students. 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.

**CHARTER SCHOOL:** Erie Elementary Charter School  
1405 N. Washtenaw  
Chicago, IL 60622  
Phone: 773-486-7161  
Contact Person: ~~Eleanor Nicholson~~ Velia Soto, Principal

**OVERSIGHT:** Office of New Schools  
125 S. Clark, 5<sup>th</sup> Floor  
Chicago, IL 60603  
(773) 553-1530  
Contact Person: ~~Jaime Guzman~~ J. Terence Patterson, Acting Executive Officer

**ORIGINAL AGREEMENT:** The original Charter School Agreement (authorized by Board Report 05-0126-EX8) was for a term commencing July 1, 2005 and ending June 30, 2010 and authorized the operation of a charter school serving no more than 240 students in grades K – 5.

**CHARTER RENEWAL PROPOSAL:** Erie Elementary Charter School submitted a renewal proposal on September 11, 2009, to continue the operation of the Erie Elementary Charter School under a unified mission. The Charter School shall serve grades K - 5 with a maximum student enrollment of 240 students.

In January 2010, Erie Elementary Charter School submitted a material modification to add a sixth grade to the school beginning in the fall of 2010 and to increase the at capacity enrollment by 66 to a new at

capacity enrollment of 306 students. In February 2010, the charter school submitted an additional material modification to relocate the charter school to an independent facility located at 1405 N. Washtenaw beginning in the fall of 2010. A public hearing on the proposed changes was held on Wednesday, May 12, 2010. The hearing was recorded and a summary report is available for review.

In August 2010 Erie Elementary Charter School submitted a material modification to (a) add a 7 through 8 grade beginning in the fall of 2011 and (b) increase the at capacity enrollment of the charter school by 109 students to a new at capacity enrollment of 415 students. Erie Elementary Charter School will begin serving approximately 54 students in grade 7 beginning in the fall of 2011 and will grow to serve an at capacity enrollment of 415 students in grades K through 8. A public hearing on the proposed change was held on Tuesday, December 7, 2010.

**CHARTER EVALUATION:** After receiving the charter renewal proposal, the Office of New Schools conducted a comprehensive evaluation of Erie's performance and operations. This evaluation included a review of the proposal, facilities surveys, governance analysis, and financial analysis. A public hearing was conducted on Monday, March 8, 2010 and Friday, April 9, 2010 to receive public comment on the application to renew the Charter School Agreement with Erie Elementary Charter School for an additional five years. In addition, the Office of New Schools evaluated the school's student performance. From 2005-2006 to 2008-2009, Erie Elementary Charter School received 4 out of 13 high ratings and 8 out of 13 middle ratings on their absolute student indicators found in the framework put forth by the district for assessing charter school pupil performance. From 2005-2006 to 2008-2009, Erie's student attendance averaged 94.3%. In 2009 the percentage of students meeting/exceeding state standards on the ISAT Composite was 64.7%. The committee recommends that, based on the school's performance on these and other accountability criteria, Erie be authorized to continue operating as a charter school.

**RENEWAL TERM:** The term of Erie Elementary Charter School's charter status is being extended for a five (5) year term commencing July 1, 2010 and ending 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 amended 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 amended Charter School Agreement. Authorize the Acting 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 ~~2010-2011~~ 2011-2012 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 this additional enrollment will be approximately \$331,052.04 in 2010-2011.

**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:**

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**J. Terence Patterson**  
**Acting Executive Officer**

**Respectfully Submitted:**

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**Terry Mazany**  
**Chief Executive Officer**

**Within Appropriation:**

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**Diana S. Ferguson**  
**Chief Financial Officer**

**Approved as to Legal Form:**

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