

AMEND BOARD REPORT 11-0427-EX11
**APPROVE THE RENEWAL OF THE CHARTER SCHOOL AGREEMENT WITH
 CHICAGO VIRTUAL CHARTER SCHOOL**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Approve the renewal of the Charter School Agreement with Chicago Virtual Charter School for an additional 5-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 April 2013 amendment is necessary to authorize the Chicago Virtual Charter School to increase the K-8 enrollment in the charter school by 80 to 680 students beginning in the fall of 2013. 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: Chicago Virtual Charter School
 38 S. Peoria St.
 Chicago, IL 60607
 Phone: 312-267-4486
 Contact Person: Dr. Craig Butz, Principal

OVERSIGHT: ~~Office of New Schools~~ Office of Innovation and Incubation
 125 S. Clark, ~~5th Floor~~ 10th Floor
 Chicago, IL 60603
 (773) 553-1530
 Contact Person: ~~Nora Moreno Gargie, Chief of Staff~~
Sagar Gokhale, Interim Executive Director, Office of New Schools

ORIGINAL AGREEMENT: The original Charter School Agreement (authorized by Board Report 06-0125-EX2) was for a term commencing August 16, 2006 and ending June 30, 2011 and authorized the operation of a charter school serving no more than 600 students in grades K through 8. The charter and Charter School Agreement were subsequently amended as follows:

- Board Report 06-0816-EX2: Approved the change in location of the school from 225 N. Michigan Ave, Suite 101 to 1 E. Jackson Blvd, Suite C-111.
- Board Report 07-0725-EX11: Approved the addition of grades 9-12 at the school and the change in location of the school from 1 E. Jackson Blvd, Suite C-111 to 38 S. Peoria.

CHARTER RENEWAL PROPOSAL: Chicago Virtual Charter School submitted a renewal proposal on September 1, 2010, to continue the operation of the Chicago Virtual Charter School under a unified mission. The Charter School shall serve grades K through 12 with a maximum student enrollment of 600 students.

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

CHARTER EVALUATION: After receiving the charter renewal proposal, the Office of New Schools conducted a comprehensive evaluation of Chicago Virtual Charter School performance and operations. This evaluation included a review of the proposal, facilities surveys, financial and governance analyses,

and site visit of the school in which teaching and learning, leadership and governance, learning community and services for ELL students and students with special needs were assessed. A public hearing was conducted on Monday, April 18, 2011 to receive public comment on the application to renew the Charter School Agreement with Chicago Virtual Charter School for an additional five years. In addition, the Office of New Schools evaluated the school's student performance. From 2006-2007 to 2009-2010, Chicago Virtual Charter School received 2 out of 23 high ratings and 8 out of 23 middle ratings on their elementary school absolute student indicators found in the framework put forth by the district for assessing charter school pupil performance. From 2006-2007 to 2009-2010, Chicago Virtual Charter School received 4 out of 14 high ratings and 3 out of 14 middle ratings on their high school absolute student indicators found in the framework put forth by the district for assessing charter school pupil performance. From 2006-2007 to 2009-2010, Chicago Virtual Charter School's elementary school student attendance averaged 93.7%. From 2006-2007 to 2009-2010, Chicago Virtual Charter School's high school student attendance averaged 92.7%. In 2009-2010, the percentage of students meeting/exceeding state standards on the ISAT Composite was 71.8%, an increase of 2.5 percentage points from 2006-2007. In 2009-2010, the percentage of students meeting/exceeding state standards on the PSAE Composite was 35.9%. The committee recommends that, based on the school's performance on these and other accountability criteria, Chicago Virtual Charter School be authorized to continue operating as a charter school.

In January 2013 the Chicago Virtual Charter School submitted a material modification to increase the K-8 enrollment in the charter school by 80 to 680 students beginning in the fall of 2013. A public hearing on the proposed change was held on Monday, April 15, 2013. The hearing was recorded and a summary report is available for review.

RENEWAL TERM: The term of Chicago Virtual Charter School's charter and agreement is being extended for a five (5) year term commencing July 1, 2011 and ending June 30, 2016.

ADDITIONAL TERMS AND CONDITIONS:

1. By November 1, 2011, the Chicago Virtual Charter School's Board Development and Governance ("BDG") Committee must meet with the Office of New Schools to provide an update on the delineation of roles and responsibilities between the charter school's governing board and its subcontractor K12 Classroom LLC ("K12") based on the terms of the new educational management agreement. At such meeting, the BDG Committee shall present the latest version of its charter school's Board Handbook with a special focus on the Board Responsibilities. Additionally, the BDG Committee shall provide an outline of how the charter school's governing board will hold K12 accountable for academic and financial performance of the charter school and how the governing board and K12 will resolve disputes or differences of opinion that arise during the management and oversight of the charter school.
2. Chicago Virtual Charter School must contact its Specialized Services Administrator for guidance on how to meet all applicable state and federal special education compliance requirements.

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, funding, educational program, financial controls and practices, academic accountability and evaluations. Authorize the President and Secretary to execute the written Charter School Agreement and amendment. Authorize the Acting Interim Executive Director 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 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 FY12 are deemed to be contingent liabilities only, subject to appropriation in subsequent fiscal year budgets.

GENERAL CONDITIONS:

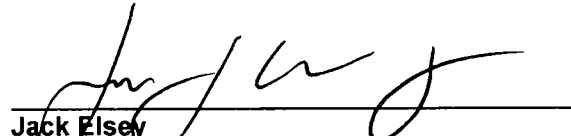
Inspector General - Each Party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary 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 May 25, 2011 (11-0525-PO2) ~~June 23, 2004 (04-0623-PO4)~~, as amended from time to time, shall be incorporated into and made a part of the agreement.

Approved:




Jack Elsey
Chief Innovation and Incubation Officer

Respectfully submitted:



Barbara Byrd-Bennett
Chief Executive Officer

Approved as to Legal Form: 



James Bebley
General Counsel