

**IN THE ILLINOIS STATE  
CHARTER SCHOOL COMMISSION**

<b>Amandla Charter School</b>	)	
	)	
v.	)	<b>No. SCSC 16-003</b>
	)	
<b>Chicago Public Schools District 299</b>	)	

**FINAL DECISION OF THE COMMISSION**

On March 1, 2016, the Illinois State Charter School Commission (the “Commission”) voted to reverse the Board of Education for the Chicago Public Schools District No. 299 (“CPS” or “CPS Board”) decision to revoke the charter that had previously been granted to Amandla Charter School (“Amandla”) to establish the Amandla Charter School (“ACS”). The Commission concludes that the CPS Board did not comply with the parties’ charter agreement or the Illinois Charter Schools Law when it revoked the ACS Charter and that it would not be in the best interests of the current students enrolled to close the school at the end of the academic year. 105 ILCS 5/27A-8. Therefore, the Commission reverses the CPS Board’s decision to revoke the ACS Charter.

**I. Jurisdiction**

The Commission exercises jurisdiction in this matter pursuant to the Illinois Charter Schools Law, 105 ILCS 5/27A-9. The Illinois Charter Schools Law explicitly authorizes the Commission to review revocation decisions rendered by a local school district. *See* 105 ILCS 5/27A-9(e) (“Notice of a local school board’s decision to deny, revoke or not to renew a charter shall be provided to the Commission and the State Board. The Commission may reverse a local board’s decision . . .”); 23 Ill. Admin. Code 650.100(a) (“An applicant for a charter or a charter holder may appeal to the Commission a local school board report that denies, revokes or refuses to renew a charter.”)

The CPS Board voted to revoke the ACS Charter on November 18, 2015. On December 18, 2015, in compliance with the statutory deadline, Amandla submitted an appeal to the Commission. Amandla’s submission included the documentation necessary for the Commission Staff to initiate its review on appeal. The record clearly demonstrates that on November 18, 2015, CPS took action to revoke the ACS Charter. Accordingly, the Amandla appeal is properly before the Commission under 105 ILCS 5/27A-9(e) and 23 Ill. Admin. Code 650.100(a).

**II. Procedural Background**

Amandla filed its appeal seeking reversal of the CPS Board revocation decision. Upon receipt of Amandla’s appeal submission, Commission staff began its process of review and analysis of the CPS Board’s revocation decision and Amandla’s appeal. The Commission voted to accept jurisdiction over the appeal on February 9, 2016.

The Commission retained a team of experts to analyze the overall record on appeal. Over the course of the appeal process, the Commission staff, counsel, and team of evaluators engaged in a number of activities and conducted a review of the following: (1) memoranda from the parties regarding their arguments on the revocation decision; (2) Amandla's most recent charter renewal proposal; (3) Amandla's charter renewal agreement and appended accountability plan; (4) a Statement of the School's Capacity to Become an LEA, which included five-year budget projections; (5) Amandla's Remediation Plan; (6) evidence submitted regarding Amandla's implementation of the Remediation Plan; (7) aggregate data regarding student performance at schools in assigned school zones; (8) FY 14 financial score card data; (9) academic findings report data; (10) Amandla progress and performance reports; and (11) additional submissions from Amandla and CPS per the request of Commission staff, which included various correspondence between the parties during the revocation process.

In addition to the review of the above, Commission staff and evaluators: (1) conducted a joint interview of the parties to question them about Amandla's academic program, its facility, operations, financial performance, and management of the school, as well as CPS's revocation criteria, process, policies and ultimate revocation decision; (2) conducted a school site visit, which included a tour of the school facility, classroom observations, and a meeting with parents (the site visit was observed by a member of CPS staff); (3) held conference calls with the parties regarding the appeal process; and (4) compiled and analyzed relevant academic performance and other data. Additionally, counsel reviewed and analyzed the appeal record, memoranda and other submissions.

On February 17, 2016, the parties participated in a public hearing to receive comment on Amandla's appeal. Commissioner Catherine Rich, Commissioner William Farmer, and Interim Executive Director Hosanna Mahaley Jones and Deputy Director Shenita Johnson represented the Commission at the hearing. At the public hearing, the Commissioners heard comments from individuals who support both parties and from over fifty (50) speakers who expressed support for a decision to keep Amandla open.

Having conducted a comprehensive review of all the materials submitted by the parties and the analyses performed by experts and having concluded due diligence, Commission staff prepared its recommendation to the Commission. On February 29, 2016, Commission staff met with the parties to this appeal and informed them that Commission staff would recommend that the appeal be granted. On March 1, 2016, the Commissioners met and voted on Commission staff's recommendation regarding Amandla's appeal. Seven (7) Commissioners were serving on the Commission as of March 1. Six (6) Commissioners participated in the discussion of the appeal and vote at a duly noticed public meeting and those same six (6) Commissioners voted to adopt the staff recommendation and to grant the appeal.

### **III. Findings of Fact**

#### **A. CPS Revocation Process and Decision**

1. In July 2013, CPS renewed its Charter Agreement with Amandla. The Charter Renewal Agreement ("Charter Agreement") included an Accountability Plan that was expressly

- incorporated into the Agreement and stated that the CPS School Quality Rating Policy (SQRP) “shall be used to determine if a school is meeting or making reasonable progress, as defined in the Illinois Charter Schools Law. This determination shall be used in decisions concerning the revocation or renewal of a school’s charter or contract.” (Charter Agmt, Accountability Plan, at ii.)
2. The Charter Agreement enables CPS to modify the Accountability Plan that it uses to evaluate Amandla’s performance, but requires that CPS provide advance written notice to the charter school before it can be applied. The provision states that “[t]he Charter School shall be held accountable by the Board in accordance with the Accountability Plans in Exhibit C . . . the parties agree that the Accountability Plans attached as Exhibit C hereto is subject to revision and modification by the Board effective on July 1 of each year of the Agreement upon written notice from the Board no later than June 30 of each year.” (Charter Agmt. ¶ 9.)
  3. The Accountability Plans incorporated into the Amandla Charter Agreement at Exhibit C include one for the 2013-2014 school year and another one “starting in the 2014-2015 school year.”
  4. The Charter Accountability Plan – Starting in 2014-2015 School Year states that the Charter School, Amandla, “shall be evaluated annually . . . to ensure, at a minimum, alignment with the district’s School Quality Rating Policy (“SQRP”) for both elementary and high schools adopted by the Board on August 28, 2013 (13-0828-PO5), as may be amended from time to time . . .” (Charter Agmt. Accountability Plan, at i.)
  5. The August 28, 2013 SQRP or Policy 13-0828-PO5 states that “CPS charter schools are subject to the performance standards set out in this policy by and through the accountability provisions in their charter contract with the Board and shall annually receive a School Quality Rating and Accountability Status.”
  6. The SQRP, 13-0828-PO5, states that a “school with a School Quality Rating of Tier 1, Tier 2, or Tier 3 hereunder shall receive Good Standing status” except when the school has been on Probation or Remediation status for 2 or more consecutive years and in other limited circumstances.
  7. CPS adopted another version of the School Quality Rating Policy on August 27, 2014 and another on November 19, 2014. Under Policy 14-0827-PO2 and later adopted Policy 14-1119-PO1, CPS amended the SQRP language to change the Tier designations to Levels and to modify the rating scale so that a school was required to obtain a rating of 1+, 1 or 2+ in order to secure “Good Standing” status.
  8. CPS did not provide Amandla the required written notice before June 30, 2014 regarding its plan to adopt Policy 14-0827-PO2 or Policy 14-1119-PO1 and to apply the pupil performance standards set forth in those policies to Amandla during the 2014-2015 school year.
  9. For the 2014-2015 school year, the operative School Quality Rating Policy for the Accountability Plan incorporated into the Amandla Charter Agreement is Policy 13-0828-PO5, and not Policy 14-0827-PO2 or Policy 14-1119-PO1.
  10. On December 3, 2014, CPS notified Amandla that the school had received an SQRP Rating of Level 3, the lowest possible rating, and that it was being placed on the Academic Warning List, was required to submit a Remediation Plan and was subject to revocation in the future.

11. The December 3, 2014 letter specifically informed Amandla that “to be removed from the Academic Warning List and to exit the Revocation Process, your school must not receive a “Level 3” designation as measured on the SQRP, based on SY2014-15 data, as evaluated in SY2015-16.”
12. In the same December 3, 2014 communication to Amandla, CPS indicated that “[i]f your school has met the exit criteria, no further action is needed...”
13. The Remediation Plan that Amandla submitted consists of a set of academic performance goals, a set of culture and climate goals and list of strategic priorities. In the Plan, Amandla set targets for Amandla academic performance goals to be reached in the 2015 and the 2016 school year.
14. On February 9, 2015, a CPS representative sent Amandla an email to confirm receipt of the required Remediation Plan. The email from the CPS representative stated that the Remediation Plan submitted by Amandla was “complete” and reminded Amandla that the Plan included “the end goal of not being rated a level 3.”
15. The Remediation Plan submitted by Amandla and approved by CPS specifically states that “[t]o exit the Warning List and thus Revocation or Closure, the campus must not be rated a Level 3 on the School Quality Rating Policy as defined in the charter school’s agreement.”
16. In a press release dated *October 26, 2015*, CPS announced that the CEO would be proposing adoption of a new Charter School Quality Policy (CSQP). According to the press release, the CSQP would provide criteria for charter school revocation and non-renewal decisions.
17. The October 26, 2015 press release also stated that: “in conjunction with this [the CSQP] policy, the District will recommend immediately placing 10 charter schools on an Academic Warning List, which could result in the closure of these schools if performance does not significantly improve. Four of these schools are receiving additional scrutiny and could be recommended for revocation or non-renewal.”
18. The following day, CPS released the SQRP levels for all of its schools and Amandla learned that it had achieved a Level 2 SQRP rating for the 2015-2016 school year.
19. On October 28, 2015, the CPS Board approved the CSQP proposed by the CEO.
20. The CSQP indicates that a charter school or campus is placed on the Academic Warning List if the charter school or campus has (1) a SQRP rating of Level 3; or (2) a two-year SQRP point value average of 2.5 or lower; or (3) a SQRP rating of Level 2 in three consecutive years.
21. CPS contacted Amandla on October 29, 2015 at approximately 1:30 p.m. and requested evidence of Amandla’s implementation of the Remediation Plan by October 30, 2015 at 9:00 a.m. Amandla complied and submitted evidence by the CPS deadline.
22. One week later, on November 4, 2015, CPS notified Amandla that Amandla failed to implement the Remediation Plan and that the CPS CEO would recommend that Amandla be revoked at the November 18, 2015 board meeting.
23. In a press release dated November 5, 2015, CPS announced that Amandla was “currently on the Academic Warning List and ... [had] failed to implement required remediation plans.”
24. On November 18, 2015, CPS officials gave a public presentation to the CPS Board during which it explained the basis for its recommendation that Amandla be revoked. In

the presentation, CPS stated that the revocation recommendation was “consistent with the Charter School Quality Policy.”

25. In its “Final Recommendation” listed on the Amandla Remediation Plan Scorecard, CPS concludes that “[r]eview of the remediation plan submitted by [Amandla] reveals that the school failed to reach 10 out of the 15 identified goals and all but two of these goals were academic in nature. In addition, the documentation provided by the school indicates that the plan was not comprehensively implemented beyond the design phase. This, in combination with the fact that the school earned a SY15-16 SQRP rating of Level 2 and a 2 year SQRP average of 2.2, leads to the conclusion that the charter school has failed to implement the plan of remediation.”
26. The CPS Board approved Board Report 15-1118-EX3 which took action to revoke Amandla on November 18, 2015. The Board Report was duly certified on November 20, 2015 by the CPS Board Secretary.
27. On November 25, 2015, CPS sent the Commission the Board Report, notice to Amandla of the ACS revocation and closing and other materials documenting its decision and vote to revoke Amandla at the end of the 2015-2016 school year.

#### B. CPS Response to Amandla Appeal

CPS contends that ACS is a “school in decline” and the CPS Board concluded that after eight months of implementing its Remediation Plan, Amandla “failed to implement the [Remediation] Plan for the 2014-2015 school year” and that it was therefore necessary to close the school.

1. CPS asserts that at the start of the 2015-2016 school year, the Office of Innovation and Incubation, in conjunction with the Office of Accountability decided to review Amandla’s performance under the Remediation Plan that had been in February of the 2014-2015 school year.
2. After giving Amandla less than a day to provide evidence of how it was implementing the Remediation Plan, CPS reviewed the evidence Amandla submitted.
3. CPS found that Amandla failed to meet ten (10) out of the fifteen (15) performance goals that were established in the Remediation Plan for SY 2015.
4. CPS determined that Amandla did not provide conclusive evidence that all of the Strategic Priorities identified in the Remediation Plan were being implemented.
5. CPS also contends that the Remediation Plan required more than achievement of a Level 2 SQRP Rating to exit the revocation process and avoid closure. Instead, CPS asserts that it evaluated Amandla’s performance under the Remediation Plan and although Amandla showed “a slightly improved overall rating for the school, [in October 2015], [the SQRP numbers] still paint a picture of a school that is not serving its students well.”
6. CPS also argues that Amandla does not have the capacity to operate the ACS as a separate Commission authorized charter school because it lacks a realistic facility plan and budget and that there are other public school options available to better serve students currently enrolled at Amandla.
7. As part of its recommendation to the CPS Board, CPS staff indicated that it developed a cross-departmental School Transition Team that would work with families impacted by the revocation and closure of Amandla. The Transition Team would work to develop a “customized transition team plan” for each student and (1) coordinate with potential

- receiving schools and community groups to identify higher performing school options; (2) provide academic and social-emotional supports to impacted students during the 2015-2016 and 2016-2017 school year; (3) facilitate the transition of student records; and (4) if necessary, secure supplemental transportation assistance for students.
8. On March 1, 2016, the day of the Commission vote on Amandla’s appeal, CPS representatives publicly announced that staff worked to make arrangements with other CPS schools and find additional seats that it could guarantee to Amandla students. On February 29, 2016, just after 4 p.m., CPS sent a communication to the Commission and the Charter School with the same announcement. CPS stated that for Amandla students whose assigned school was not better performing, it would guarantee them a seat in one of three elementary and two high schools that are better performing. CPS also promised to provide students who needed it transportation assistance for at least one year.

## IV. Analysis

### A. Standard of Review

The Commission “may reverse a local school board’s decision to deny a proposal when the Commission finds that the charter school or charter school proposal (i) is in compliance with this article [the Charter Schools Law] and (ii) is in the best interests of the students it [the charter school] is designed to serve.” *See* 105 ILCS 5/27A-9(e). *See also* 23 Ill. Admin. Code 650.100. To determine whether a proposal satisfies this standard, the Commission conducts a *de novo* review of the proposal and the school district’s response. 23 Ill. Admin. Code 650.110 (d)(1). *See also Bd. of Educ. of Rich Twp. High Sch. Dist. No. 227 v. Ill. State Bd. of Educ.*, 965 N.E.2d 13 (Ill. App. Ct. 1st Dist. 2011).

Additionally, as required under the Law, the Commission shall give preference to the establishment of charter schools that: “(1) demonstrate a high level of local pupil, parental, community, business, and school personnel support; (2) set rigorous levels of expected pupil achievement and demonstrate feasible plans for attaining those levels of achievement; and (3) are designed to enroll and serve a substantial proportion of at-risk children; provided that nothing in the Charter Schools Law shall be construed as intended to limit the establishment of charter schools to those that serve a substantial portion of at-risk children or to in any manner restrict, limit, or discourage the establishment of charter schools that enroll and serve other pupil populations under a nonexclusive, nondiscriminatory admissions policy.” 105 ILCS 5/27A-8(a).

### B. Legal Compliance

For the review of a revocation decision, the Commission conducts an analysis of the local school district authorizer’s and the charter school’s procedural and substantive legal compliance. The Illinois Charter Schools Law and the Charter Agreement delineate conditions, requirements, policies and procedures that an authorizer must follow when it makes a revocation decision and that a charter school must respect in order to mount a proper defense.

***Procedural Compliance.*** Although Amandla met the requirements for procedural compliance with the Charter Law and the parties’ Charter Agreement, CPS did not. On review of the District’s revocation decision, the Commission considers whether Amandla performed all

of its obligations under the terms of the charter agreement and the Charter Schools Law. Similarly, the Commission reviews whether CPS complied with the requirements set forth in the Charter Law and the parties' agreement regarding the revocation process. Here, application of the standards the CPS Board adopted as part of new CSQP approved in October 2015 to justify the revocation of Amandla's charter was improper.

In the November 18, 2015 Board Report and public presentations, CPS claims that Amandla's charter was revoked pursuant to Section 9(c) of the Illinois Charter Schools Law, which in part states that a "charter may be revoked or not renewed if the local school board or the Commission, as the chartering entity, clearly demonstrates that the charter school . . . [f]ailed to meet or make reasonable progress toward achievement of the content standards or pupil performance standards identified in the charter. *See* 105 ILCS 5/27A-9(c). Amandla's pupil performance standards are set forth in the Accountability Plan which is expressly incorporated as Exhibit C to the Charter Agreement and which identifies the specific school quality policy that applies in a given school year.

Under the charter agreement, CPS was required to notify Amandla on or before June 30, 2015, if it was planning to apply performance standards from a policy other than School Quality Rating Policy 13-0828-PO5 for the 2015-2016 school year.<sup>1</sup> Amandla did not receive notice of CPS's intent to apply the CSQP to Amandla until November 4, 2015 after the new policy was approved. Therefore, CPS cannot rely on the higher standards for performance CPS established in the October 2015 CSQP to make Amandla eligible for revocation in the 2015-2016 school year. Yet the record suggests that CPS did rely on the new standards in the CSQP to justify its decision to revoke just months after placing the ACS on a two-year Remediation Plan. In its "Final Recommendation" CPS found that in addition to Amandla's unsuccessful implementation of the Remediation Plan, the school "earned a SY15-16 SQRP rating of Level 2 and a 2 year SQRP average of 2.2." A two year SQRP average of 2.2 allows for revocation under the CSQP, but not earlier school quality policies. Moreover, when the Amandla recommendation was presented publicly, CPS expressly stated that the basis for the decision was "Consistent with Charter School Quality Policy."

As a matter of law, the CPS Board's application of new academic performance standards from the October 2015 CSQP to justify revocation of Amandla's charter contradicts Paragraph 9 and 12 of the Charter Agreement and Section 5/27A-9 of the Charter Schools Law.

***Substantive Compliance.*** Amandla meets the requirements for substantive compliance, but again, CPS cannot. Even if, as CPS now argues, the CPS Board did not rely upon the CSQP to justify its revocation decision, the evidence in the record does not support CPS's conclusion that Amandla "failed to implement its remediation plan" or that it "failed to meet or make reasonable progress toward achievement of . . . pupil performance standards identified in the charter." To the contrary, Amandla met the standards for pupil performance that CPS established as part of the Remediation Plan.

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<sup>1</sup> CPS apparently applied the standards set forth in either Policy 14-0827-PO2 or Policy 14-1119-PO1 in December 2014 when it placed Amandla on the Academic Warning List and required it to submit a Remediation Plan for the SY 2014-2015. However, there is no evidence in the record that CPS provided Amandla the required written notice before June 30, 2014 regarding its plan to adopt either Policy during the 2014-2015 school year such that application of those policies would be proper under Paragraph 9 of the Charter Agreement.

In December 2014, CPS placed Amandla on the Academic Warning List and subjected it to revocation proceedings, purportedly due to the Level 3 SQRP Rating it achieved. CPS ordered Amandla to prepare a Remediation Plan, which it submitted and which was ultimately approved by CPS. The Remediation Plan itself expressly stated that the single criterion Amandla would need to satisfy to “exit” the Academic Warning List and revocation proceedings was that “the school must not be rated a Level 3 on the SQRP” for the SY 2015-2016. This single goal and exit criteria was repeated and reinforced by several other documents that the CPS provided to Amandla. On October 27, 2015, pursuant to the terms of the Remediation Plan, when Amandla achieved a Level 2 SQRP rating, it became ineligible for revocation during the 2015-2016 school year on the basis of its academic performance.

CPS insists that only “successful” implementation of the Remediation Plan by Amandla and not achievement of a Level 2 SQRP Rating (“SQRP Rating other than 3”) could have precluded revocation. However, even if the Commission were to accept that argument, requiring Amandla to demonstrate full implementation of the Plan’s twelve academic performance goals and several strategic priorities, such an interpretation would necessitate a finding that CPS’s revocation decision was at minimum, premature. CPS approved a Remediation Plan for Amandla to implement and demonstrate improved performance over the course of SY 2015 and 2016. The record contains no evidence that Amandla would not have been able to reach its remaining academic goals by the 2016 school year. Yet, CPS determined that because Amandla met most, but not all fifteen of the individual goals it had set for 2015, the school “failed to implement the Plan.” The Commission concludes that due process, in this circumstance, requires that CPS give Amandla more than eight (8) months to work on the two-year Plan before it can reasonably conclude that the school failed to implement it.

In addition, the CPS Board’s conclusion that Amandla “failed to implement” the Remediation Plan is refuted by the fact that Amandla did make substantial academic improvement from the 2014 school year. Amandla moved up from the lowest SQRP Rating and exited the Academic Warning List. CPS was unable to provide the Commission with any evidence of the metrics or criteria other than the Remediation Plan that it actually utilized to evaluate Amandla’s progress or implementation of the Plan and deem it a failure. Nor did CPS offer any evidence to contradict the finding that Amandla achieved a Level 2 SQRP Rating for the 2015-2016 school year. Accordingly, contrary to the November 18, 2015 Board Report and other documentation CPS presented in support of the CPS Board revocation decision to close Amandla, the Commission concludes that Amandla did meet “the pupil performance standards identified in [its] charter” and was therefore ineligible for revocation in November 2015.

For these reasons, CPS did not meet its burden to clearly demonstrate that Amandla failed to meet or make reasonable progress toward achievement of the pupil performance standards identified in the Charter Agreement, as required under 105 ILCS 5/27A-9. The CPS decision to revoke the Amandla Charter does not comply with the Charter Agreement or Illinois Charter Schools Law and for this reason alone warrants reversal.



## C. Best Interests<sup>2</sup>

For review of a revocation decision, the best interests' analysis is conducted in two parts. First, the Commission evaluates whether the school's current performance is sufficient to meet the Commission's standards for academic performance, organizational capacity, and facilities/finance. The Commission also considers whether any of the legislative priorities identified in the Charter Schools Law – (1) high level of local student, parent, business, school, or broader community support; (2) rigorous academic achievement programming; (3) intentional design to enroll and serve at-risk children – would be advanced by a decision to authorize the charter school on appeal. Second, the Commission seeks to determine if there are accessible, better performing options for students currently enrolled at the school by reviewing the performance and availability of seats at assigned schools.

### 1. Commission Assessment of Amandla Performance.

*Academic Performance.* The Commission has concluded that Amandla does not currently meet Commission standards with regard to academic performance. Amandla has a track record of academic success, which led to its 2013 charter renewal by CPS. Furthermore, from the 2013-2014 school year to the 2014-2015 school year, Amandla improved student performance in reading growth and on EPAS. In one academic year, Amandla improved its SQRP Rating from a Level 3 to a Level 2.

However, the school did post a decline in its elementary school students' math performance and a review of Amandla students' performance on NWEA growth indicators suggests that the number of students meeting or exceeding national growth norms dropped slightly as well. To address its schools academic performance issues, Amandla needs to give additional attention to providing intensive support in math across all grade levels. In addition, the school should include tiered supports to students with additional needs.

*Organizational Capacity.* The Commission has determined that Amandla does not meet the standards set by the Commission for organizational capacity. First, although the Amandla governing Board is diverse in its expertise, it is not clear that the Board is sufficiently engaged monitoring the school's performance and holding the school's leadership accountable. Second, the school needs to enhance its organizational structure for managing the additional reporting requirements that will be allocated to an LEA.

*Facilities and Finance Management.* The Commission has determined that Amandla does meet the standard that it sets for Commission schools with regard to facilities and finance management. CPS has not committed to continue to allow Amandla to lease its current facility if the appeal is granted and school is allowed to remain open. CPS maintains that all charter school

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<sup>2</sup>Arguably, a finding that the CPS revocation decision does not comply with the Charter Schools Law supports reversal and grant of Amandla's appeal as a matter of law. However, the Charter Schools Law and Commission precedent is consistent with review of legal compliance and best interests on appeal. In light of the primary goal, the Commission will continue to observe the practice of reviewing matters relating to both legal compliance and best interests that are presented on appeal, regardless whether the appeal involves review of a proposal to establish a new charter school, a non-renewal or as here, a revocation decision.

building leases are written to accompany a charter school's charter agreement and that the leases expire when the charter agreement does. Amandla has identified an independent facility to locate the school if CPS does not make the current building available. The landlord for that facility has assured Amandla that it could expedite the leasing process to accommodate the school's needs. Therefore, Amandla arguably has presented two viable options to locate if the appeal is granted.

Amandla performed well and received high ratings on all financial measures the Commission has developed to evaluate annual audit, compliance and assets. Amandla's budget reflected an accurate picture of funding as a Commission authorized charter/LEA. The budget assumes enrollment of 370 students, which would be a significant increase over the 325 students the school has enrolled consistently over the last several years. Stabilization of the enrollment at Amandla will be important for Amandla's ability to meet standards with regard to facilities and finance management.

## **2. Legislative Priorities.**

Amandla has been able to advance two of the Charter Law's stated legislative priorities and would continue to serve this function as a Commission authorized school.

*Level of Community Support.* Throughout the appeal process, Amandla was able to demonstrate that Amandla as well as its other campuses enjoy extensive support throughout the local school community among students, parents and faculty as well as the broader community that the ACS serves. The public hearing was attended by more than 180 people and approximately 50 individuals provided comments in support of Amandla's appeal. Additionally, numerous local public officials and community representatives, donors and volunteers spoke on the school's behalf. Finally, the Commission received several letters of support for Amandla.

*At-Risk Populations.* Amandla advances the goal established by Illinois legislators to serve students traditionally seen as educationally at-risk. Amandla is located in the Englewood community on Chicago's south side and serves a student population that is 99% African-American and 98% Low Income. Amandla's mission is "prepare Chicago's students for college and beyond." The school maintains a college preparatory focus for educationally disadvantaged students who have significant skill gaps when they enter the school. The school also serves a substantial population of students with Individualized Education Plans and diverse learners.

## **3. Availability of Educational Options for Current Amandla Students.**

During the majority of the appeal process, CPS offered to facilitate enrollment in schools available to Amandla students to attend upon Amandla's closure. CPS offered to facilitate application and enrollment at those schools, but did not guarantee placement into any other schools options. When asked during the joint interview and public hearings about transition plans and placement for impacted students, CPS was unable to provide any information regarding guaranteed placement or transportation. Instead, the Commission was informed that the only guaranteed placement available for families is the students' assigned or zoned school.

Commission Staff conducted an analysis of the assigned schools for Amandla’s 330 students and found that if all Amandla students enrolled in their assigned schools, only 12% of them would have transferred to a higher performing school in good standing.

<b>SQRP Rating Level</b>	<b>Accountability Status</b>	<b>% (number) of students zoned to attend</b>	<b># of schools</b>
1+	Good Standing	3% (9)	7
1	Good Standing	3% (9)	4
2+	Good Standing	6% (18)	10
2	Remediation	57% (180)	49
3	Probation	31% (100)	9

At the public meeting on March 1, 2016, CPS announced that the Transition Team had worked to secure seats for Amandla students in a larger pool of high performing schools. As a result, CPS guaranteed that Amandla students whose assigned school was not higher performing than Amandla would have access to seats in schools that were. CPS guaranteed that the Amandla students would gain admission to one of three elementary schools and one of two high schools. CPS also promised to provide transportation for students to those new schools for at least one year. Amandla and the Commission received written notice of these guaranteed seats from CPS less than twenty-four (24) hours prior to the Commission public meeting to deliberate and vote on Amandla’s appeal. The lack of notice left the Commissioners virtually no time to evaluate the new school options or for Amandla to communicate the new information to parents and students and obtain feedback in advance of the Commission vote.

The Commission weighed the Amandla’s ability to meet the standards established by the Commission, as well as the extent to which the school is currently advancing legislative priorities under the Charter Schools Law and whether the students that Amandla currently enrolls would be better served by attending their assigned schools and their access to better performing schools. On the whole, the Commission concludes that it is in the best interests of the current students at Amandla to reverse the CPS revocation decision.

First, the students’ best interests cannot be neatly extricated from the Commission’s finding that the CPS Board’s revocation decision did not comply with the Charter Schools Law. It is in the best interests of students, families and the local community at Amandla to be able to trust that the Charter Agreement Amandla has with the school’s authorizer will be followed and that the due process protections owed to students, teachers and others in the school that is subject to revocation be afforded to them before the school is closed and students and families are forced to attend a different school. Allowing Amandla to remain open for the 2016-2017 school year when the record demonstrates that it was not eligible for revocation on November 18, 2016 is wholly consistent with the Amandla’s best interests.

Second, even though Amandla does not meet the Commission’s standards at this time on each domain, Amandla has demonstrated that implementation of its Remediation Plan can achieve improved academic results. The charter school showed marked improvement in its SQRP Rating within one school year. With more time to execute changes, the Commission expects that

Amandla will continue to improve in the areas where it currently does not meet Commission standards – academic performance and organizational capacity.

Third, even though Amandla’s overall performance falls below Commission standards for high quality educational options. The record shows that majority of the assigned schools that will be available to current Amandla students are not performing substantially better than ACS. This means that some of the receiving schools where Amandla students would enroll may themselves become the subject of closure or revocation in the near future. It is not in the best interest of these students to subject them to serial, involuntary school transfers.

Additionally, a large number of speakers at the public hearing on February 17, and at the March 1, 2016 public meeting urged the Commission to keep Amandla open because it was the safest option in the community for students to attend.

The last minute offer from CPS to offer Amandla students a guaranteed seat and transportation to a better educational option was unfortunately too late. Further, without the ability to analyze the performance and other information regarding the schools CPS proposed as better options, the Commission was not in a position to conclude that the schools where CPS offered to send Amandla students would actually provide them with a better education. If Amandla students are left only with their assigned schools, there can be no question that Amandla is a safer, higher quality educational option for Amandla students overall. Accordingly, the Commission concludes that it is in the best interests of the students currently enrolled at Amandla to grant the Amandla appeal and allow the school to remain open during the 2016-2017 school year.

## **V. Conclusion**

For all of these reasons, and those stated at the public meeting of March 1, 2016, the Commission agrees with Commission staff that CPS District 299 did not comply with the Accountability and Revocation provisions of the Charter Agreement it has with Amandla and therefore did not comply with the Illinois Charter Schools Law. The Commission also concludes that grant of the Amandla appeal would be in the best interests of the students currently enrolled at the school.

On the basis of the information presented to the Commission on appeal, the Commission concludes that reversal of CPS’s decision to revoke Amandla’s Charter is warranted. The appeal is GRANTED.

The Commission reverses the CPS charter revocation decision and reinstates the charter for Amandla Charter School, through the existing term of June 30, 2018, subject to the execution of a Charter Agreement that includes the following express conditions:

- 1) Approval of a charter agreement by the Commission Staff that includes a refined plan to strengthen the academic program and organizational capacity of the board;
- 2) Approval of a Lease and Facility Plan by the Commission Staff, to include a pre-opening checklist and timeline which shall include updated financial projections for facility plan and as an LEA; and

- 3) Submission of Letter of Intent to Enroll forms for a minimum of 80% of the school's enrollment cap.

The Commission's Counsel is authorized to include relevant terms and conditions in the written Agreement, which shall reflect resolution of any and all outstanding issues between the Commission and the governing body of the charter school, including, but not limited to: charter authorization, site location, funding, Commission fees, financial controls and practices, academic accountability, and evaluations.

Dated: March 17, 2016