

Subject: Action on a Request to Approve the Five-Year Instrumentality Charter School Contract with Whittier Elementary, Inc. for Whittier Elementary School to Begin with the 2021-2022 School Year and End on the Last Regularly Scheduled Day of the 2025-2026 School Year

Strategic Plan

Compatibility Plan: Goal 1 Academic Achievement
Goal 2 Student, Family and Community Engagement
Goal 3 Effective and Efficient Operations

Policy: Admin Policy 9.12 - Charter Schools

Attachments:

1. Whittier Board Item
2. Whittier Redline Contract
3. Appendix A Charter School Petition/Proposal
4. Appendix B List of MPS Policies Procedures
5. Appendix C Charter School Annual Assessment Calendar
6. Appendix D Charter School Articles of Incorporation
7. Appendix E Charter School Bylaws
8. Appendix F Charter School Annual Operating Budget
9. Appendix G MPS Charter School Budget Format
10. Appendix H Charter School Parent/Student Handbook
11. Appendix I Charter School Calendar
12. Appendix J Memorandum of Understanding

Background:

Whittier Elementary School (Whittier) was established as an instrumentality charter school beginning with the 2001-2002 school year. Whittier is located at 4382 S. 3rd Street. The current contract is for up to a maximum of 225 full-time-equivalent (FTE) pupils in grades K4 through 5. Whittier has received a five-year instrumentality charter school renewal in each of their previous renewal cycles.

Whittier's mission is to provide a safe, caring learning environment in which staff, students, parents, and community relationships merge to foster high academic achievement for students. Whittier works to take a child where he/she is functioning and move the child forward through enrichment, remediation, and acceleration opportunities so that each child will be challenged to achieve academic success.

On January 28, 2021, the Board approved a five-year renewal recommendation for Whittier and authorized the Administration, in collaboration with the Board's Designee and the Office of the City Attorney, to begin contract negotiations with representatives from the Whittier Elementary, Inc. for Whittier Elementary School.

In April 2021, representatives from Whittier, the MPS Office of Board Governance, the Office of the City Attorney and the MPS Administration reviewed and negotiated the proposed modifications to the model instrumentality charter school contract and agreed to the attached redline contract.

Contingent upon the Board's approval, Whittier accepts the attached, instrumentality charter contract with the following modifications:

- a. Whereas clause has been added to clarify that charter school's governing board is a party to the contract, to reflect current law, and to reflect historical background;
- b. The name of the school is Whittier Elementary School and the school will be located at 4382 S. 3rd Street;
- c. The name of the person who will be in charge of the charter school has been updated to reflect that Margaret (Peggy) Mystrow shall be the school leader, and language has been added to reflect the manner in which administrative services will be provided;
- d. Language has been revised to reflect applicability of MPS policies and statutes;
- e. Language relating to performance indicators has been updated to reflect applicability and current practice;
- f. Language relating to charter school governance has been updated to provide clarity and to be consistent with statutory language relating to charter school governance;
- g. Language has been revised relating to charter school staff;
- h. Language relating to requirements for admission to school has been updated;
- i. Language relating to financial and performance audits has been updated to reflect current practices and to reflect selection of method for financial and performance audits;
- j. Language has been updated to reflect selection of disciplinary guidelines;
- k. Language relating to facilities, indemnification and insurance has been updated;
- l. Language relating to the effect of the establishment of the Charter School on the liability of the Board has been updated;
- m. Language relating to background screening has been updated;
- n. Language relating to right to inspect and receive requested information and reports has been updated;
- o. Language relating to calendar has been updated;
- p. Language relating to purchasing has been updated;
- q. Language relating to transportation and nutrition has been updated;
- r. Language relating to Local Education Agency (LEA) responsibilities and district's responsibilities as School Food Authority (SFA) has been clarified;
- s. Language has been updated to reflect that Whittier will serve up to a maximum of 225 FTE pupils in grades K4 through 5;
- t. The term of the contract is updated to reflect five years, to start with the 2021-2022 school year and to end with the last regularly scheduled day of the 2025-2026 school year;
- u. Language relating to modification or termination of contract has been revised to provide clarity and reflect current practices;
- v. Language has been added to demonstrate that parties mutually agree to the terms of the contract;
- w. Technical revisions have been made throughout the contract; and
- x. Technical revisions have been made to Appendix A (Proposal).

Fiscal Impact

Statement:

The funds for this charter school contract are included as part of the FY22 budget process.

Implementation and

Assessment Plan:

Upon approval, the contract will be effective starting with the 2021-2022 school year and ending with the 2025-2026 school year.

A copy of the contract will be forwarded to the Wisconsin Department of Public Instruction.

Recommendation:

The Administration recommends that the Board approve the attached, five-year, instrumentality charter school contract with Whittier Elementary, Inc., for Whittier Charter School to begin with the 2021-2022 school year and end on the last regularly scheduled day of the 2025-2026 school year.