

## Options for Emma Donnan contract(s)

<b>OPTION 1: K-8 school operated by CS-USA under an amended contract with DOE</b>	
<b>Actions required</b>	<b>ISBOE’s options when DOE contract expires</b>
<ol style="list-style-type: none"> <li>1. ISBOE grants CS-USA’s petition to expand grade levels at Emma Donnan.<sup>1</sup></li> <li>2. ISBOE directs DOE to amend CS-USA’s contract to include grades K-6.</li> <li>3. ISBOE terminates mayoral oversight of Emma Donnan intervention and assumes oversight responsibilities.<sup>2</sup></li> <li>4. DOE takes action to include Emma Donnan within IPS for purposes of district accountability.<sup>3</sup></li> <li>5. IPS amends its Operations, Repair and Maintenance Agreement with CS-USA to include the additional use of Emma Donnan.</li> </ol>	<ol style="list-style-type: none"> <li>1. Direct CS-USA to seek a charter from an authorizer. (IPS must lease or sell the building to CS-USA for \$1.)</li> <li>2. Return the school to IPS control under the condition it enter into a 1321 agreement with CS-USA<sup>4</sup></li> <li>3. Order DOE to extend CS-USA’s contract<sup>5</sup></li> <li>4. Return the school to IPS without any conditions</li> <li>5. Impose a different intervention</li> </ol>

1 ISBOE does not have statutory authority to expand the grades served by a turnaround academy. HB 1638 would grant such authority, but even with an emergency clause, the earliest it could become effective is mid-May. It might be possible for ISBOE to grant CS-USA’s petition prior to the effective date of HB 1638 if the provision is made retroactive. In such case, ISBOE would need to follow the procedure required under HB 1638, which includes holding a hearing on the proposed grade expansion at Emma Donnan.

2 IPS would not have an oversight role under this option.

3 Under the current contract, Emma Donnan students are included in IPS’s ADM & APC, but are not considered IPS students for purposes of accountability. We believe that DOE can make this change administratively.

4 ISBOE does not have statutory option to require IPS to enter into a 1321 agreement with CS-USA when the period of intervention ends. HB 1638 could be amended to include this option.

5 CS-USA is seeking a 5-year contract extension with an “evergreen” clause that would provide for automatic one-year renewals for every year that it reaches or exceeds the goals and metrics established for Emma Donnan.

**OPTION 2: K-8 school operated by CS-USA under a 1321 agreement with IPS**

<b>Actions Required</b>	<b>ISBOE’s options when 1321 agreement expires</b>
<ol style="list-style-type: none"> <li>1. ISBOE directs DOE to terminate CS-USA’s contract.<sup>6</sup></li> <li>2. ISBOE orders IPS to enter into a 1321 agreement with CS-USA that includes specified performance metrics and regular reporting to ISBOE. Under the terms of the agreement, CS-USA would have up to 3 years to meet the specified goals and metrics.<sup>7</sup></li> <li>3. IPS &amp; CS-USA enter into a 1321 agreement.<sup>8</sup></li> <li>4. IPS amends its Operations, Repair and Maintenance Agreement with CS-USA to include the additional use of Emma Donnan.</li> </ol>	<ol style="list-style-type: none"> <li>1. Return the school to IPS control under the condition it enter into a long-term 1321 agreement with CS-USA</li> <li>2. Direct CS-USA to seek a charter from an authorizer. (IPS must lease or sell the building to CS-USA for \$1.)</li> <li>3. Return the school to IPS without any conditions</li> <li>4. Impose a different intervention</li> </ol>

<sup>6</sup> Termination may not be permitted under CS-USA’s contract, which was amended shortly before Glenda Ritz took office to delete the standard “termination for convenience” clause.

<sup>7</sup> ISBOE currently does not have statutory authority to order IPS to enter into a 1321 agreement with CS-USA. HB 1638 would amend IC 20-31-9-4 to grant ISBOE the authority to require a 1321 agreement when an intervention is initially imposed, but the bill in its current form does not authorize ISBOE to require IPS to enter into a 1321 agreement after a different intervention has been imposed or after the period of intervention ends.

<sup>8</sup> Under IPS Board policy, the Board may not enter into a 1321 contract with a for-profit entity.

<b>OPTION 3: K-6 school operated by CS-USA under a 1321 agreement with IPS; 7-8 school operated by CS-USA under DOE contract</b>	
<b>Actions Required</b>	<b>ISBOE's options when DOE contract expires</b>
<ol style="list-style-type: none"> <li>1. ISBOE directs DOE to amend its current contract with CS-USA to include:               <ol style="list-style-type: none"> <li>a. specified goals and metrics for the 7-8 school; and</li> <li>b. a prohibition on CS-USA entering into a 1321 agreement with IPS to serve K-6 students unless the 1321 agreement includes the same goals, metrics and timeline as the 7-8 contract.</li> </ol> </li> <li>2. IPS &amp; CS-USA enter into a 1321 agreement for a K-6 school with the terms required by ISBOE.</li> <li>3. DOE takes action to include Emma Donnan (grades 7-8) within IPS for purposes of district accountability.<sup>9</sup></li> <li>4. IPS amends its Operations, Repair and Maintenance Agreement with CS-USA to include the additional use of Emma Donnan.</li> </ol>	<ol style="list-style-type: none"> <li>1. Return the 7-8 school to IPS control under the condition IPS enter into a long-term 1321 contract with CS-USA<sup>10</sup></li> <li>2. Direct CS-USA to seek a charter from an authorizer. (IPS must lease space to CS-USA for \$1.)</li> <li>3. Direct DOE to extend CS-USA's contract</li> <li>4. Return the 7-8 school to IPS without any conditions</li> <li>5. Impose a different intervention on the 7-8 school</li> </ol>

<sup>9</sup> Under the current contract, Emma Donnan students are included in IPS's ADM & APC, but are not considered IPS students for purposes of accountability. We believe that DOE can make this change administratively.

<sup>10</sup> ISBOE currently does not have statutory authority to order IPS to enter into a 1321 agreement with CS-USA. HB 1638 would amend IC 20-31-9-4 to grant ISBOE the authority to require a 1321 agreement when an intervention is initially imposed, but the bill in its current form does not authorize ISBOE to require IPS to enter into a 1321 agreement after the period of intervention ends.