

**BEFORE THE
BOARD OF EDUCATION OF THE CITY OF CHICAGO**

In the Matter of:)	
The Public Hearing to Elicit Public Comment on the)	Before
Proposals to Close Alfred David Kohn Elementary)	Hon. Francis J. Dolan (Ret.)
School and Revise School Attendance Boundaries of)	Independent Hearing Officer
Countee Cullen Elementary School, Langston Hughes)	
Elementary School and Mildred I. Lavizzo Elementary)	2013
School)	
)	

Hearing Officer's Report and Determinations to the Chief Executive Officer Regarding the Proposals to Close Alfred David Kohn Elementary School and Revise School Attendance Boundaries of Countee Cullen Elementary School, Langston Hughes Elementary School and Mildred I. Lavizzo Elementary School

I. Introduction

On or about October 31, 2012, the undersigned was retained by the Chief Executive Officer ("CEO") of the Chicago Public Schools ("CPS") to serve as an Independent Hearing Officer in this matter. At 5:30 p.m. on Wednesday, April 24, 2013, a hearing was convened at the Board of Education of the City of Chicago, 125 South Clark Street, Chicago, Illinois. The purpose of the hearing was to enable the Hearing Officer to receive public comments from concerned persons, specifically including representatives of the CEO, members of the local school councils, parents of the schools' students, members of the schools' staffs, the schools' principals, representatives of the Chicago Teachers' Union, students, and interested members of the public, concerning the CEO's proposals to Close Alfred David Kohn Elementary School (Kohn) and Revise School Attendance Boundaries of Countee Cullen Elementary School (Cullen), Langston Hughes Elementary School (Langston) and Mildred I. Lavizzo Elementary School (Lavizzo).

Notice of the hearing was served on the parents, staff members, principals, and members of the local school councils via U.S. Mail and/or personal service through CPS Mail. Notice of the Hearing was served upon the public by newspaper publication in the *Chicago Sun-Times* newspaper. A certified Court Reporter transcribed the hearing.

Pursuant to the directives provided in 105 ILCS §34-230 (School Action Public Meetings and Hearings) and the document entitled "Procedures for Hearings on Proposed School Closings, Consolidations, Attendance Area Boundary Changes or Reconstitutions" the undersigned summarizes below the input received at the Public Hearing.

II. Relevant Statutory Provisions and Board Policies/Procedures

A. Illinois School Code (105 ILCS):

1. §34-18. Powers of the board

“The board shall exercise general supervision and jurisdiction over the public education and the public school system of the city, and, except as otherwise provided by this Article, shall have power:

“7. To apportion the pupils to the several schools;

“24. To develop a policy, based on the current state of existing school facilities, projected enrollment and efficient utilization of available resources, for capital improvement of schools and school buildings within the district, addressing in that policy both the relative priority for major repairs, renovations and additions to school facilities and the advisability or necessity of building new school facilities or closing existing schools to meet current or projected demographic patterns within the district.

“The specifications of the powers herein granted are not to be construed as exclusive but the board shall also exercise all other powers that they may be requisite or proper for the maintenance and the development of a public school system, not inconsistent with the other provisions of this Article or provisions of this Code which apply to all school districts.”

2. § 34-200. Definitions

For the purposes of Sections 34-200 through 34-235 of this Article:

“Capital improvement plan” means a plan that identifies capital projects to be started or finished within the designated period, excluding projects funded by locally raised capital not exceeding \$10,000.

“School closing” or “school closure” means the closing of a school, the effect of which is the assignment and transfer of all students enrolled at that school to one or more designated receiving schools.

“Space utilization” means the percentage achieved by dividing the school's actual enrollment by its design capacity.

“School action” means any school closing; school consolidation; co-location; boundary change that requires reassignment of students, unless the reassignment is to a new school with an attendance area boundary and is made to relieve overcrowding; or phase-out.

3. § 34-232. Proposed school action announcement and notice

“The following apply for school actions proposed during the 2012-2013 school year:

“(1) On or before March 31, 2013, the chief executive officer shall announce all proposed school actions to be taken at the close of the current academic year consistent with the guidelines published under Section 34-230 of this Code.

“(2) On or before March 31, 2013, the chief executive officer shall publish notice of the proposed school actions.

“(3) The chief executive officer shall provide notice of proposed school actions at least 15 calendar days in advance of a public hearing or meeting.

“All other provisions of Section 34-230 of this Code that do not conflict with this Section must be followed when proposing school actions.”

4. § 34-230. School action public meetings and hearings

“(a) ...the chief executive officer shall prepare and publish guidelines for school actions. The guidelines shall outline the academic and non-academic criteria for a school action...

“(b) The chief executive officer shall announce all proposed school actions to be taken at the close of the current academic year consistent with the guidelines....

“(c) ...the chief executive officer shall publish notice of the proposed school actions.

“(1) Notice of the proposal for a school action shall include a written statement of the basis for the school action, an explanation of how the school action meets the criteria set forth in the guidelines, and a draft School Transition Plan identifying the items required in Section 34-225 of this Code for all schools affected by the school action. The notice shall state the date, time, and place of the hearing or meeting.

“(2) The chief executive officer or his or her designee shall provide notice to the principal, staff, local school council, and parents or guardians of any school that is subject to the proposed school action.

“(3) The chief executive officer shall provide written notice of any proposed school action to the State Senator, State Representative, and alderman for the school or schools that are subject to the proposed school action.

“(4) The chief executive officer shall publish notice of proposed school actions on the district's Internet web-site.

“(d) The chief executive officer shall publish a brief summary of the proposed school actions and the date, time, and place of the hearings or meetings in a newspaper of general circulation.

“(e) The chief executive officer shall designate at least 3 opportunities to elicit public comment at a hearing or meeting on a proposed school action and shall do the following:

“(1) Convene at least one public hearing at the centrally located office of the Board.

“(2) Convene at least 2 additional public hearings or meetings at a location convenient to the school community subject to the proposed school action.

“(f) Public hearings shall be conducted by a qualified independent hearing officer...[who]... shall have the following qualifications:

“(1) ...must be a licensed attorney eligible to practice law in Illinois;

“(4) The independent hearing officer shall issue a written report that summarizes the hearing and determines whether the chief executive officer complied with the requirements of this Section and the guidelines.

“(g) Public meetings shall be conducted by a representative of the chief executive officer....

“(h) If the chief executive officer proposes a school action without following the mandates set forth in this Section, the proposed school action shall not be approved by the Board during the school year in which the school action was proposed.

5. § 34-225. School transition plans

“(b) The chief executive officer or his or her designee shall prepare and implement a school transition plan to support students attending a school that is the subject of a school action that accomplishes the goals of this Section. The chief executive must identify and commit specific resources for implementation of the school transition plan for a minimum of the full first academic year after the board approves a school action.

“(c) The school transition plan shall include the following:

“(1) services to support the academic, social, and emotional needs of students; supports for students with disabilities, homeless students, and English language learners; and support to address security and safety issues;

“(2) options to enroll in higher performing schools;

“(3) informational briefings regarding the choice of schools that include all pertinent information to enable the parent or guardian and child to make an informed choice, including the option to visit the schools of choice prior to making a decision....

B. Board Policies/Procedures:

**1. GUIDELINES FOR SCHOOL ACTIONS¹
2012-2013 SCHOOL YEAR (“Guidelines”)**

“Chicago Public Schools’ (“CPS”) Chief Executive Officer (“CEO”) publishes the following Guidelines to help the public and all interested stakeholders understand the criteria for school actions. CPS is committed to providing every child in every community with access to a high quality education that prepares them for college and career. To that end, CPS must take every step possible to focus our resources on investments that will improve schools for all students. School action proposals will be presented to the Chicago Board of Education (“Board”) to help CPS meet this commitment to all its students so that they may

¹ Issuing these Guidelines is consistent with the Illinois School Code (105 ILCS 5/34-230) requiring that the CEO publish guidelines outlining the criteria for school actions.

access higher quality school options. All proposals presented to the Board for consideration will reflect a commitment to provide impacted students with the option to enroll in a higher performing school.

“For the 2012-2013 school year, the CEO will consider the criteria specified below when recommending any of the following school actions:

- closure...
- reassignment boundary change

I. CRITERIA

A. Criteria for Closure...Reassignment Boundary Change...

The CEO may propose a closure, consolidation, reassignment boundary change or phase-out using the criteria outlined below.

1. Space Utilization or Grade Alignment

Space Utilization

A school may be considered for a closure, consolidation, reassignment boundary change, or phase-out if it is underutilized or overcrowded based on CPS’ Space Utilization Standards and student enrollment numbers recorded on the 20th attendance day for the 2012-2013 school year.

2. Constraining Factors

The CEO may only propose a closure...or reassignment boundary change if:

- (a) the students impacted by a closure...or reassignment boundary change have the option to enroll in a higher performing school;
- and,
- (b) the resulting space utilization after closure...or reassignment boundary change will not exceed the facility’s enrollment efficiency range as defined by the CPS’ Space Utilization Standards.

3. Additional Information to Consider

In determining whether to propose a closure, consolidation, reassignment boundary change, or phase-out, the CEO may consider other information including, but not limited to: safety and security, school culture and climate, school leadership, quality of the school facility, school type and

programming, family and community feedback received throughout the school year independent from the process described below, analysis of transition planning costs, neighborhood development plans, whether the school has recently been affected by any school actions, changes in academic focus or actions taken pursuant to 105 ILCS 5/34-8.3, or proximity, capacity and performance of other schools in the community.

II. NOTICE AND SCHOOL TRANSITION PLANS

“Notice of any proposed school action will be provided to the principal, staff, local school council, parents or guardians, Illinois State Senator, Illinois State Representative, and Alderman for the school or schools that are subject to the proposed school action. Notice will include the date, time, and place of public meetings being held to elicit public comment on the proposal.

“Along with notice of the CEO’s proposal, the CEO will issue a draft school transition plan dependent on the unique circumstances of the proposed school action. The draft school transition plan will include, but is not limited to, the following: (1) services to support the academic, social, and emotional needs of students; supports for students with disabilities, homeless students, and English language learners; and support to address security and safety issues; (2) options to enroll in higher performing schools; (3) informational briefings regarding the choice of schools that include all pertinent information to enable the parent or guardian and child to make an informed choice, including the option to visit the schools of choice prior to making a decision; and (4) the provision of appropriate transportation where practicable.

III. DEFINITIONS

“Closing” or “closure” means closing a school and assigning all of the students enrolled at that school to one or more designated receiving schools.

“Higher performing school” means:

- (1) receiving a higher level on the Performance Policy for the 2011-2012 school year, or
- (2) if the 2011-2012 school year level on the Performance Policy is equal, higher performing means performing higher on the majority of the following metrics:
 - for elementary schools – for the 2011-2012 school year, percentage of points on the Performance Policy, ISAT

composite meets or exceeds score, Value Added reading, and Value Added math

“ISAT” stands for Illinois Standard Achievement Test.

“ISAT composite” means the score of the combined ISAT reading, math and science tests.

“Performance Policy” means the Board of Education of the City of Chicago’s School Performance, Remediation and Probation Policy, 12-0725-PO2, establishing standards and criteria for placing a school on Remediation or Probation for the 2012-2013 school year based on assessments administered in Spring 2012 and other performance data from prior school years. The score and status are determined by evaluating key indicators that assess a school’s current performance, trend over time and student growth.

“Reassignment boundary change” means an attendance area boundary change that involves the reassignment of currently enrolled students.

“School action” means any school closing; school consolidation; co-location; boundary change that requires reassignment of students, unless the reassignment is to a new school with an attendance area boundary and is made to relieve overcrowding; or phase-out.

“Space Utilization Standards” mean the Chicago Public Schools’ Space Utilization Standards, found at:

http://www.cps.edu/About_CPS/Policies_and_guidelines/Documents/SpaceUtilizationStandards.pdf, establishing standards for determining enrollment efficiency, overcrowding, and underutilization.

“Value Added” means the metric that assesses school effects on students’ academic growth, controlling for student characteristics (including, but not limited to, student mobility rates, poverty rates, special education status and bilingual education status), grade level, and prior performance through a regression methodology. Academic growth is measured by the change in scale score points on the ISAT from one year to the next.

2. CHICAGO PUBLIC SCHOOLS SPACE UTILIZATION STANDARDS - December 28, 2011

I. Executive Summary

A. Rationale and Importance for Space Utilization Standards

1. Education

“It is important for CPS to codify space utilization standards so that it can clearly define what is adequate teaching and learning space within all of the school facilities it operates. These standards will help to ensure that all students have equal access to a learning environment that effectively supports strong instructional programs. At the early childhood, primary, intermediate, middle and high school levels, the foundation for success is a facility where the amount of existing space and its utilization enables the broad array of instructional programs available and is sufficient to accommodate superior new programs.

“CPS is focused on introducing a capacity and space utilization methodology that principals, parents and guardians and community stakeholders can understand. Rather than narrowly prescribe the manner of classroom use, the standards were developed to promote flexibility and to ensure that the space can be programmed to fit student needs.”

2. Operations

“In an effort to achieve its educational goals, the space utilization standards will also help ensure that each school facility is utilized in a manner that improves efficiency, thereby ensuring that the district’s limited resources are deployed and operated in an effective manner. Optimizing efficiency can only be accomplished when the district, in partnership with families, local school council members, and community agencies, can rely upon a comprehensive set of measurable indicators that portray the availability and usage of classrooms spaces.”

B. Summary of P.A. 097-0474

“On August 22, 2011, Governor Quinn signed Public Act 097-0474, amending the Illinois School Code by adding requirements for School Action and Facility Master Planning. Public Act 097-0474 requires that the Chicago Public Schools (“CPS”) publish space utilization standards by January 1, 2012. Space utilization standards shall include:

“(1) the method by which design capacity is calculated, including consideration of the requirements of elementary and secondary programs, shared campuses, after school programming, the facility needs, grade and age ranges of the attending students, and use of school buildings by governmental agencies and community organizations; (2) the method to determine efficient use of a school building based upon educational program design capacity; (3) the rate of utilization; and (4) the standards for overcrowding and underutilization.

105 ILCS 5/34-205 (a) (1)-(4).

“CPS must also publish a space utilization report for each school building operated by CPS by December 31 of each year.”

C. Summary of Standards

“For elementary schools, CPS provides an enrollment efficiency range based primarily upon the total number of instructional classrooms available in the main/permanent school building. Each elementary school building is allotted a number of dedicated general education homeroom classrooms, equaling approximately 76% of the total classrooms available. Each elementary school building is also allotted a number of ancillary classrooms equal to approximately 24% of the total classrooms available. As an elementary school’s enrollment increases above the efficiency range, a school may be considered overcrowded as programming options are reduced and/or compromised. As an elementary school’s enrollment decreases below the efficiency range, a school may be considered underutilized as classrooms are unused and/or poorly programmed making the use of limited resources less effective.

II. Core Concepts

A. Elementary Schools - Definitions

The proposed changes to the way the district calculates space utilization and capacity provides a greater level of detail and will allow principals to better align instructional programming to physical capacity. The new space utilization standards rely upon both familiar defined concepts from the historical methodology and new concepts defined below.

Maximum Capacity is defined as the number of classroom spaces designed as such in a given facility multiplied by 30.

Allotted Dedicated General Education Homerooms Classrooms (“Allotted Homeroom Classrooms”) is defined as the number of classrooms spaces required for homeroom use derived as a consistent and adequate proportion of the total number of classrooms present in a given facility.

Allotted Ancillary Classrooms is defined as the number of classrooms spaces required for non-homeroom uses, such as science labs, computer labs, art rooms, music rooms, resource rooms, special education rooms, governmental agencies and/or community organization special programs, after school programs, and other appropriate uses.

Ideal Program Enrollment is defined as allotted homerooms multiplied by 30².

² See Board of Education of the City of Chicago Policy on Class Size 10-0615-PO1

Enrollment Efficiency is defined as an enrollment range defined as Ideal Enrollment less 20% to Ideal Enrollment plus 20%.

Overcrowded status is defined as an enrollment range greater than Enrollment Efficiency.

Underutilization is defined as an enrollment range less than Enrollment Efficiency.

The proposed space utilization standards for elementary school essentially creates a range of efficiency based primarily upon a school facility's total number of classrooms, estimated requirements for dedicated homeroom use, and estimated requirements for ancillary, non-dedicated homerooms use.

B. Elementary Schools - Calculations

The baseline efficiency ranges are derived from the district's new construction prototype schools.

The prototype new construction school elementary school contains 39 classrooms: 30 dedicated general education homeroom classrooms and 9 ancillary classrooms. The 9 ancillary classrooms are generally programmed—though not required to be used—as 1 science room, 2 music/art rooms, 1 technology lab, 3 specialized education rooms, and 2 specialty classrooms.

The proportion of homeroom classrooms to ancillary classrooms in this example is roughly 3-to-1; 76.9% of total classrooms are allotted for homeroom use with remainder allotted to ancillary use.

The district will apply this proportion of homeroom-to-ancillary room use model to all elementary schools effective 2011-12 school year and plans to publish annually a list of all elementary schools with associated space use statistics referenced above by December 31 of each school year.

CPS finds this methodology to be consistent with approaches used by other K-12 school districts and resembles calculation strategies referenced by the Council of Educational Facility Planners International (CEFPI)³.

IV. Space Utilization for Each School Building

A list of the space utilization assessments for each school will be provided once enrollment data for the 2011-2012 school year has been finalized.

³ Calculating School Capacity: Local, State & National Perspectives, CEFPI Workshop, October 6, 2007

V. Conclusion

The Chicago Public Schools Space Utilization Standards and school-by-school reports will be published annually after 20th Day enrollment data is available and before December 31st of each year. These reports, which identify the ideal enrollment capacities of all Board-operated public school facilities compared to school enrollment, will better enable principals, community members, and district leadership to render solid decisions concerning the allocation of building space to meet all schools' instructional program needs.

3. REVIEW AND ESTABLISHMENT OF SCHOOL ATTENDANCE BOUNDARIES Board Report: 05-0622-PO1 Date Adopted: June 22, 2005

PURPOSE:

The purpose of this policy is to establish a process and procedures for the establishment of attendance boundaries for new schools and for the review and revision of attendance boundaries that the Board may determine are necessary from time to time.

I. Annual Review of Attendance Boundaries

The Department of School Demographics and Planning (DSP) shall review the enrollment at existing schools to determine if there is a need to revise existing boundaries as necessary. If it is determined that there is a need to revise any existing boundaries, DSP shall develop and recommend any proposed changes to the Chief Executive Officer prior to the beginning of the school year in which the changes will take effect. In addition, DSP shall have responsibility for developing and recommending proposed boundaries for new schools to the Chief Executive Officer prior to the beginning of the school year in which the new school boundaries will take effect.

II. Factors to be Considered

In reviewing and proposing revisions to boundaries for existing schools and proposing attendance boundaries for new schools, DSP shall consider a range of factors, including the following:

A. Capacities of Each of the Schools Involved in the Proposed Boundary Revisions

In considering whether to revise attendance boundaries at existing schools, DSP will consider the extent to which a school is overcrowded or underutilized. Where feasible, the goal is for elementary schools to be utilized at not more than eighty

percent of design capacity, and for high schools at not more than one hundred percent of program capacity. Schools will be considered severely overcrowded if they are operating in excess of 100% utilization and significantly underutilized if they are less than thirty percent. DSP also shall consider these utilization rates when proposing revisions to attendance boundaries for existing schools and when proposing attendance boundaries for new schools.

B. Current and Projected Racial and Ethnic Composition of the Schools Affected

Where feasible, DSP shall propose establishing or revising attendance boundaries to maintain or promote stably desegregated enrollments in each of the affected schools and to avoid the creation of one-race schools.

C. Geographic Barriers

In proposing new or revised attendance boundaries, DSP shall consider geographical barriers so as to promote safety and minimize transportation burdens, to the extent feasible.

D. Travel Time and Distance

In proposing new or revised attendance boundaries, DSP will seek to minimize travel time and distance, to the extent feasible.

E. Program Considerations

In proposing new or revised boundaries, DSP shall consider the placement of programs, such as programs for English Language Learners and for special education students. In addition, DSP shall consider the impact of magnet schools and programs and the requirements of the No Child Left Behind Act of 2001.

III. Process

As necessary, DSP shall provide a report to the CEO regarding whether there is a need for changes to existing boundaries or for developing boundaries for new schools. For each proposed attendance boundary, DSP shall develop at least two alternatives. For each alternative, DSP shall prepare a report for the CEO showing three-year enrollment projections by racial/ethnic group for all schools affected by the proposed change pursuant to each alternative. The report shall document for each alternative the impact on the affected schools for the factors of capacity, geographic barriers, travel time and program considerations. In developing alternatives, DSP shall consider whether any feasible alternatives would better maintain or promote stably desegregated enrollments in each of the affected schools and/or better avoid the creation of one-race schools. The CEO shall review the report and may suggest additional alternatives.

As necessary, the CEO shall report to the Board if he/she is recommending any changes to existing boundaries and boundaries for new schools. If the CEO is recommending any changes to existing boundaries or any boundaries for new schools, the CEO will provide the Board with the report of the alternatives considered, including data on the factors of capacity, geographic barriers, travel time and program considerations and will recommend the alternative that is being recommended.

Prior to taking action on the establishment or revision of any attendance boundaries, the Board shall conduct public hearings on the proposed changes and the CEO's recommendation. Prior to the public hearing, the Board will make available data on the factors of capacity, geographic barriers, travel time and program considerations. In making its decision, the Board shall consider the factors of capacity, geographic barriers, travel time and distance and program considerations.

**4. SCHOOL PERFORMANCE, REMEDIATION AND PROBATION POLICY FOR THE 2011-2012 SCHOOL YEAR
Board Report: 10-0728-PO4 Date Adopted: July 28, 2010**

I. Purpose and Goals

This policy shall establish the standards and criteria for placing a school on Remediation or Probation for the 2011-2012 school year based on assessments administered in Spring 2011 and other performance data from prior school years. A school's accountability status from the 2010-2011 school year shall remain in effect until such time as the school is notified of their new status issued in accordance with this policy.

This policy sets out a systematic means for identifying schools in need of remedial assistance and increased oversight due to insufficient levels of achievement. Section 5/34-8.3 of the Illinois School Code provides for the remediation and probation of attendance centers and requires the Chief Executive Officer ("CEO") to monitor the performance of each school using the criteria and rating system established by the Board to identify those schools in which: (1) there is a failure to develop, implement, or comply with the school improvement plan; (2) there is a pervasive breakdown in the educational program as indicated by various factors such as the absence of improvement in reading and math achievement scores, an increased drop-out rate, a decreased graduation rate, or a decrease in the rate of student attendance, or (3) there is a failure or refusal to comply with the provisions of the School Code, other applicable laws, collective bargaining agreements, court orders, or with applicable Board rules and policies.

The Board recognizes that an effective and fair school remediation and probation system considers student test score performance, student growth and progress trends. Therefore, this policy establishes a comprehensive system to assess school performance in order to identify, monitor and assist schools with low student test scores as well as schools with stagnant or insufficient rates of student improvement.

II. Scope of the Policy

All Chicago Public Schools (“CPS”) shall be subject to this policy, except charter schools under contract with the Board.

III. Definitions

Achievement Level 1: Shall mean the rating for:

- an elementary school that obtains a total performance score of thirty (30) or above or with at least 71% of the available performance points;

Achievement Level 2: Shall mean the rating for:

- an elementary school that obtains a total performance score of twenty-one (21) to twenty-nine (29) or with 50%-70.9% of the available performance points;

Achievement Level 3: Shall mean the rating for:

- an elementary school that obtains a total performance score of twenty (20) or below or with less than 50% of the available performance points;

Value-Added: Shall mean the metric that assesses school effects on students’ academic growth, controlling for student characteristics, grade level, and prior performance through a regression methodology. Academic growth is measured by the change in scale score points on the ISAT from one year to the next.

ISAT: means the Illinois Standards Achievement Test.

ISAT Composite: means the composite score from ISAT Reading, Mathematics and Science test results.

IV. PERFORMANCE EVALUATION SYSTEM

A. Calculation of Score

Every school shall receive a performance score based upon its level of current performance, trend over time and student growth as described in Section V below. A school will be evaluated on each of the accountability

indicators identified in Section V using best available data and will receive a score for each indicator as well as a total performance score that accounts for the school's overall performance on all accountability indicators. The total performance score will be used to determine whether a school qualifies for an Achievement Level 1, 2 or 3 rating. A school shall receive an accountability status hereunder whereby the school shall be identified as either on Probation, in Good Standing or in Remediation, as further described herein.

V. ACCOUNTABILITY INDICATORS, STANDARDS AND SCORING

A. Elementary School Indicators, Standards and Scoring

An elementary school may receive a total performance rating score ranging from zero (0) to forty (42).

5. THE CHICAGO PUBLIC SCHOOLS OFFICE OF THE CHIEF EXECUTIVE OFFICER PROCEDURES FOR PUBLIC HEARINGS ON PROPOSED SCHOOL CLOSURE, CONSOLIDATION, CO- LOCATION, PHASE-OUT, OR REASSIGNMENT BOUNDARY CHANGE

1. Upon considering to recommend to the Chicago Board of Education ("Board") that a school be closed, consolidated, co-located, phased-out, or subject to reassignment boundary change, an independent hearing officer shall be appointed consistent with 105 ILCS 5/34-230(f) to conduct a public hearing.
 - a. The hearing will commence and conclude at the time designated in the notice of hearing;
 - b. The hearing will be transcribed; and
 - c. The hearing officer will be solely responsible for conducting the hearing and will conduct the hearing in an efficient and impartial manner.

2. Chief Executive Officer's Presentation
 - a. An attorney will present the Chief Executive Officer's proposal by making an opening statement and submitting evidence in support of the proposal to be considered by the hearing officer.
 - b. The attorney may also introduce witnesses, who will present statements regarding the proposal. The hearing officer may ask the witnesses questions to clarify any statements they make.

3. Public Participation

- a. The hearing officer will receive relevant statements, comments, documents or written proposals from members of the public. Written comments will be accepted at the hearing, hearing registration table, and on the next business day, before 5:00p.m., if delivered by hand to the CPS Law Department (125 S. Clark, Suite 700) or electronic mail (Qualityschools@cps.edu).
- b. All those wishing to comment on the matter being considered will be required to sign up to do so as provided in the notice of hearing.
 - i. Registration must be made in person by the individual who will be commenting on the proposal; and
 - ii. An individual may not sign in to speak on behalf of another person.
- c. The number of individuals in each hearing room will be limited based on room capacity.
- d. The hearing officer will determine the order of speakers.
- e. When called by the hearing officer to speak, the speaker shall proceed promptly to the microphone area where s/he will have two minutes to present his/her remarks and materials to the hearing officer.
- f. The total number of people speaking at the hearing will be subject to the sole discretion of the hearing officer.
- g. The hearing officer and the Board's Office of Safety and Security may impose any other reasonable procedures or limitations necessary to ensure that the proceedings are orderly and efficient.
- h. Courteous, respectful, and civil behavior is expected from all speakers and all people attending a hearing. Disruptive individuals may be removed from the hearing.

4. Hearing Officer's Written Report

- a. Following the hearing, the hearing officer will prepare and submit to the Chief Executive Officer a written report summarizing the public comments and the documents received at the hearing.
- b. The hearing officer's report will also determine whether the Chief Executive Officer complied with the requirements of 105 ILCS 5/34-230 and the Chief Executive Officer's Guidelines for School Actions.

III. HEARING

Libby Massey, Assistant General Counsel of the Board of Education, presented the CEO's proposals. She submitted the following evidence in support of the proposals:

EXHIBITS PRODUCED:

Documentary submissions were received and included the following:

A. CEO's Compiled Exhibit 1

Notices of Hearing

- Tab 1 Notice Letter to Parents or Guardians of Students at Alfred David Kohn Elementary School ("Kohn" or "Kohn Elementary School"), Mildred I. Lavizzo Elementary School ("Lavizzo" or "Lavizzo Elementary School"), Langston Hughes Elementary School ("Hughes" or "Hughes Elementary School"), and Countee Cullen Elementary School ("Cullen" or "Cullen Elementary School") dated March 21, 2013 and Draft Transition Plan for the Proposed Closure of Kohn Elementary School
- Tab 2 Notice Letter to School Administrators, Faculty, Staff, and Local School Council Members at Kohn Elementary School, Lavizzo Elementary School, Hughes Elementary School, and Cullen Elementary School dated March 21, 2013 and Draft Transition Plan for the Proposed Closure of Kohn Elementary School
- Tab 3 Affidavit of Jeff Broom, Performance Data Analyst for Chicago Public Schools Regarding Mail and/ or Personal Delivery of Notice Letters to Parents/Guardians, School Personnel and Local School Council Members of Kohn Elementary School, Lavizzo Elementary School, Hughes Elementary School, and Cullen Elementary School on or about March 21, 2013
- Tab 4 Affidavit of Leonard Langston, Chief of Staff, Office of Public and Community Affairs for Chicago Public Schools Regarding Electronic Mail Delivery of Notice Letters to Elected Officials on or about March 21, 2013
- Tab 5 Affidavit of Jason Van Patten, Director of Web Services for Chicago Public Schools Regarding Publication of: (a) List of Independent Hearing Officers for Hearing and Draft Guidelines for School Actions on or about October 31, 2012, (b) Guidelines for School Actions on or about November 30, 2012, (c) Proposals on or about March 21, 2013, and (d) Summaries from Community Meetings on or before April 14, 2013 and April 18, 2013
- Tab 6 Public Notice of Hearing and Community Meeting by Newspaper Publication in the *Chicago Sun-Times* on April 3, 2013

Relevant Legal and Procedural Documents

- Tab 7 105 ILCS 5/34-18 ("Powers of the Board"), effective July 13, 2012

- Tab 8 105 ILCS 5/34-200 ("Definitions"), effective July 13, 2012
- Tab 9 105 ILCS 5/34-225 ("School Transition Plans"), effective November 30, 2012
- Tab 10 105 ILCS 5/34-230 ("School Action Public Meetings and Hearings"), effective August 22, 2011
- Tab 11 105 ILCS 5/34-232 ("Proposed School Action Announcement and Notice; 2012-2013 School Year"), effective November 30, 2012
- Tab 12 Chicago Board of Education School Performance, Remediation, and Probation Policy for the 2011-2012 School Year (Policy Manual Section 302.6A, Board Report 10-0728-P04)
- Tab 13 Chicago Board of Education Policy on Review and Establishment of School Attendance Boundaries (Policy Manual Section 703.2, Board Report 05-0622-P01)
- Tab 14 Chicago Public Schools Space Utilization Standards (Issued December 28, 2011)
- Tab 15 Guidelines for School Actions, 2012-2013 School Year (Issued November 30, 2012)
- Tab 16 Chief Executive Officer's Procedures for Public Hearings on Proposed School Closure, Consolidation, Co-Location, Phase-Out, or Reassignment Boundary Change

Documents and Written Evidence in Support of the Proposals

- Tab 17 Transcript of the April 9, 2013 Community Meeting regarding the Proposed Closure of Kohn Elementary School
- Tab 18 Summary of the April 9, 2013 Community Meeting regarding the Proposed Closure of Kohn Elementary School
- Tab 19 Transcript of the April 13, 2013 Community Meeting regarding the Proposed Closure of Kohn Elementary School
- Tab 20 Summary of the April 13, 2013 Community Meeting regarding the Proposed Closure of Kohn Elementary School
- Tab 21 Written Statement of Ashley Richardson, Portfolio Planner for the Chicago Public Schools

Tab 22 Presentation Accompanying Ashley Richardson's Written Statement

Tab 23 Map of Proposed Attendance Area Boundary Change

Tab 24 Written Statement of Karen Saffold, Chief of Schools of the Rock Island Elementary Network for the Chicago Public Schools

Tab 25 Presentation Accompanying Karen Saffold's Written Statement

Tab 26 Kohn Elementary School, Lavizzo Elementary School, Hughes Elementary School, and Cullen Elementary School Performance Policy Reports

B. Public Comment Documents

It was announced at the public hearing that the record would be kept open until Thursday, April 25, 2013, at 5:00 p.m. to allow those parties who were unable to attend the hearing, or for any other reason, to submit written testimony or any documents relating to the CEO's proposals that they would want made a part of the record of proceedings. The public was given the option to either hand deliver the documents to the CPS Law Department Office located at 125 S. Clark Street, Suite 700, Chicago, or send via email addressed to: "qualityschools@cps.edu."

No other documents were received either at the public hearing or subsequent thereto.

TESTIMONY PRODUCED

A. CPS Witnesses:

Name

Affiliation

Ashley Richardson

Portfolio Planner for Chicago Public Schools

My name is Ashley Richardson. I am a Portfolio Planner for Chicago Public Schools. I have been in this position since June of 2012. As a Portfolio Planner, I manage strategic planning to improve the efficient utilization of CPS facilities. Prior to joining CPS, I worked as an analyst and manager at Kraft Foods before obtaining my Masters of Education in Education Policy and Management at the Harvard Graduate School of Education.

I have been asked to appear at this hearing today to convey to you, the parents, and the community, as well as interested members of the public in attendance, information regarding the space utilization of the Kohn facility with respect to the proposal to close Kohn.

According to the Chief Executive Officer's Guidelines for the 2012-2013 school year, the CEO may propose to close a school if it is underutilized based on the CPS Space Utilization Standards and student enrollment numbers recorded on the 20th attendance day for the 2012-2013 school year. The CEO may only propose a closure if the impacted students have the option to enroll in a higher performing school and the resulting space utilization after the closure will not exceed the facility's enrollment efficiency range as defined by the CPS Space Utilization Standards.

I will discuss the details regarding the space utilization of this proposal, while my colleague, Karen Saffold, will discuss the performance of the welcoming school and highlight the supports being offered in the draft transition plan.

Kohn is currently located at 10414 South State Street. Kohn is an elementary school that, as of the 20th day of attendance for the 2012-2013 school year, serves 390 students in pre-kindergarten and kindergarten through 8th grades.

To understand the enrollment efficiency range of a facility, Chicago Public Schools utilizes its Space Utilization Standards, which are located in your binder at tab 14.

The enrollment efficiency range is plus or minus 20 percent of the facility's ideal enrollment. For elementary school buildings, the ideal enrollment is defined as the number of allotted homerooms multiplied by 30. The number of allotted homerooms is approximately 76 to 77 percent of the total classrooms available. As an elementary school's enrollment increases above the efficiency range, a school may be considered overcrowded as programming options are reduced or compromised. As an elementary school's enrollment decreases below the efficiency range, a school may be considered underutilized as classrooms are unused or poorly programmed, making the use of limited resources less effective.

A typical elementary school building has a total of 39 classrooms. Therefore, the number of allotted homerooms, approximately 76 to 77 percent of 39 is 30 classrooms. Multiplying 30 classrooms by 30 equals the ideal enrollment number of 900. Finally, the enrollment efficiency range is plus or minus 20 percent of 900, which is 720 to 1080. If a school in this typical elementary school building had an enrollment below 720, it would be considered underutilized. Alternatively, if the school's enrollment was above 1080, it would be overcrowded.

There are 46 total classrooms within the Kohn facility. Approximately 76 to 77 percent of this number is 35, the number of allotted homerooms. This number multiplied by 30 yields the ideal enrollment of the facility, which is 1050. As such, the enrollment efficiency range of the Kohn facility is between 840 to 1260 students.

As I stated, the enrollment of Kohn, as of the 20th day of attendance for the 2012-2013 school year is 390. This number is below the enrollment efficiency range, and thus, the school is underutilized.

The CEO has proposed that the students from Kohn be welcomed at Langston Hughes Elementary School, or Hughes; Mildred I. Lavizzo Elementary School, or Lavizzo; and Countee Cullen Elementary School, or Cullen.

Because there are multiple welcoming schools designated for Kohn, as a guide to parents, I would like to explain the details of the proposed student reassignment plan.

Parents of returning Kohn students can determine which of the three welcoming schools their students are reassigned to in one of three ways.

First, by checking with the principal. The principal of Kohn was provided with a list of all Kohn students and their designated welcoming school.

Second, by checking with staff tonight. Immediately following the conclusion of this hearing, staff will share student-specific designated welcoming school assignments with parents.

Third, by mail. Letters to all Kohn parents have been sent to the students' home address of record with this same information.

For Kohn students who currently live within the Kohn attendance area, their assigned welcoming school is the school whose future attendance area boundary they will reside in, either Hughes, Lavizzo, or Cullen. I will describe the proposed attendance area boundary adjustments in a few moments.

For Kohn students who currently live outside of the Kohn attendance area, their assigned welcoming school was chosen based on proximity to the students' home address and availability of space.

If this proposal is approved by the Board of Education for the City of Chicago, the resulting space utilization will not exceed the enrollment efficiency ranges of Hughes, Lavizzo, or Cullen, as defined by the CPS Space Utilization Standards.

Hughes has 38 total classrooms. Approximately 76 to 77 percent of this number is 29, the number of allotted homerooms. 29 multiplied by 30 yields the ideal enrollment of the facility, which is 870. As such, the enrollment efficiency range of the Hughes facility is between 696 and 1044 students. Hughes currently has 417 students enrolled.

Lavizzo has 29 total classrooms. Approximately 76 to 77 percent of this number is 22, the number of allotted homerooms. 22 multiplied by 30 yields the ideal enrollment of the facility, which is 660. As such, the enrollment efficiency range of the Lavizzo facility is between 528 to 792 students. Lavizzo currently has 403 students enrolled.

Cullen has 16.5 total classrooms. Please note that the zero point five indicates the presence of one or more small classrooms. Approximately 76 to 77 percent of this number is 12, the number of allotted homerooms. 12 multiplied by 30 yields the ideal enrollment of the facility, which is 360. As such, the enrollment efficiency range of the Cullen facility is between 288 to 432 students. Cullen currently has 245 students enrolled.

To demonstrate that each of the three welcoming schools will operate within or below the enrollment efficiency range, if the Board approves the closure of Kohn, and to fully explain the enrollment trend associated with these schools, I would like to direct your attention to the screen.

Projected is a slide that shows the enrollment trend of Kohn and Hughes. Green hashed lines showing the enrollment efficiency range of the Hughes building, and a circle representing the combined projected enrollment for 2013-14. As you can see, the 2013-2014 projected enrollment of Hughes combined with Kohn students projected to be reassigned to Hughes is 566. This projected enrollment, combined enrollment falls just below the efficiency range of the Hughes facility.

Projected is a slide that shows the enrollment trend of Kohn and Lavizzo. Green hashed lines showing the enrollment efficiency range of the Lavizzo building, and a circle representing the combined projected enrollment for 2013-2014. As you can see, the 2013-2014 projected enrollment of Lavizzo combined with Kohn students projected to be reassigned to Lavizzo is 550. This projected combined enrollment falls within the efficiency range of the Lavizzo facility.

Next, projected is a slide that shows the enrollment trend of Kohn and Cullen. Green hashed lines showing the enrollment efficiency range of the Cullen building, and a circle representing the combined projected enrollment for 2013-2014. As you can see, the 2013-2014 projected enrollment of Cullen combined with Kohn students projected to be reassigned to Cullen is 247. This projected combined enrollment falls just below the efficiency range of the Cullen facility.

If Kohn is closed, the CEO is also proposing that Kohn's attendance area be reassigned to Hughes, located at 240 West 104th Street. Lavizzo, located at 138 West 109th Street. And Cullen, located at 10650 South Eberhart Avenue, at the end of the current school year. A map showing the proposed boundary change is located in your binder at tab 23, and copies of this map were available tonight at the registration desk. In proposing this boundary change, several factors were considered as outlined in the Review and Establishment of School Attendance Boundaries Policy, including, but not limited to, the capacities of Hughes, Lavizzo, and Cullen, geographic barriers, travel time, distance traveled, and program considerations.

Notwithstanding this proposed boundary change, I want to reiterate that all students enrolled currently at Kohn will be provided with their designated welcoming school should the Board approve this proposal.

You will next hear from my colleague, Karen Saffold, who will discuss the performance of Hughes, Lavizzo, and Cullen and highlight the proposed transition efforts.

Karen Saffold.

**Chief of Schools for the CPS,
Rock Island Elementary Network**

My name is Karen Saffold. I am the Chief of Schools for the Chicago Public Schools, Rock Island Network. Chicago Public Schools are divided into Networks. Network offices are run by its Chief and provides support and oversight for the schools assigned to them on behalf of the CEO. Lavizzo, Cullen, and Langston Hughes are within the Rock Island Elementary Network. I

am responsible for the support and oversight of Lavizzo, Cullen, and Hughes on behalf of the CEO. I have been the Chief of Lavizzo, Cullen, and Hughes since 2010.

By way of background, over 20 years, I have worked in a number of capacities within public education, including, teacher, curriculum coordinator, assistant principal, and principal before becoming Area Instruction Officer in 2006. I have a doctorate in education and hold degrees and certificates from Illinois State, Roosevelt, Northeastern, Southeastern University, Harvard, and Northwestern Universities.

As you already have heard, Kohn fits the criteria of the Chief Executive Officer's Guidelines for School Actions because it is underutilized based on CPS Space Utilization Standards and student enrollment numbers recorded on the 20th date for the 2012-2013 school year. Kohn students will be welcomed by Cullen, located at 10650 South Eberhart Avenue, Hughes, located at 240 West 104th Street, and Lavizzo, located at 138 West 109th Street. The Lavizzo, Cullen, and Hughes facilities have enough space to welcome the Kohn students and the resulting combined enrollment will not exceed the facilities' enrollment efficiency range.

When Kohn students are welcomed by Lavizzo, Cullen, and Hughes, administrators, staff, and students, they will be there to help the students and also they will be attending at a higher performing school based on the CEO's Guidelines for School Actions. One way that the CEO's Guidelines for School Actions define a higher performing school is if the school received a high level on the Performance Policy for the 2011-2012 school year. Under the CPS Performance Policy, located in your binder at tab 12, each school receives an annual rating based on its performance on a variety of student outcome measures, including standardized test scores and student attendance. District-wide, schools designated Level 1 are the highest performing schools and schools designated as Level 3 are the lowest performing schools. Kohn received a Level 3 rating for the 2011-2012 school year, while Lavizzo received a Level 1. Cullen received a Level 2 rating, and they are both within that range. The Performance Policy reflects these levels are located in your binder under tab 26. Please note that the Performance Policy ratings from the 2011-2012 school year appear under the 2012-2013 header as on reports, as to ratings are used to determine each school's accountability status for the 2012-2013 school year.

The CEO's Guidelines also define a higher performing elementary school, if the Performance Policy level is equal, but if also the school is performing higher on the majority of the four performance metrics for the 2011-2012 school year. Both Kohn and Hughes received a Level 3 rating in 2011-2012. Thus, the higher performing school under the Guidelines is one that performed higher on the majority of four performance metrics.

The four performance metrics analyzed are the percentage points of the school received on the Performance Policy, the ISAT composite meets or exceeds score, the Value-Added score in reading, the Value-Added score in math. I will explain each of these metrics below and explain how Hughes outperformed Kohn in 2011-2012.

The first metric to compare is the schools' percentage points received on the Performance Policy. The Performance Policy bases its rating on a point system. Points are received for the school's current level of performance and improvement over time on standardized tests and attendance, as

well as the growth of individual students from year-to-year on the State tests. For 2012-2013, Hughes received 47.6 percent of the available points, and Kohn received 35.7 of the available points. Thus, Hughes received a higher percentage of points for the Performance Policy.

The second metric is the ISAT Meets or Exceeds Composite score, which is the combined result of the ISAT reading, math, and science assessment. Hughes' ISAT Meets or Exceeds Composite was 63.6, while Kohn's Meets or Exceeds Composite was 57.7 percent.

The third and fourth metrics are the schools' Value-Added score in reading and math. Value-added is a component of the performance Policy that compares student academic growth on the ISAT at a school within the growth, of a school within the growth of similar students across the District. This is done through a regression methodology that controls for nine student-level factors, including grade level, prior performance on the ISAT, free or reduced lunch, race, mobility, participation in the schools and the students living in Temporary Housing Program, IEPs, or Individualized Education Program, ELL students or English Language Learner students and gender. Controlling for factors allows each of us, each of them to see how much impact the school has had on the average student over the past year. Because we control for prior performance, this metric allows us to identify schools within a low test scores, where growth is rapid, and schools with the highest test scores where growth is slow.

The Value-Added metric is a standardized measure with a mean of zero. Standardization means that the score is reported in the standard deviation units, which is a measure of how far a student scores from the District average. A positive number means that the students at the school are growing at a faster pace than similar students in the District. For example, a positive 1 indicates that the student or the school is one standard deviation above the mean, meaning the school's growth and students at that particular school is growing at a faster pace than approximately 84 students or schools in the District. A score near zero means that students at the school are growing at or about the same pace or similar students in the District. And a negative score means that students at the school are growing at a slower pace than similar students or schools in the District.

As you can see, Hughes' reading Value-Added score is negative zero point nine (-0.9) in 2012, and Kohn's reading Value-Added was minus one point one (-1.1). This means that on average, students at Hughes grew at a faster pace in reading when compared to students at Kohn. Hughes' mathematics Value-Added score was negative zero point nine (-0.9) in 2012, and Kohn's Value-Added was negative zero point one (-0.1). This means that on average students at Kohn grew at a faster pace in mathematics when compared to students at Hughes.

To summarize, Hughes performed higher than Kohn in 2011-2012 on the majority of the metrics identified in the CEO's Guidelines for School Actions, and thus, Hughes is a higher performing school.

If this proposal is approved, students will receive additional supports at Kohn during the remainder of this school year and at Lavizzo, Cullen, and Hughes next year. And the Network will provide assistance to ease the transition process as much as possible. CPS has developed a plan dedicating additional resources to address any safety concerns and to fulfill students'

academic, social and emotional, and other individual needs. The draft transition plan, explaining these additional resources, was sent home to all families affected by the proposal and is located in your binder at tab 1. CPS will publish final transition plans, if the Board approves this proposal, which will incorporate feedback from the community meetings, this hearing, and additional input received.

The CPS Office of Safety and Security, or OSS, has worked with the Chicago Police Department, Department of Family and Support Services, local community groups and faith partners, elected officials, and other sister agencies to develop a plan for safe transition of students. If this proposal is approved, OSS will take the following steps:

- First, they will review and update school safety audits, security personnel allocations, and school safety technology systems to enhance as appropriate.
- Second, OSS will be available to address specific safety concerns raised by students and staff.
- Third, OSS will provide Safe Passage supports for students and staff traveling to and from school. Safe Passage workers wear identifiable vests and stand on designated street corners to monitor students' safety during their travel to school in the morning and going back home in the afternoon. Prior to the start of the 2013-2014 school year, OSS will work with Lavizzo, Cullen, and Hughes administrators and the community to designate specific intersections for safe passage supports.

Additionally, students will receive academic supports as they transition into the following:

- First, a Principal Transition Coordinator, or PTC, will be assigned to help the principal of Kohn maintain academic rigor for the remainder of the school year and ensure a smooth transition to Lavizzo, Cullen, and Hughes. PTCs are former principals, or administrators with significant experience, who will be a resource for the administration and ensure continuity of support for faculty and students.
- Second, the Lavizzo, Cullen, and Hughes administrators will receive comprehensive, student-specific data on all transitioning students to allow safe, a save passage and also allow for staff to proactively identify individual student needs and prepare those students for the upcoming school year.
- Third, I will be available at open houses to discuss concerns and educational options.
- Fourth, the principals will receive discretionary resources to provide direct academic support to students. For example, these funds may be used to provide an instructional coach, teacher leader, or to obtain academic tutoring programs or positions for students in reading and math. I will support the principals as they consider how to use these resources and approve these selections once decisions are made.
- Fifth, beginning this fall, CPS will offer students attending Hughes with an opportunity to participate in the Science, Technology, Engineering, and Mathematics program or STEM. The STEM Program aims to build engaging learning environments and trains students to become problem solvers, critical thinkers on a global level, capable of developing and designing multiple solutions for complex real-world situations and grounding their decisions in evidence-based reasoning.

Additionally, students at all schools will receive social and emotional supports to help them adjust to a new learning community, including the following:

- First, CPS will help school staff facilitate intervention groups, such as peace circles, aimed at helping students work through concerns associated with the transition.
- Second, CPS will help the school and staff members implement restorative practices, such as peace circles and peace juries, to encourage peer-to-peer problem solving and resolution.
- Third, groups of students in need of more individualized attention will be provided with access to highly structured interventions.
- Fourth, to foster an environment that is both supportive and inclusive for all students, CPS will provide resources to the Lavizzo, Cullen, and Hughes leadership to implement culture-building activities, such as staff luncheons and team- and trust-building activities. Resources will also be provided to sponsor activities such as school visits, coffee chats with principal, picnics, field trips, or parent meetings to transition families get to know their new school and students.

Finally, additional transition supports will be provided to ensure that Kohn students who have unique needs or circumstances are adequately supported in this transition, including students with diverse learning needs, students in temporary living situations, English language learner, and early childhood participants. These additional supports are described in more detail in the draft transition plan, located in your binder at tab 1.

In conclusion, Kohn is underutilized, the combined enrollment of students at Lavizzo, Cullen, and Hughes facilities will not exceed the facilities' enrollment efficiency range, and Lavizzo, Cullen, and Hughes are high performing schools. The CEO believes that this proposed school closure will help the district better serve all students and is prepared to assist students with additional supports as they transition.

B. Public Comments

Kathleen Murray

On Staff at the Chicago Teachers Union

My name is Kathleen Murray. I am on staff at the Chicago Teachers Union.

The Chicago Teachers Union opposes all school closings this year. 54 school buildings to be closed -- we don't believe it will be done effectively, efficiently, and that all children's needs will be met.

There has always been a concern about splitting these school houses in-half, in this case it will be split in thirds. Last month I spoke at the Board, and I addressed the Kohn issue that the letter that went home to the parents was very vague at what school their child will be attending. Now it's been corrected and the children will go to a receiving school that will be within their home boundaries. Miss Zaup (phonetic), who sits on the Board of Education, informed me at the meeting, she corrected me and told me, that the children will be able to choose their school next year, of the three schools. That is not the case. It is clear that it will be decided by boundaries. So I do want to make that clear for the record at how the school will be divided up.

Again, we don't have many speakers here on behalf of Kohn, but I do want to put on record that Mr. Darien Williams is here, and so is Miss Syvilla Rushdan. These two staff members I have never seen in the classroom but I have had conversations with them. Their to education and the children in the City needs to be recognized. In addition to their principal, they have shown up for every hearing as well.

So, again, CTU is against all these 54 school closings. 54 school houses to be closed. In addition to turnarounds and co-shares at the same time charter schools are being opened in the same area.

Darien Williams

Third Grade Teacher at Kohn

My name is Darien Williams. I am a third grade teacher at Kohn Elementary.

I would just like to say that the information that I have been hearing has been very troubling to sit through, because if you look at the other schools' data that has been presented, it was stated that the students at Cohen would have a better option to choose from, they would be higher performing academic schools, and it is, to my knowledge, that Langston Hughes is also performing at a level 3 as well.

It was also stated in the speeches earlier that looking at the school's data, that this issue was not determined based on performance, but more on utilization, but if it's not an issue, then why is it being brought up?

And I feel as though Kohn students have not been invested in. How many textbooks have been bought with these discretionary funds for students? I can tell you that -- zero. How many water fountains have been fixed at Kohn School? I can tell you that now -- zero.

So when you talk about the safe passage of school transitioning from Kohn to these other schools, if we can assure that that's going to happen when the school is closed, how come is it not happening now, because just last week at our After Professional Development, I walked students home to make sure that they weren't being picked on. There was another one of our students who was being tracked by someone driving in an unmarked vehicle. So where are the people with the vests on now?

So we are saying that all of these things that are going to be put into place, such as the peace circles, to cope with social and emotional learning skills, to cope with skills dealing with academic rigor and instruction, where have the coaches and lead teachers been at this moment to help Principal Collier who just came to Kohn? Where have those people been surrounding us and investing in our children?

If things don't make sense, they're generally not true. And to say that all of these things are going to happen once the school closes, it's simply not true, when we have been dealing with these issues for more than 10 years.

Karl Hubert

**Safety and Security Coordinator
for the Chicago Teachers Union.**

My name is Karl Hubert. I am the safety and security coordinator for the Chicago Teachers Union.

I am a 63-year-old retired trial lawyer who returned to the CPS system about 10 years ago. And I was blessed to have the opportunity to work over in the Lawndale community, as well as the Englewood community, as a dean of students, in other words, their disciplinarian.

I don't know if you're familiar with the Englewood and Lawndale areas, but they are very, very, very volatile and very dangerous communities. And which, by the way, these communities are subject or made the basis of subject matter of some of these transitional school closings and mergings and so on and so forth.

In any event, I am not here to cast aspersions upon anyone here, because basically I know that you're powerless. Your Honor, you may have the power, I believe, to make recommendations but this is a huge and larger programming project that I believe is being orchestrated and the decisions are probably going to be made by folks that are higher up, much higher up than those of us in this room.

Now, I did hear a lot of data being communicated to you. I am really puzzled by that because I was under the impression that we were going to close down schools or potentially close them down because of utilization or underutilization, but I heard a lot of information about school scores and things of that particular nature.

Now, I know I stood at this podium back in 2009, like I said, I have been back in the system for 10 years, and we were on the school turnaround list over at Holmes Elementary School. Holmes is over in Englewood, a very volatile community. As the dean of students over there, we handled probably 600 discipline matters in that particular area.

Now that particular school was placed on probation. At the time, we were a victim of the No Child Left Behind legislation, which said that we had to make our AYP. And, if we didn't do that within four years, then, of course, the CEO had the power pursuant to the School Code to do certain things such as turn us around and things of that nature.

I remember one morning the Board members came into our building, and it was probably 10:00 - 12:00 or so, and they had us come up to the library. And, basically they told us, as teachers, hard working teachers, you guys are all going to be fired basically at the end of the year. And can you imagine the devastation that that caused? I mean dedicated hard-working teachers, they were just totally despondent. Now while this was going on, there was all kind of utilization and construction (lights being put in, beautiful lights and water fountains) and all kinds of things happening right around us. So people were very, very saddened by this. In any event, this went on for about two weeks. And we finally decided, well we are going to pull ourselves up by our bootstraps and we're going to fight this. So what we did was we formed committees. We had a committee to deal with the data, to controvert some of the things that they said. We had folks coming in here with all kinds of data from the Board, which, by the way, wasn't necessarily

substantiated. It was just data that they put together. I mean there was no veracity to it or anything of that nature. So we did put our data together, real data, true data. And our members put together committees and we demonstrated and organized in front of our school, and we contacted community leaders and so on and so forth. We came down here and at first we wanted to do a PowerPoint and they told us you can't do the PowerPoint. So we get down here and CPS puts on a PowerPoint, and it lasted about an hour and a half and it ate up a lot of our time. But what we did was we systemically figured it out, and we were able to, because we had these two minute sound bites, and we were able to march each other, one behind the other to tell the complete story. But, to make a long story short, in terms of our history over at Holmes, we got off the list. They took us off. They are still thriving and surviving over at Holmes. Babies are still being cultivated, they have that opportunity to, you know, go on to high school and college. And who knows, we may get somebody out of there that is going to find a cure for cancer.

But one thing is for sure, we cannot disrupt a baby's educational development. We cannot uproot them from their communities. We have to really stabilize babies.

I guess one thing that bothers me is that I don't see any schools being challenged from the north side. I really don't. I mean if there are some, then maybe they can make me aware of it, but not very many. And that really concerns me that only African-American and Latino schools are being impacted by this school closing. I am not standing up here trying to play a race card, but I'm saying it's real. These are the only schools that are being impacted by this school closing. So I would raise the question, your Honor, I would raise the question by asking that you explore, as the person who would have the power to make recommendations about these school closings, I would beg the question or beg that you ask the question, are schools really half empty? Where are they getting that data from? Who is making that decision? Which schools are underutilized?

Now, I can give you some information that would help you to answer those questions, but I guess what I am asking is that if they would implement a moratorium for just one year and really study and try to come up with staged answers to these questions, which schools are underutilized really? Do school closings save money?

It's my understanding, from some data that's been collected, that closing schools does not save as much money as we might think. Closing schools has been estimated to save an average of about \$500,000. If the Board of Education closes 100 schools, they will only save around 50 million dollars. That sounds like a lot, but it's only about 1 percent of the entire CPS school budget, and only about 5 percent of one billion dollars that's claimed to be short in the budget for next year.

There is data out there, there are statistics out there, Your Honor, we would ask that you have somebody answer those questions and really take time to explore the answers. Does CPS really have the one billion dollars deficit? If they should not close schools, what should the board do to save money?

I don't know how much power you would have to really delve into this particular question, but my understanding is that there are profitable corporations with ties, and I don't want to, again, cast aspersions on the Mayor or anybody like that, but there is TIF money out there. And it is my understanding that it is being used for things other than for the education of our babies. And

if somebody would take the time to really explore that, and see where that money is going and see how much of it is really going to help our babies, then we would certainly appreciate that. And, again, I must I re-emphasize, I am not here to cast aspersions on anyone.

Destabilization of communities. I will be 63 years old in June. I was fortunate enough to grow up in Englewood. Back then the community was very stable. We had flowers, we had block parties, we had all that kind of thing. I just can't imagine, and maybe if you can think about this for yourself (I don't know if you have got children and grandchildren), but can you imagine your children being in school this year, and in spite of the transitional process that they speak of, your children being uprooted, come September, and taken somewhere else. No longer will they have the teachers they had, no longer will they have the PSRPs. No longer will they have those parents who do care about their children to come to school and support one another. You know, back in the day when we grew up, we had this, and I know this is maybe kind of trite to some, but you know it takes a village to raise a baby. And when you take these babies and you uproot them at such a young age, I really believe that you are doing some serious psychological damage to those babies. Babies need stabilization. Babies need consistency. And when you pull them up by the roots and push them all over the place, you are going to lose some spirits.

I was a trial lawyer for 28 years, and I practiced in Texas. I did a lot of work in East Texas and, of course, you had the Klan up there. That is up there around Jasper, Texas, around Nacogdoches, and Tyler, Texas, where they drug that African-American man behind a pick-up truck, and decapitated him and all that kind of thing. I would go through that territory trying to help, you know, Black citizens and Hispanic citizens and poor White citizens who were being abused by the system up there. I tell you, it is just absolutely unbelievable the damage that those people experience because of racism. And I mentioned to you about the north side, I mean what is racism? To me, it seems that when you take a group of people, and just a select group of people, because of their culture or whatever, and then you make these decisions, really based upon where they live and the color of their skin and their socioeconomic conditions, again this is not happening up north, so we got to ask that question why?

And as to the decline of Black teachers -- I had this opportunity to go to Ponce De Leon, Florida, when I was in the fourth grade. Me now being 63 means I was born in 1950. I went to a segregated school, and I remember my experience with all of these beautiful Black teachers. And I remember how kind they were to me. I mean even to this day, I'm 63, I can still remember this one teacher during recess, we were all playing around and about, and the teachers were in a semi-circle, and I remember this one teacher calling my name, and she said, Karl, come over here. And so I came over, and she said Karl, say something. And so I said, "Hi, my name is Karl". And she said to the other teachers, "doesn't he have a beautiful voice." And I never forgot that, never ever forgot that. I can see still see her face and that just really upped my spirit. Having said that, I know that little story is not going to change anybody's mind, but the point of it is that we don't want to lose Black teachers. Teachers who have worked hard and have gotten there BS degrees, Bachelor of Science degrees, and some they have got Master degrees. I mean you have got so many professional African-American teachers and Hispanic teachers in the system that have worked hard to get their credentials. And over the past, I have seen so many people lose their jobs. I mean I remember when there was a thousand folks running around down here, you know, who, were well-educated. And they were teachers who moved down here in these special

positions. They are all gone. Where are those people? We got to be careful with that. We got to really be careful.

And, lastly, I guess I would close and say this: I guess what I am asking for, Your Honor, is justice? And you are probably familiar with this as are some of the other folks in the room, Aristotle, Plato, and Socrates, they all explored the question of what is justice? Some were teachers and some were students of one another. Aristotle, Plato, and Socrates, and the students asked the question, when will we know justice? And the answer is, we'll know justice when those who are not victimized feel just as offended by the victim. And we feel that at this point in time our children, our teachers, our community, are being victimized, and we ask that you take to heart what's going on in our communities and suggest or recommend a moratorium on these school closings, and everybody just slow down and let's study and let's make some decisions.

IV. Statement of Determinations

I make the following determinations regarding the proposals to Close Alfred David Kohn Elementary School and Revise School Attendance Boundaries of Countee Cullen Elementary School, Langston Hughes Elementary School and Mildred I. Lavizzo Elementary School:

1. Compliance with the provisions of §34-230 (a) requiring the CEO to prepare, publish and submit for public comment “guidelines for actions” has been had. (*Tab 15*)
2. Compliance with the provisions of §34-232 (1), (2) and (3) and §34-230 (c) (1) through (4) requiring “notice” has been had. (*Tabs 1 through 5*)
3. Compliance with the provisions of §34-225 requiring “school transition plans” has been had. (*Tabs 1 through 5*)
4. Compliance with the provisions of §34-230 (d) requiring publication of notice has been had. (*Tab 6*)
5. Compliance with the provisions of §34-230 (e) (1), and (f) (1), (2), (3) requiring a public hearing conducted by a qualified independent hearing officer has been had via the hearing held on April 24, 2013, wherein the undersigned presided.

6. Compliance with the provisions of §34-230 (e) (2), and (g) requiring opportunities to elicit other public comment has been had via public community meetings conducted by a representative of the CEO on April 9, 2013, and April 13, 2013. (*Tabs 17, 18, 19, 20*)

7. Compliance with the provisions of the Guidelines, specifically, “II. Notice and School Transition Plans” (Tab 15) and “Procedures for Public Hearings on Proposed School Closure, Consolidations, Co-Location, Phase-Out, Reconstitution, or Reassignment Boundary” (Tab 16) has been had via compliance with the various provisions of §34-230 as set out (at 1 through 5) hereinabove. (*Tabs 1-5*)

8. The Guidelines require the CEO to consider certain criteria when recommending certain school action governed by the provisions of §34-230. The CEO’s proposals to Close Alfred David Kohn Elementary School and Revise School Attendance Boundaries requires consideration of the following criteria set out in the Guidelines:

“I. CRITERIA

A. Criteria for Closure, Consolidation, Reassignment Boundary Change, or Phase-Out

The CEO may propose a closure, consolidation, reassignment boundary change or phase-out using the criteria outlined below.

1. Space Utilization...

A school may be considered for a closure, consolidation, reassignment boundary change, or phase-out if it is underutilized...based on CPS’ Space Utilization Standards and student enrollment numbers recorded on the 20th attendance day for the 2012-2013 school year.

2. Constraining Factors

The CEO may only propose a closure, consolidation, or reassignment boundary change if:

- (a) the students impacted by a closure, consolidation, or reassignment boundary change have the option to enroll in a higher performing school;
- and,

(b) the resulting space utilization after closure, consolidation, or reassignment boundary change will not exceed the facility's enrollment efficiency range as defined by the CPS' Space Utilization Standards.

3. Additional Information to Consider

In determining whether to propose a closure, consolidation, reassignment boundary change, or phase-out, the CEO may consider other information including, but not limited to: safety and security, school culture and climate, school leadership, quality of the school facility, school type and programming, family and community feedback received throughout the school year independent from the process described below, analysis of transition planning costs, neighborhood development plans, whether the school has recently been affected by any school actions, changes in academic focus or actions taken pursuant to 105 ILCS 5/34-8.3, or proximity, capacity and performance of other schools in the community. (*Tab 15*)

9) According to the CEO's Guidelines for the 2012-2013 school year, the CEO may propose to close a school if it is underutilized based on the CPS Space Utilization Standards and student enrollment numbers recorded on the 20th attendance day for the 2012-2013 school year. The CEO may only propose a closure if the impacted students have the option to enroll in a higher performing school and the resulting space utilization after the closure will not exceed the facility's enrollment efficiency range as defined by the CPS Space Utilization Standards. (*Tab 15*)

10) To determine the enrollment efficiency range of a facility, Chicago Public Schools utilizes its Space Utilization Standards.

The enrollment efficiency range is plus or minus 20 percent of the facility's ideal enrollment. For elementary school buildings, the ideal enrollment is defined as the number of allotted homerooms multiplied by 30. The number of allotted homerooms is approximately 76 to 77 percent of the total classrooms available. As an elementary school's enrollment increases above the efficiency range, a school may be considered overcrowded as programming options are reduced or compromised. As an elementary school's enrollment decreases below the

efficiency range, a school may be considered underutilized as classrooms are unused or poorly programmed, making the use of limited resources less effective.

Kohn is an elementary school that, as of the 20th day of attendance for the 2012-2013 school year, serves 390 students in pre-kindergarten and kindergarten through 8th grades.

There are 46 total classrooms within the Kohn facility. Approximately 76 to 77 percent of this number is 35, the number of allotted homerooms. This number multiplied by 30 yields the ideal enrollment of the facility, which is 1050. As such, the enrollment efficiency range of the Kohn facility is between 840 to 1260 students. (*Tab 21*)

11) The enrollment of Kohn, as of the 20th day of attendance for the 2012-2013 school year is 390. This number is below the enrollment efficiency range, and thus, the school is underutilized.

12) According to the CEO's Guidelines for the 2012-2013 school year, one of the constraints upon the CEO's proposal to close a school is that "...the resulting space utilization after the closure will not exceed the facility's enrollment efficiency range as defined by the CPS Space Utilization Standards. (*Tab 15*)

13) The CEO has proposed that the students from Kohn be welcomed at Hughes or Lavizzo or Cullen Elementary Schools. (*Tabs 1, 21*)

14) Hughes has 38 total classrooms. Approximately 76 to 77 percent of this number is 29, the number of allotted homerooms. 29 multiplied by 30 yields the ideal enrollment of the facility, which is 870. As such, the enrollment efficiency range of the Hughes facility is between 696 and 1044 students. Hughes currently has 417 students enrolled.

The 2013-2014 projected enrollment of Hughes combined with Kohn students projected to be reassigned to Hughes is 566. This projected combined enrollment falls just below the efficiency range of the Hughes facility. (*Tab 21*)

15) Lavizzo has 29 total classrooms. Approximately 76 to 77 percent of this number is 22, the number of allotted homerooms. 22 multiplied by 30 yields the ideal enrollment of the facility, which is 660. As such, the enrollment efficiency range of the Lavizzo facility is between 528 to 792 students. Lavizzo currently has 403 students enrolled.

The 2013-2014 projected enrollment of Lavizzo combined with Kohn students projected to be reassigned to Lavizzo is 550. This projected combined enrollment falls within the efficiency range of the Lavizzo facility. (*Tab 21*)

16) Cullen has 16.5 total classrooms. The zero point five (0.5) indicates the presence of one or more small classrooms. Approximately 76 to 77 percent of this number is 12, the number of allotted homerooms. 12 multiplied by 30 yields the ideal enrollment of the facility, which is 360. As such, the enrollment efficiency range of the Cullen facility is between 288 to 432 students. Cullen currently has 245 students enrolled.

The 2013-2014 projected enrollment of Cullen combined with Kohn students projected to be reassigned to Cullen is 247. This projected combined enrollment falls just below the efficiency range of the Cullen facility. (*Tab 21*)

17) If this proposal is approved by the Board of Education for the City of Chicago, the resulting space utilization will not exceed the enrollment efficiency ranges of Hughes, Lavizzo, or Cullen, as defined by the CPS Space Utilization Standards.

18) According to the CEO's Guidelines for the 2012-2013 school year, the CEO may propose to close a school if it is underutilized ...and the impacted students have the option to enroll in a higher performing school. (*Tab 15*)

19) One way that the CEO's Guidelines for School Actions define a higher performing school is if the school received a high level on the Performance Policy for the 2011-2012 school year. Under the CPS Performance Policy, each school receives an annual rating based on its performance on a variety of student outcome measures, including standardized test scores and student attendance. District-wide, schools designated Level 1 are the highest performing schools and schools designated as Level 3 are the lowest performing schools. (*Tab 12*)

20) Kohn received a Level 3 rating for the 2011-2012 school year, while Lavizzo received a Level 1. Cullen received a Level 2 rating. (*Tab 26*)

21) Cullen and Lavizzo are both higher performing schools than Kohn.

22) Both Kohn and Hughes received a Level 3 rating in 2011-2012. (*Tab 26*)

23) The CEO's Guidelines also define a higher performing elementary school, *if the Performance Policy level is equal*, as the school performing higher on the majority of the four performance metrics for the 2011-2012 school year. (*Tab 15*)

24) The four performance metrics are analyzed based on the percentage points the schools received on the 1) Performance Policy, 2) ISAT composite meets or exceeds score, 3) Value-Added score in reading, and 4) Value-Added score in math. (*Tab 15*)

25) The Performance Policy bases its rating on a point system. Points are received for the school's current level of performance and improvement over time on standardized tests and

attendance, as well as the growth of individual students from year-to-year on the State tests. (*Tab 24*)

26) For 2012-2013, Hughes received 47.6 percent of the available points, and Kohn received 35.7 of the available points. Thus, Hughes received a higher percentage of points for the Performance Policy. (*Tabs 24, 26*)

27) The ISAT Meets or Exceeds Composite score is the combined result of the ISAT reading, math, and science assessment. (*Tab 24*)

28) For 2012-2013 Hughes' ISAT Meets or Exceeds Composite was 63.6, while Kohn's Meets or Exceeds Composite was 57.7 percent. Thus, Hughes performed higher. (*Tabs 24, 26*)

29) Hughes' reading Value-Added score is negative zero point nine (-0.9) in 2012, and Kohn's reading Value-Added was minus one point one (-1.1). On average, students at Hughes grew at a faster pace in reading when compared to students at Kohn. (*Tabs 24, 26*)

30) Hughes' mathematics Value-Added score was negative zero point nine (-0.9) in 2012, and Kohn's Value-Added was negative zero point one (0.1). On average students at Kohn grew at a faster pace in mathematics when compared to students at Hughes. (*Tabs 24, 26*)

31) Hughes performed higher than Kohn in 2011-2012 on the majority of the metrics identified in the CEO's Guidelines for School Actions. Accordingly, Hughes is a higher performing school.

32) If this proposal is approved, students will receive additional supports at Kohn during the remainder of this school year and at Lavizzo, Cullen, and Hughes next year. And, the Rock Island Elementary Network will provide assistance to ease the transition process as much as possible. (*Tab 24*)

33) CPS has developed a draft transition plan dedicating additional resources to address any safety concerns and to fulfill students' academic, social and emotional, and other individual needs. (*Tab 1*)

34) CPS will publish final transition plans, if the Board approves this proposal, which will include the following:

A. The CPS Office of Safety and Security (“OSS”) will work with the Chicago Police Department, Department of Family and Support Services, local community groups and faith partners, elected officials, and other sister agencies to develop a plan for safe transition of students. This plan will include the following:

- they will review and update school safety audits, security personnel allocations, and school safety technology systems to enhance as appropriate.
- OSS will be available to address specific safety concerns raised by students and staff.
- OSS will provide Safe Passage supports for students and staff traveling to and from school.

B. Students will receive academic supports as they transition into the following:

- a Principal Transition Coordinator, or PTC, will be assigned to help the principal of Kohn maintain academic rigor for the remainder of the school year and ensure a smooth transition to Lavizzo, Cullen, and Hughes.
- the Lavizzo, Cullen, and Hughes administrators will receive comprehensive, student-specific data on all transitioning students to allow safe, a save passage and also allow for staff to proactively identify individual student needs and prepare those students for the upcoming school year.
- the Chief of Schools for the Rock Island Elementary Network will be available at open houses to discuss concerns and educational options.
- the principals will receive discretionary resources to provide direct academic support to students.
- beginning this fall, CPS will offer students attending Hughes with an opportunity to participate in the Science, Technology, Engineering, and Mathematics program or STEM.

C. Students at all schools will receive social and emotional supports to help them adjust to a new learning community, including the following:

- CPS will help school staff facilitate intervention groups, such as peace circles, aimed at helping students work through concerns associated with the transition.
- CPS will help the school and staff members implement restorative practices, such as peace circles and peace juries, to encourage peer-to-peer problem solving and resolution.
- groups of students in need of more individualized attention will be provided with access to highly structured interventions.
- to foster an environment that is both supportive and inclusive for all students, CPS will provide resources to the Lavizzo, Cullen, and Hughes leadership to implement culture-building activities, such as staff luncheons and team- and trust-building activities. Resources will also be provided to sponsor activities such as school visits, coffee chats with principal, picnics, field trips, or parent meetings to transition families get to know their new school and students.

D. Additional transition supports will be provided to ensure that Kohn students who have unique needs or circumstances are adequately supported in this transition, including students with diverse learning needs, students in temporary living situations, English language learner, and early childhood participants. (*Tab 24*)


35) If the proposal to close Kohn is approved, the CEO is, also, proposing that Kohn's attendance area be reassigned to Hughes, located at 240 West 104th Street, Lavizzo, located at 138 West 109th Street, and Cullen, located at 10650 South Eberhart Avenue, at the end of the current school year. (*Tabs 1, 23*)

36) In proposing this boundary change, all necessary factors were considered as outlined in the Review and Establishment of School Attendance Boundaries Policy (*Tab 13*), including, but not limited to, the capacities of Hughes, Lavizzo, and Cullen, geographic barriers, travel time, distance traveled, and program considerations.

V. Conclusion

Based on these determinations, I conclude that the CEO has supported her proposals to Close Alfred David Kohn Elementary School and Revise School Attendance Boundaries of Countee Cullen Elementary School, Langston Hughes Elementary School and Mildred I. Lavizzo Elementary School.

Submitted this 5th day of May, 2013



Hon. Francis J. Dolan (Ret.)