

MARCH 27, 2002

FINAL

02-0327-EX05

**RECOMMENDATION REGARDING DETERMINATION OF
EDUCATIONAL CRISIS AT WENDELL SMITH ELEMENTARY SCHOOL**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That an educational crisis be deemed to exist at the Wendell Smith Elementary School and that the Chicago Board of Education immediately dissolve the local school council of Wendell Smith Elementary School and order a new local school council election for Wendell Smith Elementary School to take place on May 1, 2002. The elected local school council shall take office on July 1, 2002.

DESCRIPTION:

The Illinois School Code grants the Chief Executive Officer ("CEO") the power to determine when a school is in educational crisis and authorizes the Board of Education ("Board") to take immediate corrective action upon such determination. 105 ILCS 5/34-8.3(f) (2000). In Board Report 99-0825-PO3, the Board, pursuant to 105 ILCS 5/34-19 and Board Rule 2-27, delegated to the Chief Executive Officer the authority to take immediate corrective action, except that certain corrective actions, including those relating to ordering new local school council elections, require Board action.

The Board has promulgated criteria governing the determination of whether an educational crisis exists, specifying the process by which an educational crisis determination may be made, and the corrective action available to remedy an educational crisis. (See 99-0825-PO3).

Pursuant to the Board Policy, the CEO has determined that an educational crisis exists at Wendell Smith Elementary School. The CEO made that determination after a public hearing convened on February 8 and 15, 2002 pursuant to proper notice. The determination was based on a Report of Findings of Fact prepared by an independent hearing officer, who received testimony and documentary evidence during the public hearing. The hearing officer's report included specific findings relating to the Wendell Smith local school council. Those findings included the following:

- (1) The problems at Wendell Smith are ongoing, widespread, evident to the community and are impacting, in an adverse manner, the children at the school. The hearing officer noted that the testimonial and documentary evidence regarding the inability of the local school council and the principal to work in a cooperative manner was overwhelming. The evidence clearly established the need for drastic change at the Wendell Smith School.
- (2) There was substantial testimony that members of the Wendell Smith local school council interfere with teachers at the school by routinely appearing in their classrooms during instructional time. Numerous witnesses also testified that council members have discouraged parents from participating in council meetings and have harassed vendors at the school.
- (3) There is no appropriately developed and approved School Improvement Plan for Advancing Academic Achievement ("School Improvement Plan" or "SIPAAA") with a corresponding budget design in place at Wendell Smith School. Members of the local school council themselves acknowledged that their proposed SIPAAA and budget design would have improperly closed staff positions, particularly the Kindergarten program. Extensive efforts were made by the CPS Central Office to obtain a resolution resulting in the adoption of a SIPAAA and budget. The principal and local school council acknowledged the involvement of the Central Office.
- (4) Based on the declining student achievement at Wendell Smith Elementary School, the school is in danger of being categorized as a non-performing school.

- (5) The principal and local school council have been unable for a significant period of time to resolve disputes on matters which are fundamental to the operation of the school, or to structure programs that are conducive to learning. Moreover, the local school council has been unable to reach a consensus on decisions which are fundamental to the operation of the school or to develop an effective working relationship with the principal. The animosity which exists between the local school council and the principal makes it impossible for them to have an effective working relationship, or to work in a cooperative manner in the best interest of the children of Wendell Smith School. The disputes at Wendell Smith are deeply seeded in personal animosity and make it extremely unlikely that these parties will be able to work together.
- (6) The local school council's failure to exercise its statutorily mandated function, in essence, makes it a non-functioning local school council. The hearing officer particularly noted the testimony/comments of the Human Resource Manager of the Mead Packaging Division, the National Education Director of the Citizenship Education Fund (RAINBOW/PUSH COALITION), and the President of the Historical Pullman Organization. The testimony of the representatives related their personal observations of confrontational and disrespectful behavior by the local school council. The hearing officer noted that it was clear when reviewing their comments that the behavior had taken place in the presence of students who themselves have become disrespectful toward various school faculty and staff persons.
- (7) The hearing officer concluded: "These conflicts have in fact placed Wendell Smith Elementary School in a state of educational crisis and based upon the totality of the evidence received one can only conclude that each criteria identified in the CEO's January 29, 2002, notice letter has been satisfied."

To assist in remedying the educational crisis at Wendell Smith Elementary School, the Chief Executive recommends that the Board take the following actions:

- a. immediately dissolve the current Wendell Smith local school council;
- b. order new local school council elections to take place on May 1, 2002. The elected local school council shall take office on July 1, 2002; and
- c. grant the Chief Education Officer, for the period March 28, 2002 through June 30, 2002, pursuant to Board Rule 6-31, the authority to approve all budgetary matters necessary to Wendell Smith, including the approval of expenditures and the Wendell Smith School Improvement Plans.

LSC REVIEW: LSC approval is not applicable to this report.

**AFFIRMATIVE
ACTION STATUS:** None

FINANCIAL: None

**PERSONNEL
IMPLICATIONS:** None

Approved for Consideration:



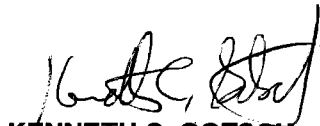
BARBARA J. EASON-WATKINS
Chief Education Officer

Approved:



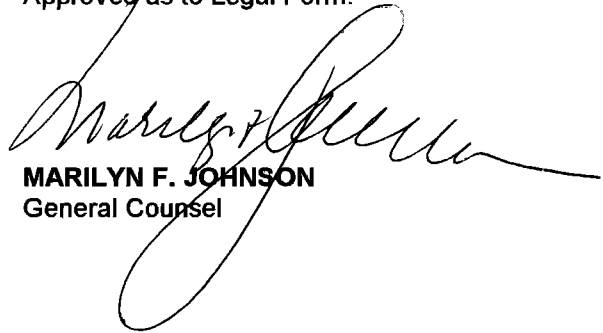
ARNE DUNCAN
Chief Executive Officer

Noted:



KENNETH C. GOTSCH
Chief Fiscal Officer

Approved as to Legal Form:



MARILYN F. JOHNSON
General Counsel