

**REMOVE AND REPLACE THE PRINCIPAL OF MAHALIA JACKSON ELEMENTARY SCHOOL
AND TERMINATE THE PRINCIPAL'S CONTRACT**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the principal of Mahalia Jackson Elementary School (Jackson) be removed and replaced pursuant to Section 34-8.3(d) of the Illinois School Code and that her contract be terminated pursuant to Section V of the Board's Uniform Principal's Performance Contract.

DESCRIPTION:

I. Legal Framework

The 1995 Amendatory Act of the Illinois School Code grants the Chief Executive Officer of the Chicago Public Schools the authority to place schools on probation to correct deficiencies in their academic performance (105 ILCS 5/34-8.3). The Illinois School Code further grants the Board authority to establish guidelines to determine the factors for placing an attendance center on probation. 105 ILCS 5/34-8.3(b)(4). Pursuant to that statutory authority, in April 2003, the Board adopted an accountability system for all Chicago Public Schools (Accountability Policy, 03-0423-PO03).

In accordance, with the accountability system, after the 2002-2003 school year, the Chief Executive Officer of the Chicago Public Schools (CEO) placed Jackson on probation for the 2003-2004 school year because fewer than 25% of its students scored at or above national norms in Reading on the Iowa Tests of Basic Skills (ITBS), and met or exceeded state standards on the composite Illinois Standards Achievement Test (ISAT). In February 2004, the Board amended its accountability system, increasing the number of years schools must remain on probation to a minimum of two, and requiring higher levels of achievement for removal from probation (Amended Accountability Policy, 04-0225-PO3).

Under the Amended Accountability Policy, a school may be removed from probation if it raises its scores on the ITBS and ISAT at least 10 points combined in a year for two consecutive years, even if they remain below the 40% minimum. Taking into consideration its academic performance on the ITBS and ISAT for the 2003-2004 school year, Jackson failed to make sufficient progress in the 2004-2005 school year for removal from probation under the Amended Accountability Policy. Taking into consideration its academic performance on the ITBS and ISAT for the 2004-2005 school year, Jackson remained on probation for the 2005-2006 school year under the Amended Accountability Policy.

The School Code provides that when a probation school fails to make adequate progress to correct deficiencies within one year, the CEO, with the approval of the Board and after an opportunity for a hearing, may remove and replace the probation school's principal. 105 ILCS 5/34-8.3(d)(1). Pursuant to Section V of the Board's Uniform Principal's Performance Contract, a principal's contract may be terminated before the expiration of its four-year term based upon the principal's removal pursuant to Section 34-8.3(d).

II. Hearing on Principal Removal

Pursuant to the "Guidelines for the Removal and Replacement of Principals of Schools on Probation" and the "Procedures Governing Principal Removal Hearings," Doris Spivey-Tompkins, Jackson's principal, and the Jackson Local School Council were duly notified that the CEO was contemplating the removal of Ms. Spivey-Tompkins as principal pursuant to Section 34-8.3(d) to further the school's educational improvement. Mr. Michael Hernandez, Esq., an independent hearing officer, presided over the Jackson principal removal hearing on June 22, 2006, in an efficient and impartial manner.

The Law Department, representing the CEO, presented written statements and documentation to support a recommendation to remove Ms. Spivey-Tompkins as Jackson's principal. Ms. Spivey-Tompkins presented no oral or written statements or documentation in opposition.

The independent hearing officer has submitted a written report to the CEO summarizing all relevant evidence offered during the hearing, making findings of fact, and recommending the removal of Ms. Spivey-Tompkins as the principal of Jackson Elementary School.

III. Chief Executive Officer's Recommendation

The Chief Executive Officer has reviewed the Hearing Officer's findings of fact and recommendation and hereby recommends that Ms. Doris Spivey-Tompkins be removed and replaced as the principal of Mahalia Jackson Elementary School effective August 23, 2006. The CEO further recommends that Ms. Spivey-Tompkins' current Uniform Principal's Performance Contract, with a term beginning July 1, 2003, and ending June 30, 2007, be terminated effective August 23, 2006. These recommendations are based upon the following factors:

- A. During the 2005-2006 school year, the Area 16 Instruction Officer made repeated attempts to work with the Jackson principal to improve instruction. Despite those efforts, the principal failed to effectively and/or sufficiently develop, implement or comply with the school improvement plan.
- B. The Jackson principal failed to comply with a Corrective Action Plan issued by the Area 16 Instruction Officer or to otherwise follow the directives of the Area 16 Instruction Officer.
- C. On state tests, Jackson's scores have been consistently low and it is on the State's School Improvement List, which means that the school did not make Adequate Yearly Progress, the measure of minimum student performance required under state law and the federal No Child Left Behind Act.

If the Board adopts the Chief Executive Officer's recommendation to remove the Jackson principal, the following actions will occur:

- 1. the Chief Executive Officer will appoint an interim principal for Jackson, based upon the recommendations of the Chief Education Officer. This interim principal will serve at the pleasure of the Chief Executive Officer; and
- 2. until Jackson makes sufficient academic progress to be removed from probation, the local school council shall have no authority to select a new four-year contract principal.

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

FINANCIAL: The interim principal position will be filled at a cost within current budget appropriations.

PERSONNEL IMPLICATIONS: An Interim Principal will be selected, who will serve at the pleasure of the Chief Executive Officer. Until the school comes off probation, the Local School Council of Mahalia Jackson Elementary School will have no authority to select a new four-year contract principal.

Approved for Consideration:



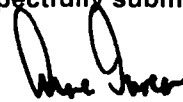
Barbara Eason-Watkins
Chief Education Officer

Noted:



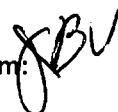
John Maiorca
Chief Financial Officer

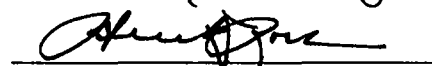
Respectfully submitted:



Arne Duncan
Chief Executive Officer

Approved as to Legal Form:




Patrick J. Rocks
General Counsel