

**RECONSTITUTE CHRISTIAN FENGER ACADEMY HIGH SCHOOL AND
REMOVE AND REPLACE THE FENGER STAFF**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board of Education of the City of Chicago ("Board") approve the reconstitution of Christian Fenger Academy High School ("Fenger"), Unit 1310, 11220 S. Wallace, Chicago, Illinois and to remove and replace its staff, effective June 30, 2009.

DESCRIPTION:

Statutory Authority. Pursuant to Section 5/34-8.3(d) of the Illinois School Code, 105 ILCS 5/34-8.3(d), and following the opportunity for a public hearing, the Chief Executive Officer of the Chicago Public Schools ("CEO") may recommend to the Board the reconstitution of a school on probation for at least one year for academic reasons, and the replacement and reassignment of its entire staff. The authority to reconstitute a school under Section 5/34-8.3(d) of the Illinois School Code is not contingent upon a school's NCLB restructuring status. However, pursuant to section 6316(b)(8) of the No Child Left Behind Act (NCLB), 20 USC 6316(b)(8), schools failing to make adequate yearly progress for five consecutive years are subject to school restructuring measures. School restructuring may include significant changes in a school's staffing and governance, including reconstitution, to improve academic achievement in the school.

Procedural History: Public Notice, Public Hearings and the Hearing Officer's Report and Recommendation. On January 16, 2009, the CEO gave written notice of his proposal to turnaround Fenger by reconstituting the school in accordance with Section 5/34-8.3(d) of the Illinois School Code to:

- (a) the parents of Fenger students;
- (b) the Fenger assistant principal(s);
- (c) Fenger teachers and staff ; and
- (d) Fenger Local School Council members.

Beginning January 19, 2009, the CEO's designee published notices of a public hearing regarding the proposal to reconstitute Fenger. The public hearing was scheduled for February 10, 2009 at 8:00 pm. at 125 South Clark Street, 5th Floor, Board Chambers, Chicago, Illinois.

On February 10, 2009, the CEO, through his appointed Hearing Officer, Respicio Vazquez, Esq., convened the public hearing to receive public comment on the proposal to reconstitute Fenger. Oral and written comments were received from those members of the public who wished to comment. The record of the public hearing was left open until February 11, 2009 at 5:00 p.m., to receive any additional comments that members of the public wished to submit in writing to the hearing officer.

On February 17, 2009, Hearing Officer Vazquez issued a report and recommendation to the CEO in which Hearing Officer Vazquez recommended that the CEO proceed with his proposal to reconstitute Fenger.

On February 25, 2009, members of the public are afforded an opportunity to provide public comment to members of the Board at the Board's Regular February 25, 2009 meeting that is held pursuant to a published notice.

Basis for CEO's Recommendation. At the Board's regular meeting on December 17, 2008, the CEO announced and published proposed criteria to turnaround schools, through reconstitution and other means, which have seen persistent academic failure. Fenger was selected for turnaround through reconstitution because of (A) its probation history, (B) it meets the final turnaround criteria adopted by the CEO, and (C) reconstitution is in the best interests of the present students of Fenger, as detailed below.

A. Fenger's Probation History. Fenger has been on probation for the last thirteen (13) years, including the current school year. During that time, Fenger has received support in the form of: support from English, mathematics and science coaches; guidance on the development of the school improvement plan and alignment of the school budget to the Chicago Public Schools' priorities, and; direct support from Area Instruction Officers and their support staff including Area Reading and Math Coaches and School Improvement Coordinators.

B. Fenger School Meets the Turnaround Criteria. Fenger School satisfied the school reconstitution criteria for the following reasons:

1. The school is one of the lowest performing schools in the district:

- 2.5% of Fenger students met or exceeded PSAE Composite standards in the 2007-2008 school year
- 0% of Fenger students exceeded PSAE Composite standards in the 2007-2008 school year

2. The low performance is consistent across subjects:

- 3.8% of Fenger students met or exceeded PSAE Reading standards on average in the 2007-2008 school year
- 3.4% of Fenger students met or exceeded PSAE Mathematics standards on average in the 2007-2008 school year
- 0.4% of Fenger students met or exceeded PSAE Science standards on average in the 2007-2008 school year

3. The low performance is consistent over time:

- From 2006-2008, Fenger's three-year average ACT Reading score was 13.7.
- From 2006-2008, Fenger's three-year average ACT Mathematics score was 14.8.
- From 2006-2008, Fenger's three-year average ACT Science score was 15.
- From 2006-2008, the percentage of Fenger students scoring 5 or better on WorkKeys Reading was 20.2%
- From 2006-2008, the percentage of Fenger students scoring 5 or better on WorkKeys Mathematics was 12.1%

4. The students at the school are not catching up:

- In Reading, 28.9% of students in 2007 made expected gains from the EXPLORE to the PLAN or the PLAN to the ACT
- In Mathematics, 41.1% of students in 2007 made expected gains from the EXPLORE to the PLAN or the PLAN to the ACT

C. Reconstitution is in the Best Interests of Fenger Students. Reconstitution will enable the CEO to select a principal and administrative team at Fenger and hire new teaching and educational support staff. No current or prospective Fenger student will be displaced from the school. After reviewing the Hearing Officer's Report and Recommendation, the CEO has determined to proceed with recommending that the Board reconstitute Fenger effective June 30, 2009.

LSC IMPLICATIONS: As Fenger will remain on probation after its reconstitution, the powers and duties of the Fenger Local School Council with respect to the School Improvement Plan and School Expenditure Plan will remain the same after reconstitution. Further, in September 2004 a Fenger principal was removed pursuant to section 5/34-8.3(d) of the Illinois School Code, and, as a result, the Fenger Local School Council has had no authority to select a new four-year contract principal. The Fenger Local School Council will continue to have no authority to select a new four-year contract principal until the school is removed from probation pursuant to Section VII of the Board's School Performance, Remediation and Probation Policy for the 2008-2009 School Year, or any successor policy on school probation.

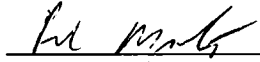
PERSONNEL IMPLICATIONS: Pursuant to 105 ILSC 5/34-8.3(d)(4), all Fenger employees, including the acting principal, will be removed and replaced in accordance with Board rules, policies and applicable collective bargaining agreements, if any.

Approved for Consideration:



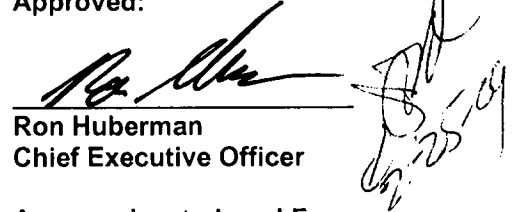
Barbara Eason-Watkins
Chief Education Officer

Within Appropriation:



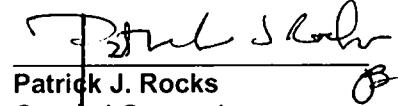
Pedro Martinez
Chief Financial Officer

Approved:



Ron Huberman
Chief Executive Officer

Approved as to Legal Form:



Patrick J. Rocks
General Counsel