

WITHDRAWN

DRAFT

09-0225-EX5

February 25, 2009

RECONSTITUTE OLIVER WENDELL HOLMES ELEMENTARY SCHOOL AND REMOVE AND REPLACE THE HOLMES STAFF, INCLUDING THE PRINCIPAL

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the Board of Education of the City of Chicago ("Board") approve the reconstitution of Oliver Wendell Holmes Elementary School ("Holmes"), Unit 4030, 955 W. Garfield Boulevard, Chicago, Illinois and to remove and replace its staff, including the principal, 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, including the principal. The authority to reconstitute a school under Section 5/34-8.3(d) of the Illinois School Code is not contingent upon a schools' 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 13, 2009, the CEO gave written notice of his proposal to turnaround Holmes by reconstituting the school in accordance with Section 5/34-8.3(d) of the Illinois School Code to:

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

Beginning January 19, 2009, the CEO's designee published notices of a public hearing regarding the proposal to reconstitute Holmes. The public hearing was scheduled for February 9, 2009 at 3:00 pm. at 125 South Clark Street, 5th Floor, Board Chambers, Chicago, Illinois.

On February 9, 2009, the CEO, through his appointed Hearing Officer, Fred Bates, Esq., convened the public hearing to receive public comment on the proposal to reconstitute Holmes. 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 10, 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 10, 2009, the CEO, through the Office of New Schools, convened a second public hearing to receive public comment on his proposal that the Academy for Urban School Leadership (AUSL) be selected by the Board to provide school turnaround management services at Holmes after it is reconstituted.

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

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. Holmes 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 Holmes, as detailed below.

A. Holmes's Probation History. Holmes has been on probation for the last five (5) years, including the current school year. During that time, Holmes has received support in the form of: a full-time literacy coach; support from a citywide mathematics and science specialist; 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, Math and Special Education Coaches and School Improvement Coordinators.

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

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

- 41.5% of Holmes students met or exceeded ISAT Composite standards in the 2007-2008 school year
- 3.3% of Holmes students exceeded ISAT Composite standards in the 2007-2008 school year

2. The low performance is consistent across subjects:

- 43% of Holmes students met or exceeded ISAT Reading standards in the 2007-2008 school year
- 42.7% of Holmes students met or exceeded ISAT Mathematics standards in the 2007-2008 school year
- 33% of Holmes students met or exceeded ISAT Science standards in the 2007-2008 school year

3. The low performance is consistent over time:

- 41.7% of Holmes students met or exceeded ISAT Composite standards on average from 2006 - 2008
- 2.9% of Holmes students exceeded ISAT Composite standards on average from 2006 – 2008
- 41.6% of Holmes students met or exceeded ISAT Reading standards on average from 2006-2008
- 43.9% of Holmes students met or exceeded ISAT Mathematics standards on average from 2006-2008
- 34.9% of Holmes students met or exceeded ISAT Science standards on average from 2006-2008

C. Reconstitution is in the Best Interests of Holmes Students. Reconstitution will enable the CEO to select a principal and administrative team at Holmes and hire new teaching and educational support staff. No current or prospective Holmes 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 Holmes effective June 30, 2009.

LSC IMPLICATIONS: As Holmes will remain on probation after its reconstitution, the powers and duties of the Holmes Local School Council with respect to the School Improvement Plan and School Expenditure Plan will remain the same after reconstitution. As the result of the removal and replacement of the current principal pursuant to section 5/34-8.3(d) of the Illinois School Code, the Holmes Local School Council will 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 Holmes employees, including the 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**