

September 28, 2011

RESOLUTION ON THE IMPLEMENTATION OF PUBLIC ACT 97-0474

WHEREAS, Senate Bill 630 was enacted into law on August 22, 2011 as Public Act 97-0474 (the "Act");

WHEREAS, the Act requires the Chicago Public Schools (the "District") to undertake various measures related to school actions, capital improvements and facility master planning;

WHEREAS, the Act defines School Action as any (a) school closing, (b) school consolidation, (c) co-location, (d) boundary change that requires reassignment of students, unless the reassignment is to a new school with an attendance boundary and is made to relieve overcrowding, or (e) phase-out;

WHEREAS, the Act requires the Chief Executive Officer to publish draft School Action Guidelines by November 1, 2011 and to permit a 21-day public comment period;

WHEREAS, the Act requires the General Counsel to publish a list of qualified independent hearing officers who may conduct School Action public hearings by November 1, 2011;

WHEREAS, the Act requires the Chief Executive Officer to announce all proposed School Actions to be taken at the close of 2011-2012 school year on or before December 1, 2011;

WHEREAS, the Act requires the District to conduct one public hearing at Central Office and two additional public community meetings for each proposed School Action prior to submitting the School Action to the Board for approval;

WHEREAS, the Act requires the Chief Executive Officer or his designee to establish school transition plans for each approved School Action that identify available student support services, options to enroll in higher performing schools, informational briefings for parents/guardians and, where practicable, transportation;

WHEREAS, the Act requires the District to establish Space Utilization Standards by January 1, 2012 and to publish space utilization reports for each school by December 31 of each year;

WHEREAS, the Act requires the Chief Executive Officer to issue proposed Facility Performance Standards by January 1, 2012. Before issuing final Facility Performance Standards, the Chief Executive Officer shall conduct at least one public hearing on the proposed standards and also submit the proposed standards to local school councils and the Public Building Commission for their review and comment.

WHEREAS, the Act requires the Chief Executive Officer or his designee to establish a Capital Needs Review Process by January 1, 2012;

WHEREAS, the Act requires the District to publish on a website a list of the District's owned and leased properties, including, for each property, a list of any pending or planned capital improvement projects and projects completed during the previous two year period and copies of the District's active lease agreements by January 1, 2012;

WHEREAS, the Act requires the Chief Executive Officer to publish a One-Year Capital Improvement Plan and a Five-Year Capital Improvement Plan on or before May 2, 2012, with the final One-Year Capital Improvement Plan adopted by the Board within 45 days after adopting the annual budget;

WHEREAS, the Act requires the Chief Executive Officer to provide the Board, and publish, a Fiscal Year 2012 Capital Expenditure Report on or before September 28, 2012 and an annual Capital Expenditure Report thereafter;

WHEREAS, the Act requires the Chief Executive Officer or his designee to establish a Ten-Year Educational Facility Master Plan which will include community area level plans and individual school master plans on or before July 1, 2013, following a six-month period for review and comment by the District's sister City agencies and each attendance center and charter school; and

WHEREAS, various Board policies are not consistent with the provisions of the Act and should be rescinded or modified.

NOW THEREFORE, BE IT RESOLVED BY THE CHICAGO BOARD OF EDUCATION

1. Each Officer identified in the Act as having responsibility to take certain actions is directed to take those actions by the dates specified in the Act, or earlier as practicable.
2. The Chief Administrative Officer, the Chief Portfolio Officer and the Chief Officer for Community and Family Relations are directed to provide appropriate assistance to the Chief Executive Officer to enable him to take the actions required of him under the Act.
3. The Chief Administrative Officer is directed to develop the Space Utilization Standards and the Facility Performance Standards as required by the Act.
4. The Chief Administrative Officer is directed to publish or cause to be published on the District's website a list of the District's owned and leased properties, including, for each property, a list of any pending or planned capital improvement projects and projects completed during the previous two year period and copies of the District's active lease agreements as required by the Act.
5. The General Counsel is directed to retain qualified independent hearing officers who may conduct School Action public hearings and shall publish a list of such hearing officers by November 1, 2011.