

PROCEEDINGS BEFORE THE BOARD OF EDUCATION OF THE CHICAGO PUBLIC SCHOOLS

INDEPENDENT HEARING OFFICER'S REPORT

RE: THE PROPOSED CLOSURE OF AUSTIN O. SEXTON ELEMENTARY SCHOOL AND THE RELOCATION OF JOHN FISKE ELEMENTARY SCHOOL

This report is written in compliance with 105 ILCS 5/34-230 and 234, the Statute which sets out the procedures the Chief Executive Officer and the appointed independent Hearing Officer must follow when the Chief Executive Officer (CEO) proposes to close and relocate schools. The statute also requires the CEO to comply with The Guidelines for School Action for the 2010-2013 school year. In preparation for this report the following documents have been reviewed:

- 1 All documents in the Hearing Binder presented by the CEO and admitted into evidence as Board Exhibit 1. The Table of Contents is attached to this Order as Exhibit 1.
- 2 The Documents filed by representatives of Sexton Elementary School presented at the April 22, 2013 hearing.
- 3 Website information provided by the Board of Education listing the 2012 Progress Reports for Sexton and Fiske Elementary Schools.
- 4 Transcript of the public hearing held at the Board of Education Offices on April 22, 2013.

DESCRIPTION OF THE SCHOOLS

Sexton and Fiske are both community elementary schools with PreK through 8th grade students. They share a contiguous boundary along South Cottage Avenue from East 63rd to East 60th Street. Both are classified as Level 2 schools. The CPS School Utilization Report for the academic year 2012 lists nine elementary schools in Woodlawn. Of those nine schools only four schools are rated at Level 2, the remaining schools are all Level 3. Both schools have lost student population. Ten years ago Sexton had 715 students enrolled. Its enrollment is currently 359 students. There has been an increase of approximately 30 students in the current school year. Fiske's attendance was 540 students ten years ago. It currently enrolls 220 students. There is a higher level of violence in the Sexton School boundary according to maps present at the community hearings. Exhibits 2, 3 and 4.

Community Response Testimony Transcribed on April 9, 13 and 22

The transcripts of the April 9th and 13th Community Hearings are included in Exhibit 1, the Board Binder. All of the 37 speakers who spoke at the April 9th Community Hearing testified against closing Sexton and merging with Fiske. The major theme which was repeatedly explored was the change that has taken place in Sexton since the new principal Ms. Monroe was hired at the beginning of the 2012-2013 school year. The parents, students and staff can't praise her enough. She has started a remarkable number of new programs and has clearly earned the respect of the Sexton Community. The community feels particularly aggrieved in that this is the first time in quite a while that the school has had a dynamic effective principal. All the parents expressed a desire to see her continue on at Sexton. Many speakers said they felt it was unfair to punish the current administration for failures of the past. None of the Fiske administrators, teachers or parents attended any of the community hearings or the final Board hearing, so little is known by this Hearing Officer about their concerns or the types of programs offered at Fiske.

There were very few negative comments about Fiske School. If there was animosity it was expressed towards the Board of Education for combining two Level 2 schools when there are seven underutilized elementary schools within Woodlawn. A doctoral student in education at UCLA who lives in Woodlawn criticized the Board of Education for employing a utilization formula that assigns 30 students to a classroom. She stated that such a high number of elementary students per classroom has not been the standard formula for elementary for years.

Some parents might have been confused about which students would have to leave their current physical building, as fears were expressed about the students having to walk farther to school in such a violent neighborhood. Sexton students' boundary will remain the same. It is the Fiske students who will have to travel a longer distance to school. Fears of neighborhood violence are not unwarranted. Exhibits from what I believe was an earlier community meeting, which was not recorded, were introduced at the April 22nd hearing in a binder. Included in that binder are maps of the Woodlawn elementary schools in relation to homicides and shootings. There is no indication of the beginning date but the legend on one of documents states Homicides 22 Shootings 39 as of 12/31/12. There are also gang maps and gang and shooting maps combined. Both Sexton and Fiske families have every reason to be concerned about safety.

During the April 13th Community Hearing a dialogue took place between a parent of children who attend Sexton and one of the conveners which will be quoted in full as it exemplifies what many parents were asking:

Parent: I have a question. What is the whole point of these meetings, if I may ask?

Convener: To hear what you have to say, that's the purpose of these meetings, to hear what everyone in the audience has to say.

Parent: What's being said is that---Does that have a bearing on the decision that's going to be made?

Convener: Yes. And as we pointed out, we have a court reporter who's taking down all of the information that's going to be shared with the Board members with the CEO, Barbara Byrd-Bennett. And there is an opportunity for a third meeting which is downtown---the 22nd, April. We very much want to hear what you have to say.

Parent: I ask that because I'm pretty sure you all can see there's a lot of vacant seats, and there's not a lot of parents here. I learned from the parents--- I talk to a lot of parents, and they are saying they really don't want to come, because they are saying we don't have a purpose due to the fact that the Alderman or whomever in the ward is saying regardless of how many meetings we come to, whatever we say, everything is written in stone as the decisions that have been made, you know. So that's my point in asking that question.

And like I said, if that is the case, it is wrong. I mean because Miss Monroe and the staff they have been doing a good job. And you know, in order to be coming saying if we come here, it's just a waste of time. I don't feel that's right. I know for a fact my kids; I was going to take my kids out at the beginning of the school year. And the principal, she's like just give me thirty days, and if you don't like what I'm doing you can just take your kids. And my kids are still there."

Many students from Sexton testified at all the hearings. Most of the students spoke of how much their school has changed since Miss Monroe has been the principal. The students also compiled a binder of documents which contained the School Newsletter, letters from students, petitions signed in favor of keeping Sexton open and reports of college visits made by the students.

At the last hearing on April 22, 2013 at the Board Headquarters the parents and students turned out again and once more voiced their support for their newly hired Principal, Miss Monroe. They again testified how she came in with an experienced support team and added programs the children had never had before. They credited Miss Monroe with changing the students' behavior. Parents spoke of their children calming down and learning how to concentrate. The parents felt that at last their school had momentum to improve. The students were grateful for her initiation of the college exposure program. They expressed concern for her future and for the future employment of their teachers.

Notice requirements

The Board of Education has complied with all the requirements of 105 ILCS 5/34-232 regarding notice of a proposed school action. The Board of Education Binder, Exhibit 1, admitted into evidence at the hearing on April 22, 2013, in section A at Tabs 3 through 6 establishes compliance with the requirement that all parents or guardians, administrators, faculty, staff, Local School Council members, and board members for charter schools, for all proposed closing, welcoming and co-locating schools receive notice of proposed school actions. Timely notices were also sent to the State Senators, State Representatives and Chicago Aldermen, who represent areas which contain schools affected by the proposals. In addition to the letters sent to the above listed stakeholders a notice was also published in the Chicago Sun Times announcing the proposed action and listing all the hearing dates.

Utilization of space

Testimony was presented by Ashley Richardson, Portfolio Planner for the Chicago Public Schools. Ms. Richardson explained that the Chicago Public Schools have adopted a Space Utilization Standard which has an enrollment efficiency range of plus or minus 20% of a facility's ideal enrollment. The formula defines ideal enrollment as 30 students per classroom. There are 39 classrooms in the Sexton building. The number of allotted classrooms for homerooms has been determined to be 76 to 77% of the total classroom space. Using the lower percentage of 76%, the ideal number of available homerooms at Sexton is 30. The number of available homeroom classrooms is multiplied by the ideal classroom size to show that 900 students can be accommodated in the Sexton space. The CPS predicts that the combined enrollment for both schools will be 561 students for the year 2013-2014. Applying the plus or minus 20% standard to the 900 student number produces an acceptable range of 720 -1,080 students that could use the building. Since the expected enrollment is 561 students, it is clear that the space available at Sexton can accommodate 30 homeroom classrooms and nine auxiliary rooms in compliance with the CPS formula.

Higher Performing School Calculation

The Determination of higher level school is made be first comparing the schools' ratings on the District classification. Both Sexton and Fiske are classified as Level 2 schools. When the District classification is equal, the schools are then compared on three metric systems by which the District calculates student performance on a year to year basis using the ISAT, other standardized tests, growth in performance, race, poverty, grade level and other factors which

are also part of the ISAT calculation. The Sexton parents and teachers knew based on the disappointing results prior to 2012- 2013 that Sexton would not compare well to Fiske on these ratings. The gains of the last year could not overcome the fact that Fiske students had a higher performing base to begin with and although both schools are rated as performing far below average, Fiske students' averages on all of the tests are higher.

Conclusion

The Chicago Public Schools Chief Executive has complied with the statutory and policy notice requirements to initiate a school action. The formula adopted by the CEO, shows that Sexton School is underutilized. Also according to that formula, there is sufficient space in the Sexton facility to accommodate the combined student populations of both schools. Fiske School's higher test and performance scores establish that it is the higher performing school. Based upon these factors in the public record, and the fact that notice, compliance with the Space Utilization Policy, and the relative performance scores were not challenged during the public hearing process, the CEO has produced sufficient evidence to prove by a preponderance of the evidence that his actions comply with the legal requirements.



Paddy McNamara
Independent Hearing Officer

April 29, 2013