

**BEFORE THE
BOARD OF EDUCATION OF THE CITY OF CHICAGO**

In the matter of:)	
The Hearing to take Public Comment)	
On the Proposal to)	Donald M. Devlin
Close Elihu Yale Elementary)	Hearing Officer
School with students going)	2013
To Harvard Elementary School.)	

**Hearing Officer's Report
To the Chief Executive Officer
Regarding the Proposal to close Elihu Yale Elementary School
With students going to Harvard Elementary School**

INTRODUCTION

On April 18, 2013 at 8:00 p.m., the undersigned, an attorney licensed to practice law in Illinois, convened as hearing officer, a public hearing at 125 South Clark Street, Chicago, Illinois to receive comments from interested persons regarding the proposed closing of Elihu Yale Elementary School with students going to Harvard Elementary School. A Certified Shorthand Reporter transcribed the hearing. A Spanish language interpreter was present as well as a hearing impaired interpreter. Notice of this hearing was sent to the principal, staff, local school council, parents or guardians, as well as to the State Senator, State Representative and Alderman for the school that is subject to the proposed action. A summary of the proposed school action was published in the Chicago Sun-Times. Preceding the present hearing, the CEO of the Chicago Public Schools conducted two community meetings, one on April 6, 2013 and the second on April 13, 2013. Both meetings were held at Englewood High School, 6201 S. Stewart Ave, Chicago, IL. The public hearing was conducted pursuant to 105 ILCS 5/34-230, and Procedures for Public Hearings on Proposed School Closure, Consolidation, Co-location, Phase-out, Reconstitution or Reassignment Boundary Change. The hearing officer is charged with preparing a written report summarizing public comments and documents received at the hearing and determining whether the CEO complied with requirements of 105 ILCS 5/34-230 and the Chief Executive Officers Guidelines for School Actions.

Relevant Statutes

105 ILCS 5/34-18 "Powers of the Board," effective July 13, 2012

105 ILCS 5/34-200 "School Action" defined, effective July 13, 2012

105 ILCS 5/34-232 "Proposed School Action announcement and notice: 2012-2013 school year," effective November 30, 2012

105 ILCS 5/34-225 "School Transition Plans," effective November 30, 2012

105 ILCS 5/34-230 "School action public meetings and hearings," effective August 22, 2011.

Pertinent Chicago Public Schools Policies and Procedures

Guidelines for School Actions, 2012-2013 School Year

Procedures For Public Hearings on Proposed School Closure, Consolidation, Co-Location, Phase-Out, or Reassignment Boundary Change

Chicago Public Schools Space Utilization Standards, December 28, 2011

Chicago Public Schools Policy Manual, Review and Establishment of School Attendance Boundaries

Chicago Public Schools Policy Manual, School Performance, Remediation and Probation for the 2011-2012 School Year

Chicago Public Schools Policy Manual, Shared Facility Policy

EXHIBITS

Ms. Libby Massey, an attorney for the Chicago Board of Education Law Department, tendered, and the hearing officer received and entered into the record, the CEO's Complied Exhibit No. 1, a binder of documents in support of the proposed school action.

NOTICES OF HEARING

Notice letter to parents or guardians of students at Yale Elementary School and Harvard Elementary School dated March 21, 2013 and Draft Transition Plan for the Proposed closure of Yale Elementary School.

Notice Letter to School Administrators, faculty, staff and local school council members at Yale Elementary School and Harvard Elementary School dated March 21, 2013 and Draft Transition Plan for the proposed closure of Yale Elementary School.

Public notice of hearing and community meeting by newspaper publication in the Chicago Sun-Times beginning on or about April 1, 2013.

AFFIDAVITS

Affidavit of Jeff Broom, Performance Data Analyst for Chicago Public Schools, regarding mail and/or personal delivery of notice letters to parents and guardians, school personnel and local school council members of Yale Elementary School and Harvard Elementary School on or about March 21, 2013

Affidavit of Leonard Langston, Chief of Staff, Office of Public and Community Affairs for Chicago Public Schools, regarding electronic mail delivery of Notice Letters to Elected Officials on or about March 21, 2013

Affidavit of Jason Van Patten, Director of Web Services for Chicago Public Schools, regarding publication of: (a) list of independent hearing officers for hearing and draft guidelines for school actions on or about October 31, 2012, (b) guidelines for School Actions on or about November 30, 2012, (c) proposals on or about March 21, 2013, and (d) summaries from community meetings on or before April 11, 2013 and April 18, 2013

Relevant Legal and Procedural Documents (Tabs 7 – 16)

Documents and Written Evidence in Support of the Proposal

Transcript of the April 6, 2013 community meeting regarding the proposed closure of Yale Elementary School

Summary of the April 6, 2013 community meeting regarding the proposed closure of Yale Elementary School

Transcript of the April 13, 2013 Community meeting regarding the proposed closure of Yale Elementary School.

Summary of the April 13, 2013 Community meeting regarding the proposed closure of Yale Elementary School

Written statement of Ashley Richardson, Portfolio Planner for the Chicago Public Schools

Presentation accompanying Ashley Richardson's written statement.

Map of proposed attendance area boundary change

Written statement of LaTanya McDade, Chief of Schools of the Skyway Elementary Network for the Chicago Public Schools

Presentation accompanying LaTanya McDade's written statement

Yale Elementary School and Harvard Elementary School performance policy reports

**SUMMARY OF PUBLIC HEARING
TO CONSIDER: PROPOSED CLOSURE
OF
ELIHU YALE ELEMENTARY SCHOOL**

BOARD PRESENTERS

Ashley Richardson
Portfolio Planner for the Chicago Public Schools

Ms. Richardson testified that according to the Chief Executive Officer's Guidelines for the 2012-2013 school year, the CEO may propose to close a school if it is underutilized based on CPS Space Utilization Standards and based on student enrollment numbers recorded on the 20th attendance day for the 2012-2013 school year. Application of the Space Utilization Standards to Yale Elementary School shows that the school is underutilized.

Ms. Richardson also testified that application of the Utilization Standards to Harvard Elementary School shows an efficiency range of the facility is between 504-756 students. Harvard School currently has 441 students enrolled. Based on information currently available, the 2015-2016 projected enrollment for Yale, combined with the 2015-2016 projected enrollment for Harvard, results in an estimation of 627 total students enrolling at Harvard. This is within the enrollment efficiency range of the Harvard facility, and thus, there is enough space within the Harvard facility for students from Yale and students from Harvard.

LaTanya McDade
Chief of Schools for the Chicago Public Schools, Skyway Network

Mr. Price stated that Harvard School is a higher performing school (than Yale) based on the CEO's Guidelines for School Actions. The CEO's Guidelines for Schools Actions define a higher performing elementary school to be a school receiving a higher level on the Performance Policy for the 2011-2012 school year. The CEO's Guidelines also define a higher performing elementary school, if the Performance Policy level is equal, to be a school performing higher on the majority of four performance metrics for the 2011-

2012 school year. Although Yale and Harvard received both received a Level 3 rating in 2011-2012, Harvard performed higher on all four performance metrics.

Finally, Ms. McDade outlined plans to help students from Yale School transition during the rest of this school year and at Harvard next year.

PUBLIC SPEAKERS

Kathleen Murray: is a teacher and a member of the Chicago Teacher's Union. She stated that she opposed the closing of Yale and is of the opinion that it should be kept open and properly funded.

Ellen Gradman: spoke as a citizen of Chicago. She is a teacher with 30 years experience. She believes that none of the schools being proposed for closure should be closed. She believes that they should be kept open and that the "teachers should be allowed to teach." She felt that students in the CPS system are not getting the resources they need. She questioned the validity of testing students in the system.

Judith Dever: is a retired teacher who stated the Yale School should be kept open. She believes that the school closing program is ill-conceived.

Pearlisa Stevenson: is a parent of students at Yale. She does not want to send her children to another neighborhood for school. She opposes closure of Yale and stated that she would refuse to send her children to Harvard.

Lorree Brown: is a grandparent of a student at Yale. She urges the Board to keep the school open. She feels that Harvard school is too far for her grandson to go.

Marcia McClendon: is a school counselor at Yale who also feels that the school should be kept open. She shared some instruction strategies and the gains made by the students in various subjects with the group at the hearing.

Beatrice Fears: is a parent of five children who feels that it would not be safe for them to go to Harvard School. She said that her children had made significant gains at Yale.

Niyoka Clark: is a parent of an autistic child at Yale School who feels that Yale should remain open. She stated that her son had made significant gains at Yale. She said that closing Yale would break her son's heart.

Jasmin G.

Jonya V.

Kennedi H.

Darion I.

Rayna G.

These five students spoke about their feelings for Yale School and their desire to keep it open. They are concerned about their education and safety

Diana Carr: is a parent and a member of the local school council who does not want to see Yale closed. She is very concerned about gun violence near Harvard school.

Jeannette Foreman Cummings: is a community activist who wants to start other programs, keeping students at Yale. She is involved in a project called Eat to Live Garden and Farm. She said that the Yale School is involved in the Urban Gardening Project that has been quite successful.

Yvette Jackson Moyo is associated with the Eat to Live Urban Garden as well. She said that the program has changed children's attitudes toward healthy food.

Allison Fox-Crump: is the assistant principal at Yale School. She spoke of the anger and sadness that the children at Yale have been experiencing because of the proposed closing of Yale. She said that the students feel vulnerable having to travel to a school outside of their neighborhood. She is of the opinion that Yale should be kept open and that resources should be used to improve the school.

SUPPLEMENTAL SUBMISSIONS

Prior to 5:00 p.m. on April 19, 2013, certain supplemental information was submitted to the Chicago Public Schools offices. This consisted of the following correspondence to the CEO:

1. 19 handwritten letters to the CEO Barbara Byrd Bennett from students at Yale Elementary School asking that the school not be closed.
2. A letter from the Alderman of the ward within which Yale Elementary School is located asking that the school remain open.
3. A letter from the Yale Club of Chicago detailing the club's involvement with the Yale School and asking that the school be kept open.
4. A letter from Ageless Eyecare describing its involvement with the school in providing assistance to the students and asking that the school remain open.
5. A letter from Blacks in Green detailing the program of urban gardening at the school and requesting that Yale Elementary School remain open.
6. A letter from Angelic Organics the food program Eat to Live and its desire to continue to work with students at Yale Elementary School in formulating healthy eating habits.
7. A letter from Christine Taylor, the Director of Reach*Teach*Play Education Programs describing the Music Discovery Program in which Yale students have participated with Ravinia Festival artists. She wrote, "The fact that Yale Elementary has actively sought to participate in this music program for several years now is testament to their dedication to developing strong cultural and community partnerships and to securing additional resources for their students."
8. A letter from Pierre Lockett, Director of Community Engagement for The Joffrey Ballet. Mr. Lockett wrote, in part, "The Joffrey has provided a variety of dance programs for Yale Elementary for more than seven years and I have seen firsthand how our programs have made a positive impact on the students who participated."

FINDINGS

The hearing officer makes the following findings concerning the CEO's proposal to close Elihu Yale Elementary School.

1. The CEO has satisfied the notice requirements as mandated by Board policy and Guidelines and 105 ILCS 5/34-230. The CEO has complied with requirements of 105 ILCS 5/34-230 and the CEO's Guidelines for School Actions.
2. I find that the proposed action comports with the Chicago Public Schools Space Utilization Standards.
3. I find that the proposed action comports with the Chicago Public Schools Policy Manual, School Performance, Remediation and Probation Policy for the 2011-2012 School year.

4. I find that the proposed action comports with the Chicago Board of Education Policy on Review and Establishment of School Attendance Boundaries.

For the forgoing reasons, the hearing officer finds that the CEO has followed all proper procedures and relevant mandates, and that the proposal close Elihu Yale Elementary School is appropriately before the Board.

Submitted this 24th day of April, 2013



Donald M. Devlin
Hearing Officer