

CHICAGO BOARD OF EDUCATION

**In Re: Public Hearing to Consider the Proposed
Closure of Mary McLeod Bethune Elementary School**

**Report of Richard E. Neville
Independent Hearing Officer
February 25, 2013**

Introduction

The undersigned was appointed to serve as an “Independent Hearing Officer”, as that term is used in 105 ILCS 5/34-230. One of the duties of the Hearing Officer is to conduct a public hearing on the proposed school actions. That hearing was convened at the Chicago Board of Education Offices at 125 South Clark Street, Chicago, Illinois at 5:30 pm on Thursday, April 25, 2013. At the hearing, public comments were received from concerned persons, including representatives of the CEO and the Board, parents of Mary Mcleod Bethune students (and students themselves), teachers, representatives of the Chicago Teachers’ Union, alumni of Mary Mcleod Bethune (MMB) School, neighborhood residents, elected officials, representatives of community organizations and members of the public.

Summary of Proposed Actions

The Chicago Public School District faces a \$1 Billion deficit, which makes it difficult to provide the robust supports and services that all children deserve. Currently, CPS is financing schools and buildings with a capacity for 511,000 students while only serving 403,000 students. This utilization crisis is spreading already scarce financial resources extremely thin.

To address this crisis, CPS is proposing a plan to address underutilization based on significant input from partners including parents, students, teachers, principals, community and faith leaders, the independent Commission on School Utilization, the Chicago Police Department and the Department of Family and Support Services.

The Plan proposes to close schools that are underutilized, according to CPS, in accordance with the Chief Executive Officer’s Guidelines for

School Action. This decision would include the closure of Mary McLeod Bethune Elementary School (“MMB”), based on the underutilization of that school.

MMB is a neighborhood elementary school located at 3030 W. Arthington St., in the Garfield-Humboldt Elementary Network of CPS. MMB currently serves 377 students in PE, PK & K-8th grades. CPS is proposing that MMB be closed based on the school’s underutilization.

The Chief Executive Officer of the Chicago Public Schools has a Draft Transition Plan for the Proposed Closure of Mary McLeod Bethune Elementary School. This action, if approved, will welcome returning students of MMB at John Milton Gregory Elementary School (“Gregory”), which has sufficient space and can offer a quality academic environment. Gregory is also a higher performing school.

MMB’s attendance area boundary will be reassigned to welcoming school Gregory, as well Jensen Elementary. As a result of this action, all returning MMB students will attend Gregory Elementary, located at 3715 W. Polk St. Families will also have the opportunity to take advantage of other educational options offered by CPS.

Bethune and Gregory families interested in enrolling their student at another school can apply via the re-opened Options for Knowledge process. Applications were provided in the transition packets sent home and can be obtained by emailing oea@cps.edu or calling 773-553-2060. Students who choose to enroll in their attendance area school do not need to submit an application. They should contact the school directly for registration information.

Shuttle bus transportation to and from the Bethune and Gregory locations will be provided for all returning MMB students attending Gregory until they graduate.

CPS indicates that the investments it will make to transition students at both MMB and Gregory will provide students with a supportive learning environment and ease the transition process as much as possible.

Notice and Opportunity for Public Comment

The state of Illinois has very specific requirements that govern proposals for school actions. The proposals herein are deemed “school actions” under Illinois law. Section 5/34-230 describes the procedure for such actions. Section 5/34-230(c) provides that, on or before December 1, 2011, the CEO must publish notice of the proposals. That notice must include a written statement of the basis for the proposed action and how the proposed action meets the criteria set out in guidelines published by the CEO. These guidelines set forth the academic and non-academic criteria for school actions.

The notice must also include a preliminary transition plan, the requirements for which are set out in the Guidelines for School Actions issued November 29, 2011. Copies of the notice and transition plan must be provided to the principal, staff, local school councils, parents or guardians of students, the State Senator, State Representative and Alderman of the schools affected.

The CEO must provide for at least three opportunities for public comment on the proposed school action at open meetings. At least two of those meetings are to be held at sites convenient to the school and

communities affected and one public hearing must be held at the board offices.

Community hearings were held concerning these two proposals on April 8, 2013 and April 11, 2013 at the Manley High School, 2935 W. Polk St., Chicago, IL. The Transcripts of these community hearings were filed and made part of the public hearing record on April 25, 2013

The public hearing was held on April 25, 2013 at the CPS central office at 125 S. Clark St. Chicago, IL. The person presiding over this public meeting is called an Independent Hearing Officer and must be a licensed Illinois attorney who is not an employee of the Board and who must not have represented the Board, its employees or any labor organization representing its employees, any local school council or any charter or contract school within the last year. The undersigned, an Illinois attorney has been appointed Hearing Officer.

The Independent Hearing Officer must issue a report summarizing the public hearing and determine whether the CEO has complied with the requirements of the statute. If the CEO proposes a school action that does not comply with the statute, the Board shall not approve the proposal during the school year in which the school action was proposed.

Guidelines for School Actions

Utilization Standard

In an effort to achieve its educational goals, the space utilization standard was adopted to help ensure that each school facility is utilized in a manner that improves efficiency, thereby making certain that the district's limited resources are deployed and operated in an effective manner. Optimizing efficiency can only be accomplished when the district, in

partnership with families, local school council members, and community agencies, can rely upon a comprehensive set of measurable indicators that portray the availability and usage of classrooms spaces.

Section 5/34-8.3 of the Ill School Code requires the CEO to monitor the performance of Chicago Pubic Schools using criteria established by the Board. On August 22, 2011, Governor Quinn signed Public Act 097-0474 which added requirements for School Action and Facility Master Planning. This Act requires that the Chicago Public Schools (“CPS”) publish space utilization standards by January 1, 2012.

Space utilization standards shall include:

- 1 the method by which design capacity is calculated, including consideration of the requirements of elementary programs, after school programming, the facility needs, grade and age ranges of the attending students, and use of school buildings by governmental agencies and community organizations;
- 2 the method to determine efficient use of a school building based upon educational program design capacity
- 3 the rate of utilization, and
- 4 the standards for overcrowding and underutilization (105 ILCS 5/34-205 (a) (1)-4)

For elementary schools, CPS provides an enrollment efficiency range based primarily upon the total number of instructional classrooms available in the main/permanent school building. Each school building is allotted a number of dedicated general education homeroom classrooms, equaling approximately 76% of the total classrooms available.

As a school’s enrollment increases above the efficiency range, a school may be considered overcrowded as programming options are

reduced and/or compromised. As a school's enrollment decreases below the efficiency range, a school may be considered underutilized as classrooms are unused and/or poorly programmed, thus making the use of limited resources less effective.

There are certain core concepts used to measure the utilization of space. These include both familiar defined concepts from the historical methodology and new concepts defined as follows:

Maximum Capacity is defined as the number of classroom spaces designed as such in a given facility multiplied by 30. (30 students)

Allotted Dedicated General Education Homeroom Classrooms is defined as the number of classroom spaces required for homeroom use as a consistent and adequate proportion of the total number of classrooms present in a given facility.

Allotted Ancillary Classrooms is defined as the number of classroom spaces required for non-homeroom uses, such as science labs, computer labs, art rooms, music rooms, resource rooms, special education rooms, governmental agency and/or community organization special programs, after school programs and other appropriate uses.

Ideal Program Enrollment is defined as allotted homerooms multiplied by 30 (Board of Education of the City of Chicago Policy on Class Size 10-0615-PO1).

Enrollment Efficiency is defined as an enrollment range defined as Ideal Enrollment less 20% to Ideal Enrollment plus 20%.

Overcrowded status is defined as an enrollment range greater than Enrollment Efficiency.

Underutilization is defined as an enrollment range less than Enrollment Efficiency.

A list of the space utilization assessments for each school will be provided once enrollment data for the 2011-2012 school year has been finalized.

The CPS Space Utilization Standards and school by school reports will be published annually after 20th Day enrollment data is available and before December 31st of each year.

Performance Standard

The Chicago Board of Education, based on the CEO's recommendation, adopted a School Performance, Remediation and Probation Policy for the 2011-2012 school year. (Board Report 10-0728-P04) The policy sets out a systematic means for identifying schools in need of remedial assistance and increased oversight due to insufficient levels of achievement. The Board recognizes that an effective and fair school remediation and probation system considers student test score performance, student growth, and progress trends. The ratings for elementary schools are (1) which is the highest level, (2) which is a middle level and (3) which is the lowest level. Under Tab 12 of the binder submitted by the Chicago Public School representatives at the April 25th hearing, the methodology for determining how a school will be rated is set out in detail.

According to the representatives of CPS, the CEO also takes into account, when recommending the closing of an underutilized school, the school performance of both the school being recommended for closing and the welcoming school. Favor is given to closures that would result in students of the closed school attending a higher performing school in close proximity to their closed school.

Summary of Testimony Received at the April 25, 2013, Public Hearing

Representatives of the Chicago Board of Education who testified in connection with the proposal of the Chief Executive Officer of the Chicago Public Schools to close Mary McLeod Bethune Elementary School and Welcome returning students at John Milton Gregory School

Michele Hurley testified that she is an attorney in the Chicago Board of Education Law Department. She tendered and requested to admit into the record the CEO's compiled Exhibit 1, a binder of documents being submitted for the hearing officer's consideration and in support of the proposal.

The binder consists of documentary evidence and written statements demonstrating that the CEO's proposal complies with the requirements of the Illinois School Code and the CEO's Guidelines for School Actions.

The binder contains, among other items, notice letters to the parents and guardians of students, school staff members and local school staff members at Bethune and Gregory, along with notices of scheduled community meetings and hearing published in the newspaper and affidavits attesting to delivery of notice to parents, guardians, school staff local school council members and elected officials. The transcripts of the referenced public hearings and the written statements of the next two witnesses for the Chicago Board of Education were also included. Finally, the binder enclosed a draft Transition Plan for the proposed closure.

The Transition Plan includes the basis of the proposal, information supporting the manner in which the proposal meets the criteria of the guidelines, identifies supports for students' safety and security, academics, social and emotional needs, and specific supports for students with

disabilities, students in temporary living situations and English language learners.

For a list of the specific contents of the binder submitted by CPS, please see the attached "TABLE OF CONTENTS," which follows this report.

Benjamin Felton testified to his educational and work history. He is a Portfolio Planner for the Chicago Public Schools and manages strategic planning to improve the efficient utilizations of CPS facilities. He previously was a teacher at CPS, then joined the Tennessee Department of Education, where he focused on teacher and principal recruitments and contributed to the development of the department's five-year strategic plan. He has a Bachelor of Science from Vanderbilt University.

He has been assigned to convey to the hearing officer, the parents and the community, as well as interested members of the public in attendance, information regarding the space utilization of the Bethune facility with respect to the proposal to close Bethune.

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 student enrollment numbers recorded on the 20th attendance day for the 2012-2013 school year.

Mr. Felton testified that the CEO may only propose a closure if the impacted students have the option to enroll in a higher-performing school and the resulting space utilization, after the closure, will not exceed the facility's enrollment efficiency range as defined by the CPS's Space Utilization Standards.

As to Space Utilization, Bethune, which is located at 3030 West Arthington Street, serves 377 students in pre-kindergarten and kindergarten through eighth grade.

He testified that Bethune's ideal enrollment efficiency range would be between 624 and 936 students. (This number was determined by multiplying the number of homerooms (26) by 30 (students). The enrollment efficiency range is the product (780) plus or minus 20%.) Therefore, Bethune is highly underutilized.

The CEO has proposed that the students from Bethune be welcomed at John Milton Gregory elementary school (Gregory) which is located at 3715 West Polk Street. If this proposal is approved by the Board of Education for the City of Chicago, the resulting space utilization will not exceed Gregory's enrollment efficiency range as defined by the CPS Space Utilization Standards.

Gregory has 40 classrooms, and therefore 30 homerooms, which when multiplied by 30 (students) yields an ideal enrollment of 900. Since Gregory only has 330 students and Bethune 377, when added together there would be a total of 707 students, which is below the efficiency range. The projected enrollment of Bethune for the 2013-2014 school year is 402 and for Gregory is 316, for a total of 718, still below the efficiency range of 720-1080 students that can be served by Gregory. There is enough space within the Gregory facility for students from both Bethune and Gregory.

CPS will also provide transportation by shuttle buses for all returning students who are reassigned to Gregory. The shuttle bus will provide transportation to and from the Bethune School and the Gregory School locations until all current Bethune students graduate from the welcoming school.

Mr. Felton also presented a map showing the proposed boundary change at Tab 23 of the CPS binder and had copies available at the registration desk.

Wanda Washington testified that she is the Chief of Schools for the Chicago Public Schools Garfield-Humboldt Network. She has been with CPS for over 20 years as a teacher, principal, and director, and for the last 6 years a Chief of Schools, where she supervises and provides strategic guidance for 24 schools, including professional development for the teaching staff. She has a bachelor's degree in mass communication from Illinois State University and a master's degree in educational leadership from Concordia University.

Ms. Washington discussed the performance of the welcoming school and the supports being offered in the draft transition plan. She testified that at Gregory, the Bethune students will be attending a higher performing school, based on the CEO's Guidelines for School actions and that the Binder at Tab 12 shows the annual rating for the schools in question and that Gregory had the highest rating----(1) while Bethune had the lowest rating ----(3)

In addition, students will receive additional supports at Bethune during the remainder of this school year and at Gregory next year, and the Garfield-Humboldt network will provide as much assistance as possible to ease the transition. Some of these supports include a Principal Transition Coordinator who will be assigned to help the principal of Bethune maintain academic rigor for the remainder of the school year and ensure a smooth transition to Gregory. Students will also receive social and emotional supports to help them adjust to a new school environment, such as intervention groups or peace circles, led by CPS staff members, aimed at

helping students work through concerns associated with the transition. There are plans for the implementation of restorative practices, such as peer circles and peer juries to encourage peer-to-peer problem solving and resolution. There will also be one-on-one attention provided where needed.

The Final Transition Plans, if the board approves this proposal, will incorporate feedback from community meetings, this hearing and additional input from the CPS Office of Safety and Security (OSS) and the Chicago Police Department.

Ms. Washington outlined additional support she personally will give to the parents, students, teachers and community groups if the proposal is accepted. In conclusion, she stated that Bethune is underutilized, the combined enrollment of Bethune and Gregory students at the 3715 West Polk Street facility will not exceed the facility's enrollment efficiency range, and Gregory is a higher performing school. The CEO believes that this proposed school closure will help the District better serve all students and is prepared to assist students with additional supports as they transition.

This concluded the presentation in support of the CEO's proposal.

Members of the Community who Made Public Statements Regarding the Proposed Closure of Mary McLeod Bethune Elementary School

The below are summaries of the comments of those who testified. Some of the statements were written and addressed to the CPS Board after the close of the public hearing but prior to the submission deadline of 5 PM on Friday, April 26. These submissions were provided to the hearing officer and are attached to this report for review by anyone interested.

Alderman Jason Ervin of the 28th Ward testified that he stands in opposition to the proposed closing of MMB and its consolidation with Gregory. The proposal would move children 10 blocks outside of the East Garfield neighborhood, requiring them to move across several gang territories and pass a correctional facility, vacant properties, and 3 to 4 main arterial streets, which in his opinion is not a good plan for 8, 9 and 10-year-olds with younger children in tow.

Mr. Ervin also indicated that Bethune has been subject to being a turn-around school, and that it would be unfair for CPS to put further pressure on these children. He also proposed that Kellman School is only 200 feet away from MMB and therefore a better place for its students since they wouldn't have to move out of their neighborhood. He also suggested that bussing this many children would present obstacles for kids who miss the bus or want to walk. He also pointed out that the parents and residents of the community are opposed to this closing.

The Alderman provided a written copy of his testimony

Pamela Lonzo testified as follows:

"I represent the residential community served by 7 schools: Calvin Corporate, Manley, Bethune, Collins, Jensen, Chandlers and King. Collectively we urge the Board to focus on and prioritize school closures by location-----we do support grade school building closures, but this should result in praise not outcry. The Board shouldn't knowingly gut a community to achieve financial goals. The students' path to school should be through residential areas.

We thank the Mayor and the Board for the courage to correct prior mismanagement of the school system. Please utilize the buildings inside the residential community they serve. Child safety is paramount.

We urge the Board to close the riskiest and outside locations and reroute King students into Jensen and reroute Chalmers into Bethune. This would be safer for all the children from all 4 schools based on the neighborhoods in which they now go to school.

Closing Bethune forces 377 families out of this community and it will destroy the East Garfield community when parents won't let their children have to make an 11-block walk in the dark with no late buses.

We also challenge the 10.5 Million dollar renovation cost that the Board claims will be necessary to keep Bethune open.”

Ms Lonzo provided a written copy of her testimony with exhibits attached.

Students 1-19

The rules of the hearing did not allow for the students' names to be placed in this public record. As a result, the transcript of proceedings and this report list the testifying students by numbers. The following is a composite of the students' testimony:

The comments of many of the students were similar in that they liked or loved their teachers and coaches at Bethune and had many friends there. They didn't want to leave the school and believed that they were getting a great education and were improving each year. The children felt safe at this school and were afraid of the new school's neighborhood and the students at Gregory: "I feel safe at Bethune, and we can sit and talk with our teachers and share personal things."

Some students suggested that the standardized test scores were improving all the time: "My teachers have pushed me to my level and helped me succeed in life." "Our academic level has gone up, and attendance is improving." "I have received a great education, which

allowed me to attend Lane Tech after STEM program and get the highest MWEA score in the history of Bethune.”

They also worried about going to school far from their homes, “If I was to get sick at school, how could I make it all the way back to my house?”

They said Bethune feels like family, even the principal: “Bethune is like my family, and we can talk our problems out to the dean and the staff. The teachers work hard for us.” “Bethune is a caring place, and I have friends there. Please don’t close the school.”

Deanna Johnson, a parent, noted that, “Everyone does not have a car, so what are we supposed to do if our child gets sick, how would I make it to that school? It is very far to walk.”

Millander Lee, a parent indicated, “Like the other parents, I’m trying to find out how are we supposed to get there? It is a long walk. How do I get the report cards and talk with the teachers? It is 11 long blocks.”

Kamesha Terry, a parent, has three children that attend Bethune in 6th grade, kindergarten and pre-school. She objects to closing their home away from home. She testified that there are sex offenders waiting to abduct one of her children in the abandoned buildings in the Gregory area and the crime rate is higher in the Gregory area.

“Closing Bethune is endangering our kids.”

Troy Brown, a parent of two Bethune students said he did not “want the school to close, as they have great teachers, and the staff is great. The school has safety and a warm feeling, and Gregory does not.”

Reverend Heudy Carlisle, pastor of the True Solid Rock Missionary Baptist Church, testified as follows: “I am a volunteer at Bethune for 7

years. I go for one day, all day, every week and it is not usual for a pastor to do that with all his other duties.

I have seen the maturation in the children at Bethune. I have seen one student improve academically and emotionally. The students are more respectful, and their test scores have improved.”

Robin Peterson, a math tutor at Bethune said, “most teachers would not agree that 30 is an ideal number for a classroom, especially in an elementary school. The students should not have their lives disrupted.”

Elizabeth McCreless, a tutor at Bethune with the math plus program explained, “Math plus gives every third through fifth grader at Bethune 45 minutes working with a tutor in a group of 1 to 3 students. Our program works because we have a caring community of teachers, students, parents and staff. I know that these students will be the city’s future professionals but not without a stable school environment. Closing Bethune will prevent my students from achieving their full potential.”

Duvall Townsend, an artist and a parent, is painting a mural at Bethune and would like to finish it for the community. The closing of the school will prevent that. “My children love this school and do not want it closed, and I do not want it closed.”

Byseeon Edwards, a parent, had questions about some of the logistical issues with the transition from Bethune to Gregory. “Will there be buses for after school programs? Will they provide us with money for uniforms?” Ms. Hurley from the CPS stated that the transportation issues will be worked out if the school is closed as proposed. CPS will gather more input from the community about its needs before making its decision, but CPS can’t state today what the actual bussing program will be until

further community hearings are held and there is more input from the parents and other community leaders.

Earnest Williams, the principal of Bethune since July of 2012, had the following comments to add: “It is impossible to be at the efficiency based on the new Board and CTU agreement and full school day parameters. And with an additional 300 students we would have to run lunches starting at 9:00am and the last lunch would be at 3pm. Bethune has a higher culture and climate rating than Gregory. We have rich partnerships with private music and art instruction for our children, social emotional programs provided through the YOU CAN 360 program, \$250,000 in grant funding through United Way for additional programs for parents and community, 21st Century after school programming for parents and students. Ninety-six percent of the parents picked up their child’s report card even on a rainy day.

We also provide safe passage for the children, and I pick them up or instruct them to go back to the school. But, the safe passage persons are not doing a good job, and I’m very concerned with students going to Gregory and having safe passage.

Kevin Hough: “I’m the field representative for the Chicago Teachers Union. I represent Bethune for the past year. When you walk into Bethune, you get a good feeling, and that is not true of all schools. I see dedicated teachers and staff. Bethune has the lowest turnover rate for teachers in AUSL schools. Teachers want to work at Bethune, a dedicated staff, which is not true at Johnson, down the street, which has an 80 percent turnover.

I disagree with the first speaker who wants other schools to close instead of Bethune. The Union position is that no school should be closed.

We have students here who are in dire need, and we're telling them it's too expensive. This is an issue of priorities. Spend the money on the students and keep these schools open. Bethune has been successful from the third to eighth grade, and there has been a 40 percent increase from when they come in to graduation. This is an incredible increase. Support Bethune.

Valerie Leonard: "I'm with the Lawndale Alliance, and we are here supporting all of our North Lawndale schools. We disagree with the rationale for closing schools. As to class size, we have 21.7, which mirrors the state size. Student mobility has decreased from 61.5 percent in 2003 to 31.3 percent in 2012. This is still above average and even with that, Bethune is doing well. We want the AUSL work to continue until completion which takes 4 to 5 years, or longer.

We're requesting that CPS allow Bethune to continue to operate as a small school, particularly in the primary grades and in low income families where the children will do better with small class sizes. We also want flexibility, and the Utilization Standards should also ensure that the space can be programmed to fit student needs. We want to send a gang map which will show that there are rival gang territories between Bethune and Gregory. I will file that tomorrow.

Felicia Hilson, a parent and graduate of Bethune (submitted by letter following the hearing) indicated that students at Bethune are receiving an excellent education. She pointed out that the safe and nurturing learning environment provided by the school couldn't be conveyed by test scores and utilization standards. She also pointed out that the school provides enriching programs, not only for the students, but also for parents and the community.

Brenda Sturdivant, a parent and Local School Council member (submitted by letter following the hearing) also emphasized that Bethune is a good school, with good teachers and staff, and focused on her concerns for the safety of students as they travel to a school that is not in their neighborhood, noting the gun violence, particularly against young people, that has been prevalent in our city.

FINDING OF INDEPENDENT HEARING OFFICER

One of the roles of the Independent Hearing Officer is to determine whether the Statute and Guidelines have been followed by the CEO's evaluation of the schools and the closure recommendation.

It is the express finding of the undersigned that the requirements of state law and the Guidelines have been met as to the proposal of the CEO.

There is no question that Bethune is underutilized per the Guidelines and that Gregory has sufficient space and classrooms to welcome all the Bethune students and that after the combination of the two school populations, Gregory will be within its efficiency range. It is also appropriate for the geographic boundaries of the surrounding schools to change and become adapted for the residents of the area if Bethune closes.

The CEO has presented uncontested evidence of all required notices having been provided within the time frames set out in the statute as to the proposal under consideration, to close Bethune. Copies of those notices were made part of the record at the April 25th public hearing. All the notices appear to have been provided in a timely fashion and public and community hearings have been held in accordance with the statutes and guidelines.

The School Closing proposal of the CEO does meet and addresses all of the requirements of law and the policies of the Board and the requirements of the State Statutes.

Additional Comments of the Independent Hearing Officer

It is very clear that the student body at Bethune and the parents of the children want Bethune to stay open and to continue to provide the educational and emotional support that it is providing now.

The issues of distance and gang territories are serious matters, and the CEO has indicated that the bussing of the Bethune students will continue until ALL of the present Mary McLeod Bethune students graduate from Gregory. That is a very significant undertaking by CPS and should be valued by the community.

It does not, of course, substitute for being able to walk to school in a safe and comfortable neighborhood setting.

The students should benefit from a higher performing school, and this will eventually be recognized once the transition is completed and everyone has time to settle in and the Transition support programs are in place.

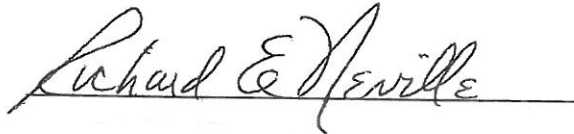
The CEO has also promised that there will be student, parent, teacher and community input on the hours that busses will be available, and it will take some time for the children to get used to a new schedule.

I do not underestimate the difficulty faced by the Chicago Public Schools and the parents and guardians of these children to manage a program that satisfies every individual idea and suggestion, both good and bad, from students, parents, teachers and community leaders, but hopefully with continued dialogue and flexibility by the participants this attempt to use

the available funds in a way that helps all students and parents will be acceptable to the people of the City of Chicago.

I urge the Chicago Public Schools to continue to provide a forum for community dialogue and discussion for any school children and their parents that are required to move from a school they value (Bethune) to a new school (Gregory) where they will have the opportunity to learn and grow academically and socially.

Respectfully Submitted

A handwritten signature in cursive script that reads "Richard E. Neville". The signature is written in black ink and is positioned above a solid horizontal line.

Richard E Neville
Independent Hearing Officer

CPS BINDER TABLE OF CONTENTS

**PUBLIC HEARING TO CONSIDER THE PROPOSED CLOSURE OF
MARY MCLEOD BETHUNE ELEMENTARY SCHOOL**

**APRIL 25, 2013
COMMENCING AT 5:30 P.M.**

**HON. RICHARD NEVILLE
HEARING OFFICER**

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A. NOTICES OF HEARING

1. Notice Letter to Parents or Guardians of Students at Mary McLeod Bethune Elementary School and John Milton Gregory Elementary School dated March 21, 2013 and Draft Transition Plan for the Proposed Closure of Mary McLeod Bethune Elementary School
2. Notice Letter to School Administrators, Faculty, Staff, and Local School Council Members at Mary McLeod Bethune Elementary School and John Milton Gregory Elementary School dated March 21, 2013 and Draft Transition Plan for the Proposed Closure of Mary McLeod Bethune Elementary School
3. Affidavit of Jeff Broom, Performance Data Analyst for Chicago Public Schools Regarding Mail and/or Personal Delivery of Notice Letters to Parents/Guardians, School Personnel and Local School Council Members of Mary McLeod Bethune Elementary School and John Milton Gregory Elementary School on or about March 21, 2013
4. 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
5. Affidavit of Jason Van Patten, Director of Web Services for Chicago Public Schools Regarding Publication of: (a) List of Independent Hearing Officers for Hearings 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 13, 2013 and April 16, 2013
6. Public Notice of Hearing and Community Meeting by Newspaper Publication in the Chicago Sun-Times on April 3, 2013

B. RELEVANT LEGAL AND PROCEDURAL DOCUMENTS

7. 105 ILCS 5/34-18 (“Powers of the Board”), effective July 13, 2012
8. 105 ILCS 5/34-200 (“Definitions”), effective July 13, 2012
9. 105 ILCS 5/34-225 (“School Transition Plans”), effective November 30, 2012
10. 105 ILCS 5/34-230 (“School Action Public Meetings and Hearings”), effective August 22, 2011
11. 105 ILCS 5/34-232 (“Proposed School Action Announcement and Notice; 2012-2013 School Year”), effective November 30, 2012
12. Chicago Board of Education School Performance, Remediation, and Probation Policy for the 2011-2012 School Year (Policy Manual Section 302.6A, Board Report 10-0728-PO4)
13. Chicago Board of Education Policy on Review and Establishment of School Attendance Boundaries (Policy Manual Section 703.2, Board Report 05-0622-PO1)
14. Chicago Public Schools Space Utilization Standards (Issued December 28, 2011)
15. Guidelines for School Actions, 2012-2013 School Year (Issued November 30, 2012)
16. Chief Executive Officer’s Procedures for Public Hearings on Proposed School Closure, Consolidation, Co-Location, Phase-Out, or Reassignment Boundary Change

C. DOCUMENTS AND WRITTEN EVIDENCE IN SUPPORT OF THE PROPOSAL

17. Transcript of the April 8, 2013 Community Meeting regarding the Proposed Closure of Mary McLeod Bethune Elementary School
18. Summary of the April 8, 2013 Community Meeting regarding the Proposed Closure of Mary McLeod Bethune Elementary School
19. Transcript of the April 11, 2013 Community Meeting regarding the Proposed Closure of Mary McLeod Bethune Elementary School
20. Summary of the April 11, 2013 Community Meeting regarding the Proposed Closure of Mary McLeod Bethune Elementary School

21. Written Statement of Benjamin Felton, Portfolio Planner for the Chicago Public Schools
22. Presentation Accompanying Benjamin Felton's Written Statement
23. Map of Proposed Attendance Area Boundary Change
24. Written Statement of Wanda Washington, Chief of Schools of the Garfield-Humboldt Elementary Network for the Chicago Public Schools
25. Mary McLeod Bethune Elementary School and John Milton Gregory Elementary School Performance Policy Reports

**WRITTEN TESTIMONY SUBMITTED AFTER THE
HEARING BUT PRIOR TO APRIL 26TH DEADLINE**

April 25, 2013

Dear Chicago Board of Education:

I ask you to vote on May 22 to keep Bethune School of Excellence open.

As a graduate of Bethune who is now a PAC member and parent, I have firsthand experience of the education that Bethune provides for its students. I know that they are receiving an excellent education, from committed and caring teachers, in a space where they feel safe and welcome.

I do not believe that any other school, including Gregory, could fill Bethune's role in the lives of community members and their children. Bethune is a place where parents can send their children everyday knowing that they are going to a warm and nurturing learning environment. It is also a community center that provides resources and classes for parents as well as enriching afterschool programs and sports.

I reject the idea that Bethune should be closed simply because CPS has labeled it a low-performing, underutilized school. Bethune students, parents, and teachers do not deserve to be punished because of standardized test scores or population change in the neighborhood. Before you make a decision as serious as closing this school, you should visit it—walk the halls and look into the classrooms. I guarantee that if you do so, you will not see an empty school where no learning is taking place.

Gregory, the proposed receiving school for Bethune, has nothing to offer our students that Bethune doesn't already have. If you decide to shift Bethune's students to Gregory, you will not be doing what is best for our children. You will be breaking the bonds they have formed with their teachers, classmates, and entire school community. Worst of all, you will be endangering their safety.

Please do not force Bethune students to travel the dangerous mile-long route from Bethune to Gregory this August. If you would not want your own children to walk past abandoned buildings and a halfway house everyday on their way to and from school, do not expect our children to do it.

Once again, I ask you to please vote against closing Bethune.

Sincerely,

Felicia Hilson

April 26, 2013

Dear Chicago Board of Education:

My name is Brenda Sturdivant and I am a Bethune parent and Local School Council member. I am writing to ask you to keep Bethune School of Excellence open.

I think Bethune should remain open because it is a good school. It has many after-school programs. My three children have gained a lot from this school. They have been at Bethune for three years. I love this school myself.

Why would you close Bethune down knowing that all of the students live in the community around the school? The school that you are sending them to, Gregory, is too far for them to walk to.

When Rahm Emanuel was voted into office, he said that he would bring more jobs to our community. He did not say that he was going to close 54 schools down.

Just a few days ago I saw on the news that another CPS student was gunned down. For what? Coming home from school. It's not going to happen to me and my babies just because you want to close Bethune down.

My children are safe at Bethune--outside and inside of Bethune. I will not lose my babies to the street just because you have decided to send them far away from home and Bethune.

It's wrong for you to judge Bethune when you don't know what is going on inside the school. You say that the classrooms are not being used. That is not true. The truth is that the teachers here work hard for these children. So why are you closing Bethune down? So you can just put another school here? It's wrong of you to do that and it would be wrong to knock this school down.

It's wrong, wrong, wrong of you, what you are trying to do Bethune and to our community.

Sincerely,

Brenda Sturdivant