

Board of Education of the  
City of Chicago

In Re: The Matter of  
The Proposed Reconstitution of  
Dewey Elementary Academy of Fine Arts

Before  
Fredrick H. Bates  
Independent Hearing Officer

**Background**

**Introduction**

On or about April 3, 2013, the undersigned was retained by the Chief Executive Officer (“CEO”) of the Chicago Public Schools (“CPS”) to serve as an Independent Hearing Officer in this matter. On Tuesday, April 30, 2013, a hearing was convened at the Board of Education of the City of Chicago, 125 South Clark Street, Chicago, Illinois. The purpose of the hearing was to enable the Hearing Officer to receive public comments from concerned persons, specifically including representatives of the CEO, members of the local school council, parents, students, members of the school’s staff, the Principal, representatives of the Chicago Teachers’ Union, and interested members of the public, concerning the CEO’s proposal to Reconstitute Dewey Elementary Academy of Fine Arts pursuant to 105 ILCS 34/5-8.3(d)(4) of the Illinois School Code. CPS served notice of the hearing on the parents, staff members, Principal, and members of the Local School Council. Approximately 91 individuals attended the public hearing, and 21 of the 46 people who requested to speak, were provided the opportunity to do so at the hearing.<sup>1</sup>

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<sup>1</sup> The School Principal, Eric Dockery, requested that the School Community be allowed to present its position through a series of speakers, and that they be given more than the two minutes allotted if necessary. The Hearing Officer exercised his discretion and accommodated the School Community’s request, which resulted in fewer speakers at this Public Hearing.

The record was left open for the submission of written materials. Those written submissions are summarized herein below.

Pursuant to the directives provided in the document entitled “**PROCEDURES FOR PUBLIC HEARINGS ON PROPOSED SCHOOL RECONSTITUTIONS,**” the undersigned summarizes below the input received at the Public Hearing.

### **Relevant Statutory Provisions and Board Policies/Procedures**

The relevant statutory provisions include, but are not necessarily limited to the following, which state in pertinent part as follows:

#### **Sec. 34—8.3. Remediation and probation of attendance centers**

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- (d) **Schools placed on probation that, after a maximum of one year, fail to make adequate progress in correcting deficiencies are subject to the following** action by the general superintendent with the approval of the board, after opportunity for a hearing: ...

**(4) Reconstitution of the attendance center** and replacement and reassignment by the general superintendent of all employees of the attendance center. (*Emphasis added*).

#### **Sec. 34-18. Powers of the board.**

The board shall exercise general supervision and jurisdiction over the public education and the public school system of the city, and, except as otherwise provided by this Article, shall have power:

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- 7. To apportion the pupils to the several schools; provided that no pupil shall be excluded from or segregated in any such school on account of his or her color, race, sex, or nationality. The board shall take into consideration the prevention of segregation and the elimination of separation of children in public schools because of color, race, sex, or nationality.

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24. To develop a policy, based on the current state of existing school facilities, projected enrollment and efficient utilization of available resources, for capital improvement of schools and school buildings within the district, addressing in that policy both the relative priority for major repairs, renovations and additions to school facilities, and the advisability or necessity of building new school facilities or closing existing schools to meet current or projected demographic patterns within the district;

The Board's School Performance, Remediation and Probation Policy for the 2012-2013 School Year provides in part:

That the Chicago Board of Education adopt a School Performance, Remediation and Probation Policy for the 2011-2012 School Year.

### **I. Purpose and Goals**

This policy shall establish the standards and criteria for placing a school on Remediation or Probation for the 2011-2012 school year based on assessments administered in Spring 2011 and other performance data from prior school years. A school's accountability status from the 2010-2011 school year shall remain in effect until such time as the school is notified of their new status issued in accordance with this policy.

This policy sets out a systematic means for identifying schools in need of remedial assistance and increased oversight due to insufficient levels of achievement. Section 5/34-8.3 of the Illinois School Code provides for the remediation and probation of attendance centers and for the Chief Executive Officer to monitor the performance of each school using the criteria and rating system established by the Board to identify those schools in which: (1) there is a failure to develop, implement, or comply with the school improvement plan; (2) there is a pervasive breakdown in the educational program as indicated by various factors such as the absence of improvement in reading and math achievement scores, an increased drop-out rate, a decreased graduation rate, or a decrease in the rate of student attendance, or (3) there is a failure or refusal to comply with the provisions of the School Code, other applicable laws, collective bargaining agreements, court orders, or with applicable Board rules and policies.

The Board recognizes that an effective and fair school remediation and probation system considers student test score performance, student growth and progress trends. Therefore, this policy establishes a comprehensive system to assess school performance in order to identify, monitor and assist schools with low student test scores as well as schools with stagnant or insufficient rates of student improvement.

## **II. Scope of the Policy**

All Chicago Public Schools (“CPS”) shall be subject to this policy, except charter schools under contract with the Board. A charter school shall receive an accountability designation using the criteria hereunder for purposes of comparison to other CPS schools and public reporting. A decision to renew or revoke a school’s charter is governed by the terms of a school’s applicable performance agreement and accountability plan with the Board. Schools newly established by the Board shall receive an accountability designation after the third year of operation or at such time as adequate measures of student achievement become available.

## **III. Definitions**

**Remediation:** An accountability designation assigned to schools where the Chief Executive Officer (“CEO”) determines that a school’s budget or any amendment thereto may compromise the implementation of the school’s No Child Left Behind Act (NCLB) Corrective Action measures or Restructuring Plan.

**Probation:** An accountability designation assigned to non-performing schools where the CEO determines, utilizing the criteria set out in this policy, that a school requires remedial probation measures as described in this policy, including increased oversight, to address performance deficiencies.

**Good Standing:** An accountability designation assigned to schools where the CEO determines, based on the criteria set out in this policy, that student performance and improvement meets or exceeds district standards.

**Adequate Yearly Progress:** School rating issued by the Illinois State Board of Education that identifies if students are improving their performance based on the established annual targets.

**Achievement Level 1:** Shall mean the rating for:

- an elementary school with a total performance score of thirty (30) or above or with at least 71% of the available performance points; or
- a high school that obtains a total performance score of twenty-eight (28) or above or with at least 66.7% of the available performance points.

**Achievement Level 2:** Shall mean the rating for:

- an elementary school with a total performance score of twenty-one (21) to twenty-nine (29) or with 50%-70.9% of the available performance points; or
- a high school that obtains a total performance score of eighteen and two-thirds (18.67) to twenty-seven and two-thirds (27.67) or with 44%-66.6% of the available performance points.

Achievement Level 3: Shall mean the rating for:

- an elementary school that obtains a total performance score of twenty (20) or below or with less than 50% of the available performance points; or
- a high school that obtains a total performance score of eighteen and one-third (18.33) or below or with less than 44% of the available performance points.

Value-Added: Shall mean the metric that assesses school effects on students' academic growth, controlling for student characteristics, grade level, and prior performance through a regression methodology. Academic growth is measured by the change in scale score points on the ISAT from one year to the next.

ISAT: means the Illinois Standards Achievement Test.

ISAT Composite: means the composite score from ISAT Reading, Mathematics and Science test results.

PSAE: means the Prairie State Achievement Examination.

PSAE Composite: means the composite score from PSAE Reading, Mathematics and Science test results.

EPAS: means the series of three assessments (Explore, PLAN and ACT) that are administered to high school students in the following order: (1) Explore – administered to high school freshmen, (2) PLAN –administered to high school sophomores, and (3) ACT - administered to high school juniors.

Freshmen On Track: Shall mean the percentage of first-time freshmen students who earn five credits in their freshman year and fail no more than one semester core course (English, Mathematics, Science and Social Science).

One-Year Drop-out Rate: Shall mean the percentage of students who drop-out in a given year who have not previously dropped out.

Membership Days: Shall mean the number of days that the students on a school's enrollment register should be in attendance. Membership days will end for 8th and 12th graders on the date of graduation authorized by the Board and shall be adjusted for students with medically fragile conditions.

Attendance Rate: Shall mean the total number of actual student attendance days divided by the number of total student membership days.

Advanced Placement (AP) Class: Shall mean a college-level course approved by the College Board to be designated as AP in accordance with established requirements.

International Baccalaureate (IB) Class: Shall mean a college-level course approved by the International Baccalaureate Organization to be designated as an IB class in accordance with established requirements.

AP Exam: Shall mean the end of course exam established by the College Board that is administered upon completion of an AP Class.

IB Exam: Shall mean the end of course exam established by the International Baccalaureate Organization that is administered upon completion of an IB class.

#### **IV. PERFORMANCE EVALUATION SYSTEM**

##### **A. Calculation of Score**

Every school shall receive a performance score based upon its level of current performance, trend over time and student growth as described in Section V below. A school will be evaluated on each of the accountability indicators identified in Section V using best available data and will receive a score for each indicator as well as a total performance score that accounts for the school's overall performance on all accountability indicators. The total performance score will be used to determine whether a school qualifies for an Achievement Level 1, 2 or 3 rating. A school shall receive an accountability status hereunder whereby the school shall be identified as either on Probation, in Good Standing or in Remediation, as further described herein.

##### **B. Determinations**

**1. Scoring Exceptions:** Schools that do not qualify for all performance points hereunder due to the following circumstances shall have their Achievement level determinations based on the percentage of available points earned rather than the actual points earned: (a) if data for the two previous years is not available for a particular metric measuring change over time, the school will not get a score for that metric; (b) if data is available but not reliable due to no fault of the school, the CEO may remove the affected metric from consideration and the school will not get a score for that metric. ISAT and PSAT scores of students who are English Language Learners in program years 0-5 will not be factored into current status or trend scores hereunder.

**2. Accountability Status Determination:** A school with an Achievement Level 3 score hereunder shall receive Probation status. A school with an Achievement Level 1 score or an Achievement Level 2 score hereunder shall receive Good Standing status, except for the following which shall receive Probation status hereunder:

- a. A school that has not satisfied the following minimum ISAT or PSAE composite score requirement:
  - i. Elementary school minimum 2011 ISAT Composite score - 50% meeting or exceeding state standards.
  - ii. High school minimum 2011 PSAE Composite score - 10% meeting or exceeding state standards.
- b. A school that has not satisfied all applicable sustained academic improvement requirements set out in Section VII. as follows:
  - i. A school with a prior Probation status must receive an Achievement Level 1 rating or Achievement Level 2 rating for 2 consecutive years to be removed from Probation; or
  - ii. A school where the Board has taken an action under 105 ILCS 5/34-8.3(d)(2) or (4) must remain on Probation for a minimum of 5 years or until the school has made Adequate Yearly Progress for 2 consecutive years, whichever occurs later.

Notwithstanding the foregoing, a school with Good Standing status may be placed in Remediation in accordance with Section IV.B.3.

**3. NCLB School Improvement Status:** For schools not on Probation but that have either “Corrective Action”, “Restructuring Planning” or “Restructuring Implementation” status under NCLB, the CEO reserves the right to place the school in Remediation status at any time if the CEO determines that the school’s budget or any amendment thereto may compromise the implementation of the school’s NCLB Corrective Action or Restructuring Plan.

## **V. ACCOUNTABILITY INDICATORS, STANDARDS AND SCORING**

### **A. Elementary School Indicators, Standards and Scoring**

An elementary school may receive a total performance rating score ranging from zero (0) to forty-two (42). For the 2012-2013 school year, the current status, trend and growth indicators and standards that determine an elementary school’s performance score shall be as follows:

#### ***1. ISAT Mathematics – 6 possible points***

**a. Current Status** - An elementary school shall be evaluated on the percentage of students *meeting or exceeding* state standards as indicated by the school’s ISAT mathematics results. Current status is determined by averaging the school’s ISAT mathematics results from tests administered in Spring 2011 and Spring 2012. If the school does not have two years of data,

one year of data will be used. A school shall receive points towards its overall performance score as follows:

80% or more meeting or exceeding = 3 points  
70%-79.9% meeting or exceeding = 2 points  
50%-69.9% meeting or exceeding = 1 point  
Under 50% meeting or exceeding = 0 points

**b. Trend** - An elementary school shall be evaluated on improvement in the percentage of students *meeting or exceeding* state standards on ISAT Mathematics. Improvement trend is determined by comparing the 2012 score with the average score of the three previous years. If the school does not have three previous years of data, the previous two years will be used. A school shall receive points as follows:

- For schools with 0%-89.9% of students meeting or exceeding state standards on the 2012 ISAT mathematics assessment, points are earned as follows:

No Improvement = 0 points  
Improvement of at least 0.1 but under 3.0 percentage points = 1 point  
Improvement of at least 3.0 but under 6.0 percentage points = 2 points  
Improvement of at least 6.0 percentage points = 3 points

- Schools with 90% or more of students meeting or exceeding state standards on the 2012 ISAT mathematics assessment automatically earn 3 points regardless of improvement.

## **2. ISAT Reading – 6 possible points**

**a. Current Status** - An elementary school shall be evaluated on the percentage of students *meeting or exceeding* state standards as indicated by the school's ISAT reading results. Current status is determined by averaging the school's ISAT reading results from tests administered in Spring 2011 and Spring 2012. If the school does not have two years of data, one year of data will be used. A school shall receive points towards its overall performance score as follows:

80% or more meeting or exceeding = 3 points  
70%-79.9% meeting or exceeding = 2 points  
50%-69.9% meeting or exceeding = 1 point  
Under 50% meeting or exceeding = 0 points

**b. Trend** - An elementary school shall be evaluated on improvement in the percentage of students *meeting or exceeding* state standards on ISAT reading. Improvement trend is determined by comparing the 2012 score with the average score of the three previous years. If the school does not have



three previous years of data, the previous two years will be used. A school shall receive points as follows:

- For schools with 0%-89.9% of students meeting or exceeding state standards on the 2012 ISAT reading assessment, points are earned as follows:

No Improvement = 0 points

Improvement of at least 0.1 but under 3.0 percentage points = 1 point

Improvement of at least 3.0 but under 6.0 percentage points = 2 points

Improvement of at least 6.0 percentage points = 3 points

- Schools with 90% or greater of students meeting or exceeding state standards on the 2012 ISAT reading assessment automatically earn 3 points regardless of improvement.

### ***3. ISAT Science – 6 possible points***

**a. Current Status** - An elementary school shall be evaluated on the percentage of students ***meeting or exceeding*** state standards as indicated by the school's ISAT science results. Current status is determined by averaging the school's ISAT science results from tests administered in Spring 2011 and Spring 2012. If the school does not have two years of data, one year of data will be used. A school shall receive points towards its overall performance score as follows:

80% or more meeting or exceeding = 3 points

70%-79.9% meeting or exceeding = 2 points

50%-69.9% meeting or exceeding = 1 point

Under 50% meeting or exceeding = 0 points

**b. Trend** - An elementary school shall be evaluated on improvement in the percentage of students ***meeting or exceeding*** state standards on ISAT science. Improvement trend is determined by comparing the 2012 score with the average score of the three previous years. If the school does not have three previous years of data, the previous two years will be used. A school shall receive points as follows:

- For schools with 0%-89.9% of students meeting or exceeding state standards on the 2012 ISAT science assessment, points are earned as follows:

No Improvement = 0 points

Improvement of at least 0.1 but under 3.0 percentage points = 1 point

Improvement of at least 3.0 but under 6.0 percentage points = 2 points

Improvement of at least 6.0 percentage points = 3 points

- Schools with 90% or greater of students meeting or exceeding state standards on the 2012 ISAT science assessment automatically earn 3 points regardless of improvement.

#### ***4. ISAT Composite - All Grades – 6 possible points***

**a. Current Status** - An elementary school shall be evaluated on the percentage of students in all grades who are *exceeding* state standards as indicated by the school's ISAT Composite. Current status is determined by averaging the school's ISAT Composite results from tests administered in Spring 2011 and Spring 2012. If the school does not have two years of data, one year of data will be used. A school shall receive points towards its overall performance score as follows:

25% or more exceeding = 3 points  
 15%-24.9% exceeding = 2 points  
 5%-14.9% exceeding = 1 point  
 Under 5% exceeding = 0 points

**b. Trend** - An elementary school shall be evaluated on improvement in the percentage of students in all grades who are *exceeding* state standards on ISAT Composite. Improvement trend is determined by comparing the 2012 score for all students with the average score of the three previous years. If the school does not have three previous years of data, the previous two years will be used. A school shall receive points as follows:

- For schools with 0%-89.9% of students in all grades exceeding state standards on the 2012 ISAT Composite, points are earned as follows:

No Improvement = 0 points  
 Improvement of at least 0.1 but under 3.0 percentage points = 1 point  
 Improvement of at least 3.0 but under 6.0 percentage points = 2 points  
 Improvement of at least 6.0 percentage points = 3 points

- Schools with 90% or greater of students in all grades exceeding state standards on the 2012 ISAT Composite automatically earn 3 points regardless of improvement.

#### ***5. ISAT Composite – Highest Grade Students – 6 possible points***

**a. Current Status** - An elementary school shall be evaluated on the percentage of students in the school's highest grade level who are *exceeding* state standards as indicated by the school's ISAT Composite. Current status is determined by averaging the school's ISAT Composite results for students in the highest grade from tests administered in Spring 2011 and Spring 2012. If the school does not have two years of data, one year of data

will be used. A school shall receive points towards its overall performance score as follows:

- 25% or more exceeding = 3 points
- 15%-24.9% exceeding = 2 points
- 5%-14.9% exceeding = 1 point
- Under 5% exceeding = 0 points

**b. Trend** - An elementary school shall be evaluated on improvement in the percentage of students in the school's highest grade level who are *exceeding* state standards on ISAT Composite. Improvement trend is determined by comparing the 2012 score for students in the highest grade with the average score of the three previous years. If the school does not have three previous years of data, the previous two years will be used. A school shall receive points as follows:

- For schools with 0%-89.9% of students in the highest grade exceeding state standards on the 2012 ISAT Composite, points are earned as follows:

- No Improvement = 0 points
- Improvement of at least 0.1 but under 3.0 percentage points = 1 point
- Improvement of at least 3.0 but under 6.0 percentage points = 2 points
- Improvement of at least 6.0 percentage points = 3 points

- Schools with 90% or greater of students in the highest grade exceeding state standards on the 2012 ISAT Composite automatically earn 3 points regardless of improvement.

#### ***6. Attendance – 6 possible points***

**a. Current Status** - An elementary school shall be evaluated on its average attendance rate from the two most recent school years. To determine current status, a school's average attendance rates from the 2010-2011 school year and from the 2011-2012 school year will be averaged. If two years of data are not available, one year of data will be used. A school shall receive points towards its overall performance score as follows:

- 95% or more attendance rate = 3 points
- 93%-94.9% attendance rate = 2 points
- 90%-92.9% attendance rate = 1 point
- Under 90% attendance rate = 0 points

**b. Trend** - An elementary school shall be evaluated on improvement of its average attendance rate. Improvement trend is determined by comparing the 2011-2012 attendance rate with the average rate of the three previous years. If the school does not have three previous years of data, the previous two years will be used. A school shall receive points as follows:

- For schools with a 2011-2012 attendance rate of 0%-94.9%, points are earned as follows:

No Improvement = 0 points  
 Improvement of at least 0.1 but under 0.5 percentage points = 1 point  
 Improvement of at least 0.5 but under 1.0 percentage points = 2 points  
 Improvement of at least 1.0 percentage points = 3 points

- Schools with a 2011-2012 attendance rate of 95% or greater earn 3 points regardless of improvement.

### ***7. Value-Added – ISAT Reading – 3 possible points***

**Current Status** – An elementary school shall be evaluated on its Value-Added scale score gain for ISAT reading and shall receive points towards its overall performance score as follows:

At least one standard deviation above the district average in 2012 = 3 points  
 Greater than or equal to the district average, but less than one standard deviation above the district average in 2012 = 2 points  
 Below the district average, but by no more than one standard deviation in 2012 = 1 point  
 More than one standard deviation below the district average in 2012 = 0 points

### ***8. Value-Added - ISAT Mathematics – 3 possible points***

**Current Status** – An elementary school shall be evaluated on its Value-Added scale score gain for ISAT mathematics and shall receive points towards its overall performance score as follows:

At least one standard deviation above the district average in 2012 = 3 points  
 Greater than or equal to the district average, but less than one standard deviation above the district average in 2012 = 2 points  
 Below the district average, but by no more than one standard deviation in 2012 = 1 point  
 More than one standard deviation below the district average in 2012 = 0 points

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## **VI. SCHOOLS IDENTIFIED AS NEEDING REMEDIAL ASSISTANCE**

On a date to be determined by the CEO or his designee, after school performance data is available, schools will be notified as to their accountability designation hereunder.

### **A. Schools Placed on Remediation**

Any school that receives a Remediation status as described in Section IV.B. hereunder shall participate in a remedial program in which a Remediation Plan is developed by the CEO. A Remediation Plan may include one or more of the following components:

1. Drafting a new school improvement plan;
2. Additional training for the local school council;
3. Directing the implementation of the school improvement plan; and
4. Mediating disputes or other obstacles to reform or improvement at the school.

In creating a Remediation Plan, the CEO or designee shall monitor and give assistance to these schools to ensure that all aspects of the plan, including the school budget, address the educational deficiencies at these schools and ensure the development and full implementation of a school's NCLB Corrective Action measures and/or Restructuring plan.

For all schools placed on Remediation, the CEO or designee shall approve the final Remediation Plan, including the school budget.

### **B. Schools Placed on Probation**

1. School Improvement Plan and Budget: Each school placed on Probation shall have a school improvement plan and a school budget for correcting deficiencies identified by the Board. The CEO or designee shall develop a school improvement plan that shall contain specific steps that the local school council and the school staff must take to correct identified deficiencies. The school budget shall include specific expenditures directly calculated to correct educational and operational deficiencies identified at the school.

In creating or updating the required plan, the CEO or designee shall give assistance to Probation schools to ensure that all aspects of the plan, including the school budget, reflect and are tailored to the individual needs of the school and that the plan addresses the educational deficiencies at these schools. For schools with a federal school improvement status for failure to make adequate yearly progress (AYP), the school improvement plan shall also include strategies and activities to achieve AYP and ensure the development and full implementation of the school's NCLB Corrective Action measures and/or Restructuring plan, as applicable.

The Board shall approve school improvement plans and budget for all schools, including schools placed on Probation, as part of the annual school fiscal year budget resolution. Any updates to such school improvement plan or school budget to address new data on the deficiencies at Probation schools and schools with a federal school improvement status shall be approved by the Board in accordance with the state's timeline for Board approval of federal school improvement plans. Thereafter, any amendments to the school improvement plan or budget shall be approved by the CEO or designee.

Except when otherwise specified by the CEO, the Chief of Schools and designees of the Chief of Schools shall serve as the probation team that will identify the educational and operational deficiencies at Probation schools in their Network to be addressed in the school improvement plan and budget presented to the Board for approval.

2. Monitoring: The CEO or designee shall monitor each Probation school's implementation of the final plan and the progress the school makes toward implementation of the plan and the correction of its educational deficiencies.

3. Additional Corrective Measures: **Schools placed on Probation that, after at least one year, fail to make adequate progress in correcting deficiencies are subject to the following actions by the approval of the Board, after an opportunity for a hearing:**

- a. Ordering new local school council elections;
- b. Removing and replacing the principal;
- c. Replacement of faculty members, subject to the provisions of Section 24A-5 of the Illinois School Code;
- d. Reconstitution of the attendance center and replacement and reassignment by the CEO of all employees of the attendance center;**
- e. Intervention under Section 34-8.4 of the Illinois School Code;
- f. Operating an attendance center as a contract turnaround school;
- g. Closing of the school; or
- h. Any other action authorized under Section 34-8.3 of the Illinois School Code

The Law Department shall develop and disseminate hearing procedures for hearings required before taking any of the corrective actions specified above. (*Emphasis added*).

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Finally, the role of the hearing officer, and manner in which he or she is to receive comments, are set forth in the **“PROCEDURES FOR PUBLIC HEARINGS ON PROPOSED SCHOOL RECONSTITUTIONS.”** Those Procedures state:

Upon considering to recommend to the Chicago Board of Education (“Board”) that a school be reconstituted in accordance with 105 ILCS 5/34-8.3, an independent hearing officer shall be appointed to conduct a public hearing.

- a. The hearing will commence and conclude at the time designated in the notice of hearing;
  - b. The hearing will be transcribed;
  - c. The hearing officer will be solely responsible for conducting the hearing and will conduct the hearing in an efficient and impartial manner.
2. Chief Executive Officer’s Presentation
  - a. An attorney will present the Chief Executive Officer’s proposal by marking an opening statement and submitting evidence in support of the proposal to be considered by the hearing officer.
  - b. The attorney may also introduce witnesses, who will present statements regarding the proposal. The hearing officer may ask the witnesses questions to clarify any statements they made.
3. Public Participation
  - a. The hearing officer will receive relevant statements, comments, documents or written proposals from members of the public. Written comments will be accepted at the hearing, hearing registration table, and on the next business day, before 5:00p.m., if delivered by hand to the CPS Law Department (125 S. Clark, Suite 700) or electronic mail (Qualityschools@cps.edu).
  - b. All those wishing to comment on the matter being considered will be required to sign up to do so as provided in the notice of hearing.
    - i. Registration must be made in person by the individual who will be commenting on the proposal; and
    - ii. An individual may not sign in to speak on behalf of another person.
  - c. The number of individuals in each hearing room will be limited based on room capacity.
  - d. The hearing officer will determine the order of speakers.
  - e. When called by the hearing officer to speak, the speaker shall proceed promptly to the microphone area where s/he will have two minutes to present his/her remarks and materials to the hearing officer.
  - f. The total number of persons speaking at the hearing will be subject to the sole discretion of the hearing officer.

- g. The hearing officer and the Board's Office of Safety and Security may impose any other reasonable procedures or limitations necessary to ensure that the proceedings are orderly and efficient.
  - h. Courteous, respectful and civil behavior is expected from all speakers and all persons attending a hearing, and individuals who are disruptive may be removed from the hearing.
4. Hearing Officer's Written Report
- a. Following the hearing, the hearing officer will prepare and submit to the Chief Executive Officer a written report summarizing the public comments and the documents received at the hearing.
  - b. The hearing officer's written report may also recommend to the Chief Executive Officer whether to proceed with the proposal.

## **SUMMARY OF THE EVIDENCE**

### **Testimony Received at the Public Hearing**

<b><u>Name</u></b>	<b><u>Affiliation</u></b>
<b>Ryan Crosby</b>	<b>Director, Performance Data and Policy, CPS</b>
<p>Mr. Crosby testified in pertinent part as follows: "I oversee the implementation of the District's Performance, Remediation and Probation Policy, or 'Performance Policy,' and compliance with state and federal school accountability policies. I have been in this position since June 2012, but have maintained oversight of the Performance Policy since June 2008. ...</p> <p>The Chief Executive Officer's proposed recommendation that Dewey be reconstituted is based on section 34-8.3 of the Illinois School Code. There is a copy of the statute in the binder of documents that you have received in support of this proposal. Section 8.3 grants the Chief Executive Officer and the Board of Education the authority to take certain corrective measures with respect to schools with academic deficiencies. One of those measures is placing schools on probation, which allows the Chief Executive Officer and the Board of Education to take additional corrective actions intended to correct the school's academic deficiencies. Specifically, section 8.3 allows the Chief Executive Officer, with the approval of the Board of Education, and after a hearing, to reconstitute the school if, after a maximum of one year, the school has failed to make adequate progress in correcting its academic deficiencies.</p> <p>The Board of Education has adopted policies setting forth the criteria for determining when a school is subject to being placed on probation and when it can be removed from that status. Specifically, the Performance Policy is the District's school accountability policy. Under this policy, each school receives an annual rating based on its performance</p>	



on a variety of student outcome measures, including standardized test scores and student attendance. This rating is based on a point system. Points are received for the school's current level of performance and improvement over time on standardized tests and attendance, as well as the growth of individual students from year-to-year on the state test. There are 14 separate metrics on which schools are evaluated, each worth up to three points, for a total of 42 available points. Elementary schools that receive less than 50% of the total available points earn a rating of Level 3 and are placed on probation.

CPS began using this structure for the Performance Policy in 2008. ... [I]n each of the last five years Dewey has been a Level 3 school. In the 2007-2008 school year, Dewey received 40.5% of available points. In the 2008-2009 school year, it received 38.1% of available points. In the 2009-2010 school year it received 9.5% of available points. In the 2010-2011 school year, it received 9.5% of available points. In the 2011-2012 school year, it received 14.3% of available points. Dewey has been on probation for the past five consecutive school years. The notices of Dewey's Performance Policy status for the last five school years, which were sent to the Dewey principal, are included in the binder of documents that you have received.

[N]ext ... [are] the results of the Illinois Standards Achievement Test, or ISAT, for the 2011-2012 school year for Dewey, the geographic network in which Dewey is located, and the District. Dewey is located in the Pershing network. The term "geographic network" refers to the schools that are currently in the Pershing Elementary School network, as well as elementary schools located within the community, but managed independently, such as charter schools. The calculations used in this testimony exclude full-site selective enrollment schools. The reason for using geographic network in this calculation was to show how Dewey is performing compared to all other schools within its community. ...

Dewey's 2011-2012 ISAT Meets or Exceeds Composite score, which is the combined result of the ISAT reading, mathematics, and science assessments, was 45.3%, compared to a geographic network average of 76.9% and a District average of 76.4%. In reading, the percent of Dewey students meeting or exceeding state standards was 39.1%, compared to a geographic network average of 73.4% and a District average of 73.4%. In mathematics Dewey's performance was 54.7%, compared to a geographic network average of 81.8% and a District average of 80.5%. In science Dewey's performance was 36.1%, compared to a geographic network average of 72.9% and a District average of 72.9%. As a point of reference, Dewey's 2011-2012 Meets or Exceeds Composite score of 45.3% was among the lowest 10 scores for attendance area elementary schools last year. ...

Dewey's performance over time on the metrics used in the Performance Policy ... demonstrate that the performance gap between Dewey and other schools in the network and across the District has widened considerably over the last three years. Dewey's ISAT Composite Meets or Exceeds score was 13.7 percentage points below the geographic network average in 2005-2006 and 31.6 percentage points below the geographic network average in 2011-2012. Dewey's ISAT Composite Meets or Exceeds score was 12

percentage points below the District average in 2005-2006 and 31.1 percentage points below the District average in 2011-2012.

In addition to measuring the percentage of student meeting state standards, CPS also measures the percentage of students exceeding state standards. In 2011-2012 Dewey's ISAT Composite Exceeds score was 2.5%, compared to a geographic network average of 17.6%, and a District average of 18.9%. Dewey's Composite Exceeds score was 1.9 percentage points below the geographic network average in 2005-2006 and 15.1 percentage points below the geographic network average in 2011-2012. Dewey's Composite Exceeds score was 1.9 percentage points below the District average in 2005-2006 and 16.4 percentage points below the District average in 2011-2012.

Another measure on the Performance Policy is the percent of students exceeding state standards on the ISAT at the school's highest grade level. This allows us to see how well students are doing as they exit the school. In 2011-2012 Dewey's ISAT Composite Exceeds score for its 8<sup>th</sup> graders was 2.6%, compared to a geographic network average of 16.1%, and a District average of 15.8%. Dewey's 8<sup>th</sup> Grade Composite Exceeds score was 7.4 percentage points below the geographic network average in 2005-2006 and 13.5 percentage points below the geographic network average in 2011-2012. Dewey's 8<sup>th</sup> Grade Composite Exceeds score was 7.2 percentage points below the District average in 2005-2006 and 13.2 percentage points below the District average in 2011-2012.

The performance gap between Dewey and the District is consistent across subjects. Dewey's ISAT Reading Meets or Exceeds score was 15.4 percentage points below the geographic network average in 2005-2006 and 34.3 percentage points below the geographic network average in 2011-2012. Dewey's Reading score was 15.1 percentage points below the District average in 2005-2006 and 34.3 percentage points below the District average in 2011-2012.

Dewey's ISAT Mathematics Meets or Exceeds score was 12.1 percentage points below the geographic network average in 2005-2006 and 27.1 percentage points below the geographic network average in 2011-2012. Dewey's Mathematics score was 9.4 percentage points below the District average in 2005-2006 and 25.8 percentage points below the District average in 2011-2012.

Dewey's ISAT Science Meets or Exceeds score was 14 percentage points below the geographic network average in 2005-2006 and was 36.8 percentage points below the geographic network average in 2011-2012. Dewey's Science score was 10.6 percentage points below the District average in 2005-2006 and 36.8 percentage points below the District average in 2011-2012.

In addition to standardized test scores, the CPS Performance Policy evaluates schools on attendance rate. The attendance rate for Dewey has been consistently lower than the District average. Dewey's attendance rate has declined from a high of 92.8% in 2008-2009 to 90.1% in 2011-2012, which was in the bottom 4% of attendance rates among elementary schools. Since the 2005-2006 school year, the District average for elementary schools has been consistently above 94%, and was 95.3% in 2011-2012.

The Value-Added metric, which is a component of the Performance Policy, compares student academic growth on the ISAT at a school with the growth of similar students across the District. This is done through a regression methodology that controls for nine student-level factors, including grade level, prior performance on the ISAT, free or reduced lunch eligibility, race or ethnicity, mobility, participation in the Students in Temporary Living Situations program, Individualized Education Program (or IEP status), English Language Learner status, and gender. Controlling for these factors allows us to see how much impact the school had on its average student over the past year. Because we control for prior performance, this metric allows us to identify schools with low test scores where growth is rapid, and schools with high test scores where growth is slow.

The Value-Added metric is a standardized measure with a mean of zero. Standardization means that the score is reported in standard deviation units, which is a measure of how far away the school's score is from the District average. A positive number means that students at the school are growing at a faster pace than similar students in the District. For example, a positive 1 indicates that the school is one standard deviation above the mean, meaning that the school's students are growing at a faster pace than approximately 84% of schools in the District. A score near zero means that students at the school are growing at about the same pace as similar students in the District. And a negative score means that students at the school are growing at a slower pace than similar students in the District.

Dewey's reading value-added score was -4.4 in 2009-2010, -1.2 in 2010-2011 and -0.5 in 2011-2012. Its mathematics value-added score was -4.3 in 2009-2010, 0.4 in 2010-2011 and 0.4 in 2011-2012. This means that, on average, students at Dewey grew at a below-average pace in reading in all three years and in one of the last three years in math. As a point of reference, Dewey's reading value-added score of -0.5 in 2011-2012 was in the 28th percentile and its math value-added score of 0.4 was in the 69th percentile.

To conclude, Dewey Elementary School is on probation in accordance with state law and the Performance Policy. The school has low performance, this performance is consistently low across subject areas, and the school is not making sufficient progress in catching up to the rest of the District."

**Victor Simon**

**Chief of Schools, Pershing Elementary School Network**

Mr. Simon testified in pertinent part as follows: "Chicago Public Schools are divided up into Networks, managed by a Chief, and provide support and oversight for the schools assigned to them on behalf of the CEO. Dewey is within the Pershing Elementary School Network and I am responsible for the support and oversight of Dewey on behalf of the CEO. I have been the Chief of Dewey since April of 2012. ...

Dewey has been on probation for the past five consecutive school years for failing to meet the CPS required standards for minimum student performance. ... [T]he school has demonstrated low academic performance across subject areas and students are not growing at a rate consistent with other comparable schools in the geographic network and

the District, as measured by Board policy. Based on the Performance Policy and my observations, I have concluded that Dewey has made insufficient progress in improving student academic achievement. ...

I am aware of how the District has supported Dewey in an attempt to correct its deficiencies during the last several years with programmatic, professional development and mentoring supports.

Since Dewey has been on probation, the District has provided oversight of its discretionary budget to ensure funds are allocated in line with the goals for improved student outcomes. Prior to this school year, this was done through the School Improvement Plan for Advancing Academic Achievement, or SIPAAA. The SIPAAA was created with input from data and several stakeholders to identify the key areas where the school needed improvement, plan interventions to support the school, and allocate funds accordingly. The Chief provided input in the creation of the SIPAAA, and the Board of Education also approved the SIPAAA. ...

The Network has provided additional support to Dewey in an effort to correct academic deficiencies at the school. During the 2011-2012 school year, the Network assisted Dewey in the following ways:

- First, the Network provided the Dewey administration with principal coaching by pairing the school with a retired CPS principal, who spent approximately 40 days throughout the school year working with the administration.
- Second, the Network coordinated a Diagnostic Visit, performed by Atlantic Research Partners, to help identify areas of strength and potential areas of focus for the Dewey administration.
- Third, the Network paid for Dewey to receive online student achievement programs, including eSpark, a program that uses student data to create individual learning profiles and offers online educational activities tailored to each individual student's learning needs, and ST Math, an instructional software program focused on growing students' reasoning abilities to explain, understand, and solve multi-step problems.
- Fourth, Network Instructional Support Leaders, or ISLs, provided two full-staff professional development sessions focused on effectively using Northwest Evaluation Association student assessment data.
- Finally, Network ISLs made bi-weekly visits to Dewey to provide support and coaching to the administration and teachers.

Beginning this school year, the District began providing oversight of Dewey's discretionary budget and goals for improved student outcomes through the Continuous Improvement Work Plan, or CIWP. The CIWP is a two-year strategic plan, created by a team of participants at the school level with support and guidance from the Network Chief. A CIWP team consists of 6 to 12 committed stakeholders, including parents, teachers, the principal, and other members of the school community such as Local School Council representatives. The CIWP team uses data and self-evaluation to set student performance goals, develops strategic priorities, identifies milestones and creates an

action plan for each priority, and allocates funds in the budget to align with its goals and strategic priorities. The Network Chief provides input throughout the planning process and also approves the CIWP upon completion on behalf of the District. The Board of Education also approves the CIWP, ... .

The Dewey CIWP set the following strategic priorities to improve student achievement and created an action plan for each.

- The first goal was to produce students proficient in reading and math upon completion of the pre-kindergarten program, prepared for primary grades.
- The second goal was to provide consistent, effective, data-driven instruction in third through eighth grades using balanced literacy and math models.
- The third goal was to implement a whole-school positive behavior support model to improve school climate and increase student engagement.

The Network has provided additional support to Dewey this school year in an effort to correct academic deficiencies in the following ways:

- First, prior to the start of the school year, the Network provided a summer institute for teachers and leaders focusing on the implementation of the common core state standards and curriculum development techniques for ensuring academic rigor.
- Second, the Network Assistant Deputy Chief has made bi-weekly visits to Dewey for coaching sessions with the administration on topics such as effective classroom observation and feedback strategies, the use of student performance data, and overall operations and management needs including, but not limited to, various personnel matters and assessment framework implementation.
- Third, Network ISLs have provided five coaching professional development sessions to the Dewey administration and two coaching professional development sessions for kindergarten, first, and second grade teachers regarding early literacy programs and the use of data to inform instruction.
- Fourth, the Network continued to pay for Dewey to receive the online student achievement program, eSpark.

Despite the supports provided by the District in recent years, student academic growth at the school according to the Performance Policy has not kept pace with District averages. For individual students and for the community, there is an urgent need for the performance of Dewey to improve and to improve quickly. Accordingly, the CEO is recommending that Dewey be turned around.

If the Board approves the proposed turnaround of Dewey, students will not be displaced from the school. Instead, a new team of administrators, faculty and support personnel will be staffed at the school. ... [T]here is an urgent need to accelerate student achievement at Dewey, and prior supports and interventions have not produced satisfactory results. The CEO believes that a turnaround will accelerate student achievement and provide Dewey students with better educational opportunities.”

**Dr. Terrence Carter**

**Director of Curriculum & Instruction, AUSL**

Dr. Carter's testimony was primarily for the edification of the Dewey school community, and did not bear on whether 5/34-8.3(d)(4), and the Board's Policies and Procedures applicable to the proposed reconstitution, were complied with. He testified in part as follows: "I am employed by the Academy of Urban School Leadership as the Director of Curriculum and Instruction.

The CEO has asked me to appear at this hearing today to convey to ... the Dewey school community, as well as interested members of the public in attendance, information on the Academy of Urban School Leadership, otherwise known as AUSL. ... I have been the Director of Curriculum and Instruction since 2010. ...

AUSL is a non-profit agency that partners with CPS to manage schools. AUSL is a proven turnaround provider that has a great deal of experience improving student achievement at chronically underperforming Chicago Public Schools, both on the elementary level. AUSL manages 25 schools and 7 are "dual mission" CPS schools, which include training academies that equip teachers to work specifically in turnaround settings. The remaining 18 schools are turnarounds; 16 elementary schools and 2 high schools.

While the turnaround process is a multi-year journey, experience has shown that AUSL turnaround strategies create higher performing schools with accelerated student academic growth and other indicators of good schools. AUSL has transformed schools with disorderly school environments and persistently low student achievement into schools with positive school climates that are inviting and conducive to increasing student achievement and accelerating student academic growth.

[C]ompar[ing] the percentage of students meeting or exceeding state standards before AUSL managed the school to the same schools' performance in the 2011-2012 year ... , AUSL turnarounds have produced the following results:

- At Howe School of Excellence, only 42.8 percent of students were meeting or exceeding state standards on the ISAT before the turnaround. In year four, 70.2 percent of students were meeting or exceeding state standards.
- At Morton School, only 41 percent of students were meeting or exceeding state standards on the ISAT prior to the turnaround. At year four of the turnaround, 78.2 percent of the students were meeting or exceeding state standards.
- At Dulles School of Excellence, only 48.5 percent of students were meeting or exceeding state standards on the ISAT before the turnaround. In year three, 70.1 percent of students were meeting or exceeding state standards. ...

[C]ompar[ing] the schools' performance growth for the last 6 years to that of the District ... , every year since 2007, AUSL's average yearly increase in the percentage of students meeting or exceeding on the ISAT has more than doubled the average yearly increase at CPS.

AUSL has developed a data driven framework that is the basis for its plan to improve academic performance outcomes at Dewey, including:

1. First, the development of rigorous, transparent goals for schools, teams, and individuals, including a high expectations and no excuses climate and culture;
2. Second, the use of performance management systems with cycles of inquiry and data driven intervention;
3. Third, the inclusion of high-quality instruction through implementation of Common Core State Standards to ensure a rigorous instructional program that gives students the knowledge and skills needed to be college and career ready;
4. Fourth, efforts to recruit, retain, and motivate high-quality staff to meet the needs of the school community, including educators with the appropriate bilingual language skills and special education training;
5. Fifth, intervention and tutoring services for students who need extra support in reading and math;
6. Sixth, advanced data systems and aligned assessments that allow staff to identify students who need additional assistance early and give them the help they need to stay on track;
7. Seventh, after school programs to give students access to additional instruction time to further accelerate student achievement;
8. Eighth, professional development and coaching that give teachers the strategies and tools needed to address diverse needs of students in challenged urban environments; and
9. Finally, extensive curricular enhancements, including fine and performing arts and athletics, to round out the curriculum and extend the students' time at school learning.

AUSL's full school turnaround plan also includes improvements emphasizing students' social-emotional behavior, with:

- Effective attendance and discipline policies;
- Safe and orderly school and classroom environments;
- Focus on skills related to self-management, responsible decision making, empathy toward others, establishing positive interpersonal relationships, and determining positive goals; and
- Partnerships with outside agencies that provide additional supports to students and their families. ...

AUSL's full school turnaround plan is designed to be a comprehensive approach to teaching and learning. If the Board approves this proposal, AUSL would welcome the opportunity to serve the Dewey school community."

**Pat Dowell**

**3<sup>rd</sup> Ward Alderman**

She testified in opposition to the proposal to reconstitute Dewey, as follows: “Attorney Bates, thank you for holding this hearing that will affect the futures of thousands of Chicago children, their teachers, and all our schools in my neighborhood. I’m Alderman Pat Dowell from the Third Ward.

You might notice that in 2009, it looks like based on the presentation a lot of the scores and the numbers begin to dip. So you might ask, well, what happened in 2009? In 2009, there was a death of a principal of Dewey School, which was a very traumatic situation in terms of what had happened. And I think the students in the schools were affected, the whole neighborhood was affected, and it has been hard recovering from that. But is Dewey ready for making rapid, deep improvement? It is, yes, without a question. And I want to provide you with some evidence.

First, starting three years ago, the Local School Council put in place a new principal and assistant principal. Today, 70 percent of the teachers are new. Second, working together, the teaches and the administration has developed a strong action plan that draws upon the best high-performance research from education and business. I ask you to read it carefully when it's presented to you. Third, this team that I have gotten to know has the necessary energy, creativity, and commitment to quickly transform the things that need to be improved. Fourth, over the past two years, Dewey's ISAT scores are improving more rapidly than the Citywide average. Today, this means that about 300 CPS elementary schools are improving less rapidly than Dewey has been.

In the year before the new administration team arrived at Dewey, Dewey's ISAT scores had fallen 50 percent. They fell from a score of 60 on reading to a score of 30. Their improvement since then is a remarkable story of improvement. This team is ready to go tomorrow. Do they have the right partners they need to support what they want do? Yes, they do. CPS has identified two partners to choose from.

The first model that CPS uses is the Academy for Urban School Leadership, which takes over the management of the school to turnaround the ISAT scores of schools whose performance has stalled. Their first school was launched in 2006. This model assumes that the school staff are the major barrier to progress, so they remove virtually all of the staff before starting. They hire new teachers that have been trained in their own program for their schools.

The second model that CPS has used that CPS helped design, is ... the Chicago nonprofit Strategic Learning Initiatives. It also started in 2006 by working with ten schools, all of them at the bottom range of the ISAT scores. The CPS SLI model retains all the staff at the beginning of the process, and is based on systematic research. As the process unfolds, some staff leave the school. CPS SLI schools, or Strategic Learning Initiative schools, also have an excellent record of transforming ISAT as a result, and the school culture.



A month ago, Barbara Byrd-Bennett invited the media to join her in a visit to the Willa Cather School in Garfield Park. She wanted to show them what a welcoming school would look like that would welcome students from the closing schools. Cather is also the most improved school in the CPS system over a five-year period, as measured by both its ISAT Composite score and the school culture. Cather is also an example of the CPS SLI, Strategic Learning Initiative model, for school transformation. The same CPS SLI model has been used elsewhere in the State of Illinois, and it has transformed three high schools in downstate Illinois.

The CPS SLI modeled costs less than \$200,000 per year per school. This compares to the over \$1 million per year per school for the CPS AUSL model. For each CPS AUSL school, CPS could fund five CPS SLI schools. And in this day of dwindling resources and dearer resources, we should think about the financial impact of the decisions that we're making. To my understanding, Dewey has chosen by a 91 percent confidential vote of their staff and a supportive decision from the Local School Council, which includes the principal, to apply to CPS for them to use the CPS SLI transformation model. They want to keep their new team together that has already begun to turn this school around. This choice will also save CPS the \$2.4 million over the next three years.

In closing, I'm urging you, Attorney Bates, the Hearing Officer, and the CPS staff that is present, to make this recommendation to the leadership of CPS and the Board of Education. The Dewey School, and the three other schools that have studied and voted for the CPS SLI model, should be allowed to use that model to continue the transformation of Dewey that the new Dewey team has so successfully started.”<sup>2</sup>

**Eric Dockery**

**Principal**

He testified in opposition to the proposal to reconstitute Dewey, as follows: “[W]hen you look back at those last five years that we have been on probation, those last five years, well, the first two look quite a bit different from the last three. You see, as Alderman Dowell said, a drop. But it was more like a plummet between the scores in 2009 and 2010 when I arrived. That question, again as Alderman Dowell said, what happened? What could have possibly happened for a school to drop that much? Well, a lot of things happened. As she mentioned, the principal at the time, you know, pass I away in the school at an LSE meeting. It was quite traumatic for the children. That led to a spiraling downward affect for the school. In essence, we were broken. I mean, we were just flat broken. When I arrived it was time to put things back together. Now, if you think about it, if there was going to be a turnaround, back in 2010 when we were at our low point, that probably would have been the best time for a turnaround. Since then, however, we have taken the steps to rebuild the school, and that's what we're still doing, we are rebuilding.

You see increases in our scores for the last two years, and as we do, with us putting in the programs and interventions that have more of a long term affect, and you will hear about those. So the school was broken. So when the school is broken to the extent that we

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<sup>2</sup> Alderman Dowell’s statement was received into the record as School Exhibit 2. It will not be summarized further below.

were, it takes time and effort to put it back together. You have to start somewhere. If it was a quick fix that could change the test scores just like that, no problem, I would have done that. But the extent that we were broken, it's not just putting the train back on the track. It's a rebuilding the tracks and rebuilding the train. And that's what we set out to do.

And the first thing is do you have the right people. You need the right people in order to do the work that we needed to do. That's why over 70 percent of our staff is new. In just this last year, we are a small school, we only have a total staff of 52. But these are not just 20 people this year, or 70 percent over the last three years, these are committed individuals who bought into my vision, who want the best for our students. Who understood the hard work that it was going to take. Who also understood that it was going to take some time. That this was not for a quick fix, and they were in it for the long haul. So I think they are all to be committed for joining me on this struggle.

And now, we are starting to see progress. We, in addition to having new people, we've invested in the infrastructure of the school. We believe that our students deserve the best. We believe that our students, despite the area that they live in, they need the same the access to technology, the same access to a high quality education, the same high quality resources that they would have if they had been in a more of affluent area. So in that area of technology, we have made tremendous strides. We are one of the District leaders in the use of technology, and you will hear a little bit more about that. We have been recognized by the Chief Technology Officer. Victor Simon mentioned that he was able to support us with a program, eSmart. Well, he was able to support us with that because we wrote a grant, and through our budgeting were able to acquire iPads to be one-to-one for all of our middle school students and all of our special needs students. So it's because our efforts and this, you know, help us working together, that we were able to accomplish this. And you're starting to see the results.

Another area that we knew we had to address was the socio-emotional and physical and mental health well-being of our students. Not only was the school broken, it had an affect on the students. We had to repair the students as well. I wish this could have been an easy process, I wish this could have been a quick process, but it's not. It just simply isn't. So we had to do the work that's necessary.

We have invested tremendously. And I acquired partners to provide additional mental health services and counseling for our children who need it. And we find that the more we listen, the more we discover and the greater need that we have. And you will hear from one of our partners, CRT, and you will hear from our partner with our safe schools grant to show the commitment that we have to repair our students and making sure they are ready learners.

Again, looking at the schools, look at the ISAT scores, they have been on the increase forth the last two years. Looking at all of the schools, and really focusing on those schools that were receiving a zero on the Performance Policy, these schools that were less than 50 percent, they are only four schools in the last two years that have two consecutive increases. Dewey was among those schools. Now, our Network has really de-emphasized ISAT. We've not really put a great emphasize on ISAT. We have been

looking at the new meters that the Board uses, that CPS uses, and that is the NWEA measure of growth. In that measure last year, that's the first year that we adopted it, Dewey was among the Network leaders.

So in reading, Dewey had 68 percent of our students meet their growth target. And 69 percent of our students meet their growth target in math. That put us in the top 35 percent of schools nationally. So we are heading in the right direction, and we have the data to show this.

Again, a school being broken the way that we were is going to take some time. But we're already starting to see some results. Another area, and this is a long term fix, because we weren't in this for a short term. We are headed for the long haul. So again, being broken, where do you start? What better place to start than with our earliest learners, to build a foundation of success in future years. So building on the strength of our child-parent center, the child-parent center is an early childhood model that emphasizes learning not just for children, the C in the CPC, but for their parents as well, the P in the CPC. We were fortunate enough to be part of a CPC expansion this year. So the CPC started in 1967 in Chicago, and it started as a PreK-to-third grade model. This year, we are starting back on that model for PreK to third grade. With the help of Dr. Arthur Ellis (phonetic) and the CPC expansion grant, we were able to take everything that came with that grant, and that's the re-conduction of the parent resource teacher and the school community rep, and all those resources to help kids learn, our youngest learners, and we doubled down on that.

We introduced technology. So we have SMART boards in every one of our child-parent center, or the full day rooms and full day kindergarten and full day PreK. So, yes, we were able to offer full day for our four-year-old students. And not too many schools are willing to do that. We're starting to see the results of that. These students are going to be prepared, just like I wrote in the SIPAAA, these students are going to be prepared for kindergarten, first grade, second grade. And when they get to third grade and take whatever standardized test is still around, they will be ready. But that's planting a seed. That seed is going to produce fruit. I plant seeds. But I also know that we have to plant trees. We have some students in third through eighth grade, and that's where we are turning our attention now. Again, if I could have fixed everything all at once, I would have, but that's impossible.

So now, we are moving this next year towards improving third through eighth. Jump starting third through eighth, because we have that divergence here as well. But again, knowing, being in the school and knowing everything about the school, we knew that this was going to be a long process. So getting to that process of jump starting third through eighth and continuing to building on our strength of preK, we have seven major findings of fact, explanations and plans for enhancing our current reforms.

Number one, Dewey is implementing a comprehensive turnaround strategy already composed of five elements. Number two, significant progress has been achieved over the past three years and deserves more time to be fully realized. Number three, a comprehensive plan is supposed to continue and further enhance reforms without AUSL

intervention. Four, the proposed turnaround will create instability at a time when stability and continuity are needed most. Number five, align the turnaround strategy, our own strategy, to continuity with additional enhancements, not at CPS's expense, but additional enhancement will save CPS money. Six, achievement growth is larger than comparable schools at the time they began the AUSL turnaround. And finally, number seven, achievement growth at the time of the Board's decision is larger at Dewey than the close-by school, Holmes, whose recommendation for turnaround was withdrawn in 2009 to improve achievement. I would like to submit to you our plan, our progress report for 2010-2013, and the comprehensive plan to enhance student learning.”<sup>3</sup>

**Nicole Ferrin**

**Spec. Ed. Teacher**

After a career in business she decided to make a difference and become a teacher at an inner-city school that was under-performing. She picked Dewey because of the vision of the school Administration. “When it comes to the middle of the year NWEA scores in reading and math, all of my students, 67 percent of my students met their goals. 100 percent of my students who met their math goals exceeded them, and 75 percent of my students who met their reading goals exceeded them. And this growth could not have happened without addressing their behavior challenges as well.”

**Talitha McFadden**

**Spec. Ed. Classroom Assistant**

Building relationships and trust is very important in the students' learning and achievement. Even as a relatively new staff member, she has been able to develop trusting relationships with the parents, the students, and staff. The staff is very committed to learning of the students. She gave an example of a previously troubled student and said that they worked together and built confidence, and now that student is one of the leaders in the school. He is also only in special education classes for English Language Arts. He has become a very great part of the general education classroom.

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<sup>3</sup> The School's presentation was received into the record, and several Dewey proponents subsequently testified to the substance of the contents of School Exhibit 3. Therefore, it will not be summarized in detail below. It is noteworthy that many of the 37 Dewey Partnership entities wrote letters on behalf of Dewey, and they are also contained in School Exhibit 3, in addition to the School's comprehensive plan to enhance student learning through the SLI Model testified to at the Public Hearing and summarized herein.

This Hearing Officer was the Hearing Officer in the Holmes Elementary School Reconstitution Hearing referenced by Principal Dockery. In footnote 7 of my Recommendation in that case, I noted: “Perhaps the additional resources that even the Holmes’ witnesses acknowledge will be brought to Holmes School by the proposed school management organization [AUSL], will serve to get the students ‘over the top.’”

It is not the role of Hearing Officers to substitute their judgment for that of the CEO, no matter how tempted they may be to do so. The Hearing Officer's role is to summarize the evidence for the Board and, more importantly, to ensure that all applicable laws, Policies and Procedures have been complied with. The witnesses from Holmes Elementary School presented a very impressive, and viscerally compelling case for rejecting the CEO's Proposal. That does not change the fact that the CEO's Proposal complies with the applicable laws and policies with regard to reconstituting Holmes School, which is the only issue before me. ... A Hearing Officer must have more than conjecture, allegation and surmise before rejecting the CEO's Proposal.” In this case, Alderman Dowell, John Simmons and Principal Dockery's testimony, and the written submission of State Representative Golar, when considered with the quantitative results on the Fall 2012-Spring 2012 NWEA exam submitted by Ms. Colleen McGinley, (*infra* note 7's accompanying text at page 38), presents an alternative to the CEO's Proposal, particularly when the competing costs are considered. See also School Exhibit 9, comparing Dewey's Math and Reading NWEA scores to other schools in the Network (5<sup>th</sup> out of 29 schools in Reading), and showing the Poverty Rate of the student population at Dewey as 94% and the Mobility Rate at 34%. However, as noted below, the CEO's Proposal in this case complies with the requirements of the Illinois School Code 105 ILCS 34/5-8.3(d)(4), and the applicable Board Policy and Procedures, and I will not substitute my judgment for the CEO's when she has fully complied with said laws, Policies and Procedures. Finally, the fact that there are other under-performing schools in the Network that are not being reconstituted at this time may seem unfair to the School Community, but nothing in the Illinois School Code requires CPS to take action on under-performing schools beginning with the lowest performing school in a Network first.

“[Y]ou may not see the growth, but I think the staff that are there every day working hard, we definitely do see the growth and the work that is being put forth.”

**Jacquelyn DeLaney**

**21th Century After School Program Coordinator**

Dewey has multiple and varied programs for students and parents before and after school. Dewey is a vibrant community. The relationship with parents has improved under this administration.

**Susan Friel**

**Art Education Teacher**

It is important to recognize the contributions of the arts to learning. Dewey has stellar arts partners now. She has raised over \$50,000.00 in grants for their program. Art does not always show on standardized test, but it saved a student's life at Dewey.

**Lisa Cooper**

**State Farm Ins. Co. Community Rel. Specialist**

She testified in pertinent part as follows: “I began working with Mr. Dockery in his role as assistant principal at Horace Mann Elementary School. Mr. Dockery reached out to me to provide educational programming on fire safety and 911 call stimulation programs to his students.

Mr. Dockery was quick to contact me about his new assignment at Dewey. He advised me that while he would be working closely with his Local School Council, he would also be forming an advisory council to identify and reach out to other partners for support. We began the council with State Farm and Sherwin Williams, and continue to build upon these existing partnerships. Advisory council members have introduced new partners to Dewey.

One specific example that I can provide is the involvement of the Illinois State Police and Wal-Mart. I was contacted by the sergeant that I work with on the community programming with the Illinois State Police. She mentioned that she was working with Wal-Mart on a Christmas program and they were looking for a new school with whom they would partner due to lack of response at the existing school. She asked me for a recommendation, and I offered Dewey Elementary. The sergeant was impressed with Mr. Dockery's response time. His teachers and staff were timely with students' wish list, which added the Illinois State Police in acquiring gifts and treats for from Wal-Mart for the entire student body.

In addition, the Chicago Police Department assisted along with the Chicago Fire Department and Santa came to Dewey in style in a big red fire truck. The Wal-Mart executive was shocked to see the students with their iPads to record the day's activities. They were even more shocked to see and learn that Principal Dockery had applied not for just one, but two grants to make certain that the middle school students and the special needs students all had iPads.

Mr. Dockery truly understands and knows how to form and leverage key partnerships.”<sup>4</sup>

**Caryn Curry**

**Mental Health America of Illinois**

MHAI as an organization has no official position on this decision or the District's recommendation to turnaround Dewey. However, she was “very pleased to share ... the work that MHAI has been doing with Dewey since this past summer. In the spring of 2012, Dewey was one of just 29 schools in the entire District selected to participate in the \$750,000, 3-year-long comprehensive implementation of social and emotional learning. And we have called that project the Safe schools Pilot Project. One of the goals of this project is to examine the impact of social and emotion learning on bully reduction in schools. An equally significant objective is to support, in this case Dewey's, efforts the create optimal conditions for effective learning and healthy development among students, staff and the entire school community. The research is very clear that effective implementation of social and emotional learning programs yields outcomes that are consistent with the Illinois State Board of Education's priority to create those aforementioned conditions for effective learning and healthy development.

Among others, the some of those outcomes include student attitudes about self, others, and schools are significantly improved. Student attendance is improved. There is a reduction in conduct problems and aggressive behavior, with effective can ACL programming. There is reduction in aggressive conduct in the school. There is an increase in positive classroom behaviors. Students solve problems more effectively and improving their planning abilities. There is improvement in the math, literacy and social studies skills, and there are statistically significant gains on standardized achievement tests with the effective FCLS programming. ...

Our implementation process is based on the very highly regarded CASEL implementation model, which is the Collaborative for Academic Social and Emotional Learning. The CASEL model, which includes at its core training and development of a building implementation team and ongoing coaching. Our project also includes multiple all-staff trainings and a process for parent and community engagement designed to enlist as many stakeholders as possible in the education and nurturance of these children. The Safe Schools Pilot Project is a community building project as well as in as much as it is a school project. Over the course of this first year in the project, Dewey administration, staff and parents have begun developing trusting relationships with project staff. Common sense tells us that trust is important to a partnership. Neuroscience confirms the importance of positive interpersonal relationships to successful team building.

The Dewey staff has also diligently participated in all project requirements, despite the various challenges that have confronted them over the course of the school year. Parents have participated in meaningful conversations about their role in teaching their children social and learning skills.”<sup>5</sup>

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<sup>4</sup> Her statement was received into the record as School Exhibit 4. It will not be summarized further below.

<sup>5</sup> Her statement was received into the record as School Exhibit 5. It will not be summarized further below.

**Tiffany Conroy**

**LCSW, Children's Research Triangle-Dewey Partner**

“My agency has had a relationship with Mr. Dockery for about four years now. When he moved to Dewey it was he who reached out to us to build a partnership at his new school. Mr. Dockery and the Dewey administration understand that the students' emotional well-being is directly connected with their academic performance, and there is has been ireless work to cultivate that understanding among staff and students and it's working. The shift in students' learning how to learn is critical. We currently have 30 students receiving services, and at least once a week I have a kid come up to me in the hallway with tears in their eyes asking me when I'm going to be their counselor. There is not just a want for these services, there is a need. ...

Dewey is not just for walls, classrooms, and basketball courts, it's a consistent security blanket for many students. If you were to change everything that the students know about Dewey and take away everyone they go to for comfort and security, you would be taking away one of the only resources that Their students have to find safety and hopefully to heal from their negative experiences.

A study in 2009 showed that a trusted therapeutic relationship that is tailored to the individual needs can be a large percentage of the why a client improves. The staff at Dewey knows their kids. They know them by name, some of the staff know their parents as well because they were Dewey students as well.

Please consider my appeal to not turn around Dewey and allow them to continue on the path of consistency, safety and security that they have only just begun.”

**Hassie Johnson**

**Teacher**

“I'm one of the 20 who came this year. However, prior to coming to Dewey, I worked as Chicago Public Schools Learning Technology Center Director. I was also a part of the technology education team here in Central Office. My desire was to touch people, and not just policies and other documentation that I touched on a day-to-day base. Since I've been at Dewey, I found out there is a lot of technology, there is all types of different devices, from iPads to laptops to overhead projectors, even to SMART boards. However, many educators know that a device without education is just a device, and it might serve very little purpose. That's where I come in. I am a technology education specialist. My job at Dewey is to make sure our students understand how to effectively use the technology that is at hand. My job is also to work with the staff, and I help the administration to make decisions on what technology we invest in and how it's rolled out. Many schools might have technology, but Dewey also has the expertise that will allow our technology to effectively impact our students.”

**Angela Wooten**

**Full-Day Pre-K Teacher**

“This is my first year at Dewey, my 20th year teaching. I have seen so much incredible growth in the four year olds that I have my classroom, and I would like to see the fruits of

my labor, to see them in kindergarten, to see them in first grade, second grade, third grade. Myself and the staff at the CPC and the staff in the building, we've worked hard to establish a working community at Dewey. I have children that are emergent readers. Which when I told people at my Englewood, I told them my children are reading, it's basically unheard of. The children are, if you tested them now, they would be at a first grade level. That's basically unheard of. And that's from the children that I'm receiving from the three-year-old classroom. We need to stay. We need to see what we are doing three or four years from now. We work hard with these children. They have embraced us as a family and as a community. And even though this is my first year at Dewey, it's like I've been there my whole teaching year.”

**Rhonda Russell-Henderson**

**Assistant Principal**

“I wanted to talk to you about point three in our binder that we presented, it is our comprehensive plan without turning us around with AUSL. In this plan is a multiple-year journey with the support from the IPPC (phonetic) expansion project, where our plan is to improve our currently performance without AUSL.

The first thing is we have contributions over the next two years through the IPPC grant. We're not asking the Board to fund us with anything but our current budget to be able to provide support for our teachers and our students.

Number two, we are providing a steering committee with our partnership with the help of our I3 grants, and teachers and administrators from the school. That steering committee will be able to monitor overall implementation of our new program and practices.

Number three, we are trying to -- we will prioritize three, four areas. Our first area is instructional framework across all grade levels, otherwise known as "The Dewey Way." We will be working on planning, teaching and progress monitoring all aligned with the common core. With that, we will have the continuation of the primary pallet, which are K-through-3 teachers, working with our Pershing Network, who will also expand the reading and math workshops in all grades. These programs will be developed and have rigorous goals with a no excuse attitude from our staff, our students, and administration.

Number four, we will provide additional support in K-through-3 classrooms by hiring instructional programs. In our IP grant, we were supposed to roll out instructional aids each year as our four-year-olds made it to third grade. With the help of the IP grant, we will be able next school year to put instructional aids in classrooms from kindergarten to third grade, which we know are very important grades to have smaller class size and sound instruction. All of these things are well-documented by research that small classrooms, low child-to-teacher ratios are beneficial from preschool to third grade.

Number five, we will hire a curriculum specialist and interventionist. Three years ago during the Reading First grant, the Board provided interventionists in schools to help K-through-three instructions to help students at the earlier grades to get the target instructions and interventions they needed to become readers. So our plan is to provide that same instruction to all of our students. Because if you come to Dewey, you will find



out that many of our students sitting in third to eighth grade are reading at a pre-primary level, and that the material that is presented in front of them is already a struggle, they are already working at a frustrational level. So this person will be able to come in, pull groups, and be able to support students at their reading level and even where they are, which is the current research is leading. Teachers need to be able to access them at their reading level and then move them up. Currently at Dewey that is one of our biggest challenges. Most of our students are not at reading levels, which you see in our test scores. One of our first challenges that we had to work on was identifying these students and making sure that they get the proper intervention.

Number six, the head teacher of the CPC and myself will be the primary support for teachers, being in their classrooms, monitoring instruction, and helping teachers plan classroom instructions and lessons. ...

[A]ll of our PD modules will be aligned and supporting with all of our practices in the school.

And number eight, we know that we go cannot do this alone. Our first year as administration we were able to work with a company called Achievement Network or otherwise ANet. When working with ANet we learned how important it was to curriculum map, to be able to understand PAC standards and realize what we needed to teach in order for our kids to access instruction. So with the guidance of ANet, they would provide us aligned assessment. With the help of ANet, they will be able to come in and support teachers, staff, and administration on curriculum mapping, and they will also align assessment in six weeks intervals where we will be able to find out if our kids are meeting their skills, and if not, how can we go back and re-teach these necessary skills in order for our kids to be successful on any standard exam.”

**John Simmons**

**President, Strategic Learning Initiatives (“SLI”)**

“Strategic Learning Initiatives, has been supporting over 16 Chicago schools over the last three years. Over the last ten days the teachers in Local School Councils, four of the six schools cited for turnaround with the CPS AUSL model, have voted for an alternative model. They voted to ask the CPS leadership for an alternative that was proven with the CPS Schools that would be more effective, less destructive, and one fifth the cost of the CPS AUSL model.

The CPS Strategic Learning Model has been used not only in Chicago, but also by the Illinois State Board of Education to transform the results of failing high schools in Chicago. In the last three years, three high schools have turned around their scores within less than a year as a result of applying our model, and they were all at the lowest list of performance. This year we started working with and East St. Louis High School. That's the fifth high school in Illinois.

In 2006, the first year that the CPS SLI model was used in Chicago, the lowest performing elementary schools in Chicago became (inaudible). In the first year, three of the schools turned around their ISAT scores and the school culture in the first year. In

the second year, three more of the schools turned around their ISAT scores and the culture. And in the third year, the last two of the students turned around their scores.

These results have been validated by the American Institutes of research. They have published a study that's on our website, so anybody can look at that. Here is the basic question. How did these elementary schools, which have been failing for 10 to 15 years, on probation for that length of time or longer, how could they, with the same parents, teachers, students, administration, within less than six months begin to show significant progress in their weekly assessments? And then at the end of the year, ISAT scores.

Here is the basic reason. There are four drivers to systemic, deep, and powerful change in any organization, and especially with the school we have tailored the reach, which is for the school folks. The four drivers are these.

One, the effectiveness of the school leadership team in leading the change effort. We work a team training coach and are available 24/7 for any of the members of that team. So we do get phone calls at 2:00 o'clock in the morning and we are out there saying, Mary Jane wants to talk to you. How can I help you?

Second, the power of the systemic research that is behind the transformation efforts. The model includes a number of components, all very common sense components. They come in part from the essential supports developed by research at the University of Chicago. They include professional development for teachers, for the principals, support for the parents, learning the common standards to apply them to homework that they get in our workshops. So that teachers and the students and the parents are aligned on a common core from the first week they come to school. Furthermore, it's important to build a culture of trust in the buildings, and finally, to have shared leadership as an effective piece of this triangle. The essential supports says what to do, but what our work shows is how to do it, how to actually implement these efforts. Remember that the (inaudible) for a long time before the scores have improved dramatically in CPS with the model, such as ours, at low cost.

So the next and crucial driver is that third driver. The third SLI team of former principals of turnaround schools, former master teachers and parents with abilities as well leading these workshops.

Finally, the fourth arm of course is the alignment of the people in the buildings with the people at the Central Office. From the very beginning we have very close relationship as we designed together with the CPS leadership in 2005 and 2006 exactly what this model is going to look like.

So four major drivers from our experience. And in conclusion, the Strategic Learning team after spending some time hopefully with our colleagues at Dewey indicate and believe that the combination of the results that the new teams have been able to achieve over the last three years, combined with the experience and skills that the Strategic Learning team will be able to share with the Dewey team, it will be a very significant transformation of the Dewey results, for the Dewey family and the CPS as well."

**Arthur Reynolds****Co-Director, Capital Research Collaborative-Partner**

He stated that it really comes down to “which plan for Dewey will meet the largest improvements in two or three years. Is it building on momentous gains that have been achieved in the last three years since 2010, and they're now occurring [through SLI], or is it starting all over again with a new system under the AUSL framework.” He noted that: “Dewey is already undergoing turnaround under the US Department of Education's Office of Investing Innovation. And that Dewey is 1 of 16 schools in Chicago that is receiving over \$300,000 per year investment that we are contributing.” They are committed to providing an additional \$440,000.00 to Dewey over the next 2 years to implement needed programs the current school administration wants to implement.

**Matthew Johnson****Local School Council Chairperson**

He stated in pertinent part: “How can the Network Office say they have assisted Dewey for the past two years, and they refused to meet with key stakeholders of the Local School Council? ... We at the Local School Council, which consists of teachers, principal, community and parents, refuse to accept any proposal from Network Office or CPS that identifies Dewey as a low performing school. Especially when we are one of the few probation schools that is improving in reading and math during two consecutive years.” He submitted signatures of the parents of the school who are unanimously opposed to the AUSL takeover. He reached 80% of the parents. 100% of those who he reached opposed AUSL.<sup>6</sup> He does not feel that Dewey needs another “start,” rather they need to saty the course that they are on. Finally,

**Kelly Tyler****Parent**

She is the parent of a pre-k child at Dewey and stated: “I can see a remarkable change in my daughter since the beginning of the school year until now. She can read, rhyme words, she can account from 0 to 50. Those are things she could not do before the beginning of the school year. I don't feel that AUSL coming in would do anything to change a working program ... .”

**Deon Cooley****LSC Member/Parent**

The LSC selected a Principal they wanted to work with, and the school has been improving under his leadership. They need stability, unlike the Network Office where there have been seemingly annual changes. “In spite of the lack of extra and much needed support from the Pershing Network Office, Dewey still maintains to show growth. Dewey has been on probation for five years. The first 18 months of probation, Dewey his experienced four changes of leadership, four different principals, and a total of five in all. Also in those five years of probation, Dewey's administration have the to endure changes of five different chiefs -- excuse me, education officers. A different one for each of the

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<sup>6</sup> The Petitions were received into the record as School Exhibit 6. They will not be summarized further below.

past three years. This is Mr. Simon's last year as the Chief Education Officer, making it 6 six starting in the new school year.”

**Deborah Pope**

**CTU**

“I have two Master's degrees, one in bilingual bi-cultural curriculum and instruction, one in family therapy from the Adler School of Professional Psychology, and I'm here to talk about two things.

One is the vital need for continuity for children. Particularly for children who may come from homes where there isn't all that kind of stability and continuity that they would like to have and the children thrive best under. A school is not made up of four walls, a roof, and a floor, a school is made up of human beings. And the Dewey School is made up of this extraordinarily dedicated staff and administration that you heard today. Dewey School is made up of the Local School Council members who give so generously of their time, and that's what it's about. And these children need that continuation of services from people they know, they trust, they care about, and that have demonstrated their knowledge and caring about them.

The scores have gone up at Dewey. We all know scores are only one measure of success, and we all know that they have a place, but that that place is not as a be-all end-all definer of a school's success. Part of what a school's success is in a neighborhood like Englewood is if it can instill a love of learning in children, and if it can make children feel safe in a neighborhood that they don't always feel safe in. And if they can come to school knowing people that they know, who care about them, who understand them, who can relate to them and who they can trust. That is one point.

Another point is, taking these educators, many of whom have long careers, many of whom have shown great dedication, have great experience, and tossing them into a reassigned teacher pool where they may or may not find other positions, especially given the huge number of school closings, this is not the way to show respect for educators who have spent their career dedicated the children of Chicago. This is not a model that is useful. It is not helpful to bring in large numbers of new, inexperienced teachers that have been the denominate culture of the school. What is useful in the school, and I have taught in the schools, is have a multi-generational school with a mix, as Dewey has, of new, eager, inexperienced teachers, mentored teaches who have a great deal of experience, and people in between.

This is a community. It is not a post-college experience for people who can then go on and lead the rest of their lives. The turnover at AUSL schools is the extraordinarily high, and that is not the kind of stability that will benefit the Dewey students.”

## **Summary of Documents Received**

### **Documents Submitted By CPS**

The CEO, through the Law Department, submitted several documents to the hearing officer that were received and made a part of the record in this case. Those documents included: 1) Copies of the Notice Letters sent to the school community including the Principal, LSC, parents, and teachers and staff advising of the Public Hearing, and an affidavit regarding the same; 2) The Chicago Board of Education's School Performance, Remediation and Probation Policy for the 2011-2012, and 2012-2013 School Years; 3) The Chief Executive Officer's Procedures for Public Hearings on Reconstitutions; 4) A copy of the relevant statutory provisions; 5) Performance Policy Reports for Dewey Elementary for 2009-13; 6) School Improvement Planning for Advancing Academic Achievement ("SIPAAA") for Dewey Elementary, 2010-2012, Year 1 and accompanying Board Report, 10-1215-ED4 entitled "Approve the 2010-2012 School Improvement Plan for Schools on Probation and for Schools with School Improvement Status;" 7) SIPAAA for Dewey Elementary, 2010-2012, Year 2, accompanying Board Report, 11-0824-ED2 entitled "Approve Updates to the 2010-2012 School Improvement Plan and Related Budgets for Schools on Probation and for Schools with School Improvement Status;" 8) The Continuous Improvement Work Plan, or CIWP, 2012-2014 for Dewey; and, 9) The CPS witnesses' written testimony, and the related Power Point presentations.

### **Documents Submitted In Opposition To Reconstitution**

At the hearing, and during the day following the hearing, several submissions were made by those opposed to the Reconstitution of Dewey Academy, including: 1) A letter from Jennie Biggs of Raise Your Hands Illinois in opposition to the Reconstitution

of Dewey focused on space utilization (School Exhibit 7); 2) A series of letters from Dewey pre-k students (School Exhibit 8); 3) A February 2012 Designs for Change Study that shows the performance of AUSL Schools describing the “lavish resources” they receive, and showing that many remain on probation (School Exhibit 10); 4) A letter from Colleen McGinley, a Dewey teacher, that points out that the quantitative results on the Fall 2012-Spring 2012 NWEA exam, a rigorous, nationally normed test, proves that Dewey is already making progress and should not be reconstituted. She noted that Dewey ranked 5th out of 29 schools in the Pershing Network with students meeting their goal in Reading. In Mathematics, Dewey ranked 9th out of 29 Pershing Network schools. In both subjects, Dewey ranked in the top 35% nationally for NWEA growth. “Digging deeper into NWEA data, the school improvement in the face of the challenges that Dewey faces with socioeconomic status and mobility are even more impressive. Dewey is located furthest south of any school in Pershing Network, indicating greater socioeconomic stability; Dewey is the only Englewood school in the network;”<sup>7</sup> 5) A letter from Mary Welter of the Bridgeport Alliance in support of the SLI Plan for Dewey; 6) A letter from Tamiko Dockery supporting the current Administration’s turnaround of Dewey that is ongoing; 7) Tiffany Conroy’s statement read during the Hearing; 8) A Dewey Teacher, Jessica Smith’s witness statement, describing the virtues and tremendous benefits of the Child-Parent Program at Dewey; 9) A similar letter from another CPC Dewey Teacher, Willie Mae Rogers; 10) A letter from Arthur Reynolds of the Human Capital Research Collaborative that mirrors his testimony; 11) A copy of the Dewey Position Paper as also set forth in School Exhibit 2; 12) A letter from State Representative Esther Golar in opposition of Reconstitution at Dewey, and in support of

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<sup>7</sup> Ms. McGinley’s Mobility Rates.numbers attachment could not be opened by the CPS Law Department, nor the Hearing Officer.

the SLI Model being proposed by the School Community; 13) A Letter from Heather Garrett, a Dewey Teacher, opposing AUSL at Dewey and Reconstitution; and 14) An e-mail from Karmaleta Mosely in support of the retention of the existing Dewey Staff.<sup>8</sup>

### **STATEMENT OF FINDINGS**

1. Proper notice of the Public Hearing was given as required by Illinois law, the Chicago Board of Education's School Performance, Remediation and Probation Policy for the 2012-2013 School Year, and the Chief Executive Officer's Procedures for Public Hearings on Proposed Reconstitutions. The purpose of the Public Hearing was to give representatives of the Chief Executive Officer ("CEO"), members of the local school council, parents, students, members of the school's staff, the principal, representatives of the Chicago Teachers' Union, and interested members of the public, an opportunity to comment on the CEO's proposal to Reconstitute Dewey Elementary Academy of Fine Arts.

2. On Tuesday, April 30, 2013, a public hearing was held at the Board of Education, 125 South Clark, Chicago, Illinois. Thus, in this case, the public hearing required to be conducted prior to reconstituting a school has taken place, and all of the other aspects of the applicable Board's Policies have been fully complied with.

3. Under the statutory scheme contained in Section 5/34-8.3 (d) of the Illinois School Code, the CEO and the Chicago Board of Education are granted the authority to take certain corrective measures with respect to schools with academic deficiencies. One of those measures is placing schools on probation, which allows the CEO and the Board to take additional corrective actions intended to address the school's

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<sup>8</sup> Some exhibits were submitted at the Hearing, but were also submitted post-hearing. They are included in the record twice, but described herein only once. Two additional exhibits were submitted after the hearing in the form of large demonstrative graphs depicting Dewey's Math and Reading NWEA scores as compared to other schools in the Network (5<sup>th</sup> out of 29 schools in Reading), and showing the Poverty Rate of the student population at Dewey as 94% and the Mobility Rate at 34%. School Exhibit 9.

academic deficiencies. Any school placed on probation is subject to several courses of action by the CEO, with the approval of the Board, after an opportunity for hearing. Section 5/34-8.3 (d) (4) specifically includes “Reconstitution of the attendance center and replacement and reassignment by the general superintendent of all employees of the attendance center” as an action available to the CEO in said cases.

4. Dewey is located at 5415 South Union Ave., Chicago, Illinois, and currently serves students in grades pre-kindergarten through eight.

5. If approved by the Board of Education of the City of Chicago, the following would occur as a result of the reconstitution: All students currently enrolled at Dewey would continue as students at the school; All staff including the faculty would be removed and replaced; Dewey and its new administration and staff would be supported by the Academy for Urban School Leadership (AUSL).

6. The Chicago Board of Education’s School Performance, Remediation and Probation Policy for the 2012-2013 School Year, is the CPS School Accountability Policy. Under this Policy, each school receives an annual rating based on its performance on a variety of student outcome measures, including standardized test scores and student attendance. This rating is based on a point system. Points are received for the school’s current level of performance and improvement over time on standardized tests and attendance, as well as the growth of individual students from year-to-year on the state test. There are 14 separate metrics on which schools are evaluated, each worth up to three points, for a total of 42 available points. Elementary schools that receive less than 50% of the total available points earn a rating of Level 3 and are placed on probation. CPS began using this structure for the Performance Policy in 2008. In each of the last five years Dewey has been a Level 3 school. In the 2007-2008 school year, Dewey received 40.5%



of available points. In the 2008-2009 school year, it received 38.1% of available points. In the 2009-2010 school year it received 9.5% of available points. In the 2010-2011 school year, it received 9.5% of available points. In the 2011-2012 school year, it received 14.3% of available points. Dewey has been on probation for the past five consecutive school years. Notices of Dewey's Performance Policy status for the last five school years were sent to the Dewey Principal.

7. ISAT performance is used as a part of the elementary school scoring in the CPS Performance Policy. Dewey's 2011-2012 ISAT Meets or Exceeds Composite score, which is the combined result of the ISAT reading, mathematics, and science assessments, was 45.3%, compared to a geographic network average of 76.9% and a District average of 76.4%. In reading, the percent of Dewey students meeting or exceeding state standards was 39.1%, compared to a geographic network average of 73.4% and a District average of 73.4%. In mathematics Dewey's performance was 54.7%, compared to a geographic network average of 81.8% and a District average of 80.5%. In science Dewey's performance was 36.1%, compared to a geographic network average of 72.9% and a District average of 72.9%. As a point of reference, Dewey's 2011-2012 Meets or Exceeds Composite score of 45.3% was among the lowest 10 scores for attendance area elementary schools last year.<sup>9</sup>

8. The performance gap between Dewey and other schools in the Network and across the District has widened considerably over the last three years. Dewey's ISAT Composite Meets or Exceeds score was 13.7 percentage points below the geographic

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<sup>9</sup> The term "geographic network" refers to the schools that are currently in the Pershing Elementary Network, as well as elementary schools located within the community, but managed independently, such as charter schools. The calculations used by CPS at the Public Hearing, and set forth herein, exclude full-site selective enrollment schools. The reason for using geographic network in this calculation was to show how Dewey is performing compared to all other schools within its community.

network average in 2005-2006, and 31.6 percentage points below the geographic network average in 2011-2012. Dewey's ISAT Composite Meets or Exceeds score was 12 percentage points below the District average in 2005-2006, and 31.1 percentage points below the District average in 2011-2012.

9. In addition to measuring the percentage of students meeting state standards, CPS also measures the percentage of students exceeding state standards. In 2011-2012 Dewey's ISAT Composite Exceeds score was 2.5%, compared to a geographic network average of 17.6%, and a District average of 18.9%. Dewey's Composite Exceeds score was 1.9 percentage points below the geographic network average in 2005-2006, and 15.1 percentage points below the geographic network average in 2011-2012. Dewey's Composite Exceeds score was 1.9 percentage points below the District average in 2005-2006, and 16.4 percentage points below the District average in 2011-2012.

10. Another measure on the Performance Policy is the percent of students exceeding state standards on the ISAT at the school's highest grade level. This allows CPS to see how well students are doing as they exit the school. In 2011-2012 Dewey's ISAT Composite Exceeds score for its 8<sup>th</sup> graders was 2.6%, compared to a geographic network average of 16.1%, and a District average of 15.8%. Dewey's 8<sup>th</sup> Grade Composite Exceeds score was 7.4 percentage points below the geographic network average in 2005-2006, and 13.5 percentage points below the geographic network average in 2011-2012. Dewey's 8<sup>th</sup> Grade Composite Exceeds score was 7.2 percentage points below the District average in 2005-2006, and 13.2 percentage points below the District average in 2011-2012.

11. The performance gap between Dewey and the District is consistent across

subjects. Dewey's ISAT Reading Meets or Exceeds score was 15.4 percentage points below the geographic network average in 2005-2006, and 34.3 percentage points below the geographic network average in 2011-2012. Dewey's Reading score was 15.1 percentage points below the District average in 2005-2006, and 34.3 percentage points below the District average in 2011-2012.

12. Dewey's ISAT Mathematics Meets or Exceeds score was 12.1 percentage points below the geographic network average in 2005-2006, and 27.1 percentage points below the geographic network average in 2011-2012. Dewey's Mathematics score was 9.4 percentage points below the District average in 2005-2006, and 25.8 percentage points below the District average in 2011-2012.

13. Dewey's ISAT Science Meets or Exceeds score was 14 percentage points below the geographic network average in 2005-2006, and was 36.8 percentage points below the geographic network average in 2011-2012. Dewey's Science score was 10.6 percentage points below the District average in 2005-2006, and 36.8 percentage points below the District average in 2011-2012.

14. In addition to standardized test scores, the CPS Performance Policy evaluates schools on attendance rate. The attendance rate for Dewey has been consistently lower than the District average. Dewey's attendance rate has declined from a high of 92.8% in 2008-2009 to 90.1% in 2011-2012, which was in the bottom 4% of attendance rates among elementary schools. Since the 2005-2006 school year, the District average for elementary schools has been consistently above 94%, and was 95.3% in 2011-2012.

15. The Value-Added metric, which is a component of the Performance Policy, compares student academic growth on the ISAT at a school with the growth of

similar students across the District. This is done through a regression methodology that controls for nine student-level factors, including grade level, prior performance on the ISAT, free or reduced lunch eligibility, race or ethnicity, mobility, participation in the Students in Temporary Living Situations program, Individualized Education Program (or IEP status), English Language Learner status, and gender. Controlling for these factors allows CPS to see how much impact the school had on its average student over the past year. Because CPS controls for prior performance, this metric allows CPS to identify schools with low test scores where growth is rapid, and schools with high test scores where growth is slow. The Value-Added metric is a standardized measure with a mean of zero. Standardization means that the score is reported in standard deviation units, which is a measure of how far away the school's score is from the District average. A positive number means that students at the school are growing at a faster pace than similar students in the District. A score near zero means that students at the school are growing at about the same pace as similar students in the District. And a negative score means that students at the school are growing at a slower pace than similar students in the District.

16. Dewey's reading value-added score was -4.4 in 2009-2010, -1.2 in 2010-2011, and -0.5 in 2011-2012. Its mathematics value-added score was -4.3 in 2009-2010, 0.4 in 2010-2011, and 0.4 in 2011-2012. This means that, on average, students at Dewey grew at a below-average pace in reading in all three years and in one of the last three years in math.

17. This low performance has taken place at despite efforts by the District and Network to provide the school with assistance, strategies and training. Since Dewey has been on probation, the District has provided oversight of its discretionary budget to

ensure funds are allocated in line with the goals for improved student outcomes. Prior to this school year, this was done through the School Improvement Plan for Advancing Academic Achievement, or SIPAAA. The SIPAAA was created with input from data and several stakeholders to identify the key areas where the school needed improvement, plan interventions to support the school, and allocate funds accordingly. The Chief provided input in the creation of the SIPAAA, and the Board of Education also approved the SIPAAA.

18. The Network has provided additional support to Dewey in an effort to correct academic deficiencies at the school. During the 2011-2012 school year, the Network assisted Dewey in the following ways:

- First, the Network provided the Dewey administration with principal coaching by pairing the school with a retired CPS principal, who spent approximately 40 days throughout the school year working with the administration.
- Second, the Network coordinated a Diagnostic Visit, performed by Atlantic Research Partners, to help identify areas of strength and potential areas of focus for the Dewey administration.
- Third, the Network paid for Dewey to receive online student achievement programs, including eSpark, a program that uses student data to create individual learning profiles and offers online educational activities tailored to each individual student's learning needs, and ST Math, an instructional software program focused on growing students' reasoning abilities to explain, understand, and solve multi-step problems.
- Fourth, Network Instructional Support Leaders, or ISLs, provided two full-staff professional development sessions focused on effectively using Northwest Evaluation Association student assessment data.
- Finally, Network ISLs made bi-weekly visits to Dewey to provide support and coaching to the administration and teachers.

Despite all of these supports, student academic growth at the school has not kept pace with CPS District averages.

19. Beginning this school year, the District began providing oversight of Dewey's discretionary budget and goals for improved student outcomes through the Continuous Improvement Work Plan, or CIWP. The CIWP is a two-year strategic plan,

created by a team of participants at the school level with support and guidance from the Network Chief. A CIWP team consists of 6 to 12 committed stakeholders, including parents, teachers, the principal, and other members of the school community such as Local School Council representatives. The CIWP team uses data and self-evaluation to set student performance goals, develops strategic priorities, identifies milestones and creates an action plan for each priority, and allocates funds in the budget to align with its goals and strategic priorities. The Network Chief provides input throughout the planning process and also approves the CIWP upon completion on behalf of the District. The Dewey CIWP set the following strategic priorities to improve student achievement and created an action plan for each:

- Goal #1 was to produce students proficient in reading and math upon completion of the pre-kindergarten program, prepared for primary grades.
- Goal #2 was to provide consistent, effective, data-driven instruction in third through eighth grades using balanced literacy and math models.
- Goal #3 was to implement a whole-school positive behavior support model to improve school climate and increase student engagement.

20. The Network has provided additional support to Dewey this school year in an effort to correct academic deficiencies in the following ways:

- First, prior to the start of the school year, the Network provided a summer institute for teachers and leaders focusing on the implementation of the common core state standards and curriculum development techniques for ensuring academic rigor.
- Second, the Network Assistant Deputy Chief has made bi-weekly visits to Dewey for coaching sessions with the administration on topics such as effective classroom observation and feedback strategies, the use of student performance data, and overall operations and management needs including, but not limited to, various personnel matters and assessment framework implementation.
- Third, Network ISLs have provided five coaching professional development sessions to the Dewey administration and two coaching professional development sessions for kindergarten, first, and second grade teachers regarding early literacy programs and the use of data to inform instruction.
- Fourth, the Network continued to pay for Dewey to receive the online student achievement program, eSpark.

Despite the supports provided by the District in recent years, student academic growth at the school according to the Performance Policy has not kept pace with District averages.

21. Illinois law, and all of the Chicago Public School Policies and Procedures applicable to the CEO's proposed action in this case have been complied with in their entirety, specifically including, but not limited to 105 ILCS Section 5/34-8.3(d)(4) of the Illinois School Code, the School Performance Policy for the 2012-2013 school year, and the CEO's Procedures governing the Public Hearing.

### **Recommendation**

The Hearing Officer hereby recommends that the Board approve the CEO's proposal to Reconstitute Dewey Elementary Academy of Fine Arts. Dewey is eligible for reconstitution under the Illinois School Code, 105 ILCS Section 5/34-8.3(d)(4) because it has been on probation for at least one year and has failed to make adequate progress to correct its academic deficiencies.

FURTHER THE HEARING OFFICER SAYETH NOT.

Respectfully submitted,  
*Fredrick H. Bates*/s/  
Fredrick H. Bates  
Hearing Officer

May 6, 2013