

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

**INDEPENDENT HEARING OFFICER REPORT OF ROBERT V. BOHARIC  
IN THE MATTER OF THE PROPOSED REASSIGNMENT  
BOUNDARY CHANGE OF OROZCO  
COMMUNITY ACADEMY AND COOPER  
DUAL LANGUAGE ACADEMY**

**INTRODUCTION**

On February 5<sup>th</sup>, 2019 at 5:00 P.M. at 42 West Madison Street in Chicago, Illinois, the undersigned attorney licensed to practice law in Illinois and retired Circuit Court Judge of the Circuit Court of Cook County, presided over a public hearing as Hearing Officer concerning The Proposed Reassignment Boundary Change of the Orozco Community Academy (hereafter Orozco) and Cooper Dual Language Academy (hereafter Cooper), hereafter referred to as the plan or proposal.

**SUMMARY OF THE EVIDENCE AND DOCUMENTS  
RECEIVED AT THE HEARING**

Ms. Gabriella Brizuela, an attorney of the Chicago Board of Education's School Law Division, introduced into evidence the Chief Executive Officer's (CEO's) Exhibit 1, a binder of documents in support of the CEO's proposal. Exhibit 1 was admitted without objection. The following is a summary of those documents in Exhibit 1.

Under tab "A. Notices of Hearing" there appeared five items. The first is a Notice Letter and Draft Transition Plan to Parents or Guardians of Students at Cooper and Orozco of Ms. Janice K. Jackson, EdD, CEO of Chicago Public Schools, dated November 30, 2018, for the proposed boundary change of Orozco and Cooper. Ms. Jackson invited the parents and guardians to attend two community meetings, on January 9<sup>th</sup>, 2019 at Orozco at 1940 W. 18<sup>th</sup> Street in Chicago, and on January 16, 2019 at Cooper at 1624 W. 19<sup>th</sup> Street in Chicago, as well as the public hearing on January 31, 2019 at 5:00 P.M. at CPS Central Office at 42 West Madison Street in Chicago. Due to extreme weather forecast for January 30 and 31, school classes on those days were cancelled and the public meeting was rescheduled to February 5, 2019 at 5:00 P.M. at CPS Central Office. The Draft Transition Plan succinctly set forth the CEO's plan and rationale for this proposal. It stated: "Orozco's border [is to be] be reassigned to allow Cooper to phase in grades 6-8 and offer 6<sup>th</sup> grade for SY2019-2020, 7<sup>th</sup> grade by SY2020-2021, and 8<sup>th</sup> grade by SY2021-2022. Upon completion of the boundary reassignment in SY2021-2022, Cooper will be a K-8 neighborhood school, while Orozco will be able to offer additional seats for families in their bilingual gifted program. This proposal is consistent with the CEO's Guidelines for School Actions (Guidelines) because it is a proposal

requested by parents or community members outlined in the Guidelines. Furthermore, the resulting space utilization after the reassignment boundary change will not exceed either schools' enrollment efficiency range, as defined by the CPS's Space Utilization Standards."

The second document in tab A is a similar Notice Letter with an attached Draft Transition Plan to Administrators, Faculty, Staff, and Local School Council Members at Cooper and Orozco of November 30, 2018 as to the proposed boundary change. The third document is the Affidavit of Cheryl Nevins, Regional Portfolio Planner for CPS regarding (a) the publication of Draft Guidelines for School Actions made on September 30, 2018 on the CPS website, (b) publication on the CPS website of the List of Independent Hearing Officers for Hearings made on October 31, 2018, (c) publication of Final Guidelines for School Actions made on the CPS website on November 20, 2018, (d) publication of plans and letters to the parents and guardians of the proposed school actions made on November 30, 2018, (e) delivery made of Notice Letters and Draft Transition Plan addressed to the school community of each school (parents and guardians, administrators, staff, and local school members) on November 30, 2018 and, on information and belief, were personally delivered to the students, administrators, and staff by the principal of each school on November 30, 2018, (f) on information and belief, the draft transition plans and letters were sent by electronic mail to the school principals and local school council members of the schools on November 30, 2018, (g) publication on the CPS website of a summary of the community meeting held at Orozco on January 9, 2019 was made on or before January 14, 2018, (h) and publication of a summary of the community meeting held at Cooper on January 16, 2018 was made on or before January 21, 2019. Due to extreme weather forecast for January 30 and 31, school classes for those days were cancelled and on January 28, 2019 the CEO made a decision to reschedule the public meeting set for January 31, 2019 at 5:00 P.M. at CPS Central Office to February 5, 2019 at 6:00 P.M. at CPS Central Office. The fourth document in Tab A is the Affidavit of Francis Bilecki, Chief Policy Officer for the Office of Intergovernmental Relations at the Board of Education, regarding delivery by electronic mail of Notice Letters and Draft Transition Plans to elected officials on November 30, 2018 as to the original hearing information and on January 29, 2019 (advising of rescheduled hearing information due to inclement weather for the public hearing on February 5, 2019. The fifth and last documents in tab A are the public notice of the hearing and the community meetings by newspaper publication in the Chicago Sun Times on December 27, 2018 as originally set and on January 29<sup>th</sup>, 2019 for the new date of February 5, 2019 due to inclement weather.

Tab B of Exhibit 1 is a compilation of controlling legal and procedural statutes and rules, not only for use of the hearing officer but also for the public's reference since CPS provided another binder at the podium for public use during the hearing. These inserts are (as numbered in the binder for Exhibit 1): 6. 105 ILCS 5/34-18 ("Powers of the Board"), effective August 31, 2017; 7. 105 ILCS 5/34-200 ("Definitions"), effective July 13, 2012; 8. 105 ILCS 5/34-225 ("School Transition Plans"), effective November 30, 2012; 9. 105 ILCS 5/34-230 ("School Action Public Meetings and Hearings"), effective November 30, 2012; 10. Chicago Public Schools Quality Rating Policy, Policy Manual Section 302.6, Board Report 14-1119-PO1; 11. Chicago Public Schools Policy

on Review and Establishment of School Attendance Boundaries, Policy Manual Section 703.2, Board Report 05-0622-PO1; 12. Chicago Public Schools Space Utilization Standards and Methodology (Issued January 19, 2018); 13. Final Guidelines for School Actions, 2018-2019 School Year (Issued November 20, 2018); 14. Chief Executive Officer's Procedures for Public Hearings on Proposed School Closure, Consolidation, Co-Location, Phase-Out, or Reassignment Boundary Change.

Tab C of Exhibit 1 contains the substantive evidence and comments of those participating in the two community meetings and the public hearing. They are: 15. The transcript of the January 9, 2019 Community Meeting at Orozco; 16. A summary of that January 9th meeting; 17. The transcript of the January 16, 2019 Community Meeting at Cooper; 18. A summary of that January 16th meeting; 19. Written Statement of Minerva Garcia-Sanchez, Network 7 Chief of Schools of February 5, 2019; 20. Written Statement of James Dispensa, Director of School Demographics and Planning for CPS of February 5, 2019; 21. The Cooper LSC's signed letter of October 16, 2018 to Dr. Janice Jackson and the Chicago Board of Education supporting the proposal and requesting its implementation; 22. The Orozco LSC's signed letter of October 18, 2018 to Dr. Janice Jackson and the Chicago Board of Education supporting the proposal and requesting its implementation; 23. Jesus G. Garcia's, Cook County Commissioner's letter of October 18, 2018 to Dr. Janice Jackson and the Chicago Board of Education in support of the Reassignment Boundary Request; 24. Theresa Mah, State Representative's letter of October 18, 2018 to Dr. Janice Jackson and the Chicago Board of Education in support of the proposal, noting the additional quality programming not only for Pilsen, but also for all Chicago residents; 25. Edgar Ramirez President and CEO of Chicago Commons Association's letter of October 19, 2018 to Dr. Janice Jackson and the Chicago Board of Education in support of the proposal; 26. Raul Raymundo, CEO of The Resurrection Project's letter of October 23, 2018 to Dr. Janice Jackson and the Chicago Board of Education in support of the proposal, noting the benefits to these schools and "future opportunities for many others"; 27. The letter of the Pilsen Neighbors Community Council of October 17, 2018 to Dr. Janice Jackson and the Chicago Board of Education in support of the proposal signed by Manuel Medina, President and Juan Soto, Executive Director, Pilsen Education Task Force Co-Chair; 28. Letter of October 18, 2018 of Alvaro Obregon, President and Founder of Chicago Mariachi Project, in support of the proposal to Dr. Janice Jackson and the Chicago Board of Education; 29. Ms. Myrna Fragoso, President of Frida Kahlo Community Organization's letter of October 18, 2018 to Dr. Janice Jackson and the Chicago Board of Education fully supporting the proposal; 30. Chicago Public Schools' Report on the Impact on the Racial Composition and Stability Resulting from the Reassignment Boundary Change of Orozco and Cooper by James Dispensa Director of School Demographics and Planning of CPS, of January 31, 2019, indicating that the proposal "will have no significant impact on the racial composition and stability of the affected schools."

## **THE JANUARY 9, 2019 COMMUNITY MEETING AT OROZCO**

The transcript of the Community Meeting on January 9, 2018 (Tr. 1-22, 15 of Exhibit 1) begins with Ms. Cristina Carreto, Family and Community Engagement Manager for CPS, introducing the participants, the subject of the meeting, and how the meeting would be conducted in English and Spanish (Tr. 3-6, 9-10).

Next Ms. Minerva Garcia-Sanchez, Network 7 Chief of Schools, described how according to the proposed plan Orozco and Cooper would be changed. Cooper would go to preK-8<sup>th</sup> grades adding 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades over three years. Orozco's bilateral gifted program would be expanded to take in more students. She described the overwhelming support from both the Orozco and Cooper LSC's as well as the local political leaders who fully support this boundary change: the Illinois State Representative, the Cook County Commissioner, now U. S. Congressman and the alderman of the 25<sup>th</sup> Ward. Joining these in support of the proposal is a host of local community organizations. (Tr. 6-8)

Ms. Caretto then opened the meeting for public comment. Ms. Caretto conducted the meeting to its conclusion, intervening at various times to invite and encourage people to participate in the meeting.

The first speaker was Ms. Marissa Santiago a parent at Orozco as well as a member of the Local School Council (LSC) at Orozco. She pointed out how this plan would benefit a lot of children who live on the southwest side of the city who would benefit from the expanded Orozco gifted program that the plan offers. She sees the plan as a win-win situation for all the children (Tr. 9-10).

Next was Ms. Anabel Perez. She is a Cooper graduate, a Cooper parent and a member of the Cooper LSC. She stated that there are many supporters of the plan in attendance at the meeting. She is a supporter of the proposal (Tr. 10).

Ms. Ana Padilla next spoke as a Representative of the Pilsen Neighbor Community Council. She came to show its support of the expansion of the bilingual gifted program at Orozco and the expansion at Cooper. For two years their organization with parents with parent-to-parent listening campaign and to organize for the betterment of the education of the children in the area. From this campaign have come an IB program and STEM program that has given quality education to the Pilsen children. This plan would expand access to quality education like the gifted programs, and especially the bilingual program in the community (Tr. 11-12).

Next was Jose Reguena, a representative of the Pilsen Alliance. He considers the plan an amazing opportunity to bring better resources and programming to the community and his group absolutely supports the proposal. He knows of some concerns of parents as to eligibility and transition in the programs and he asks that such information be shared more widely in the community (Tr. 12-13).

The next speaker was Angel Salgado, a member of the Orozco LSC for 6 months. He says the LSC has not talked about the plan and he doesn't know what is happening. He asks that those organizing this project share the information with the LSC (Tr. 14).

Mr. Efraim Martinez, the Principal of Orozco stated that he is really happy that this is happening and thanked all for being there at Orozco that evening. He said he would like to honor and celebrate the parent leaders from both Orozco and Cooper who were working together for this plan. Many moms who supported the program sent him a text while he was sick at home (Tr. 15).

Ms. Marissa Santiago next stated that, contrary to what Angel Salgado said, the Orozco LSC did indeed discuss this plan at the LSC meeting. Parents were there and they discussed the proposal. At that meeting the group of parents who were collecting signatures. All the members of the LSC signed the petition in support of the proposal, including Angel Salgado (Tr. 16-17).

The next speaker was Ms. Maria Carrillo, a parent of Orozco. She is in agreement with the program. She said, "I want to say what parent wouldn't want this program!" (Tr. 17-18).

Ms. Maria Sanchez, a parent of a child at Orozco. She was one of the parents gathering signatures in support of the proposal. Mr. Angel [Salgado] signed the petition for me. And she thanked him for his support (Tr. 18-19).

The next speaker was Ms. Antonia Costro, a mom of three children who went to both schools, Orozco and Cooper, when her children were split in two different schools and "this was very difficult for me to be at the same time in two schools" (Tr. 19).

Mr. Angel Salgado was the last public speaker at the meeting and wanted to clarify his earlier statement. He said this proposal was never on the agenda. There was no explanation and no vote. He did understand there was to be an expansion of the program at Orozco but they did not explain that the regular program was closing at Orozco. He did sign the petition as to expansion but not as to the whole project (Tr. 19-21).

## **THE JANUARY 16, 2019 COMMUNITY MEETING AT COOPER**

Ms. Cristina Carreto also facilitated this second meeting. The transcript of the Community Meeting on January 16, 2019 began with Ms. Cristina Carreto, Family and Community Engagement Manager for CPS, introducing the participants, the subject of the meeting, and how the meeting would be conducted in English and Spanish (Tr. 3-6, 9-10).

Next Ms. Minerva Garcia-Sanchez, Network 7 Chief of Schools, described how according to the proposed plan Orozco and Cooper would be changed. Cooper would go to preK-8<sup>th</sup> grades adding 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> grades over three years. Orozco's bilateral gifted

program would be expanded to take in more students. She described the overwhelming support from both the Orozco and Cooper LSC's as well as the local political leaders who fully support this boundary change: the Illinois State Representative, the Cook County Commissioner, now U. S. Congressman and the alderman of the 25<sup>th</sup> Ward. Joining these in support of the proposal is a host of local community organizations. (Tr. 6-8)

Ms. Caretto then opened the meeting for public comment. Ms. Caretto conducted the meeting to its conclusion, intervening at various times to invite and encourage people to participate in the meeting.

Two Cooper students, Alyssa and Kevin, stated they were getting a great education at Cooper and that it is important that Cooper expand to the 8<sup>th</sup> grade. As Cooper students they feel welcome and safe (Tr. 10-11).

The next speaker was Mr. Alfredo Calderon, teacher representative of Cooper's LSC. He came to express support for the proposal on behalf of the Cooper staff, LSC and students. Parents want the proposal. Parents want continuity of education for their children and want them to continue into 6<sup>th</sup>, 7<sup>th</sup> and 8<sup>th</sup> at Cooper. That way the great relationships at the school can continue (Tr. 11-13).

Ms. Maribel Alquisino has five children at Cooper and feels that they have the best teachers. She wants the children to continue at Cooper and does not want to be travelling back and forth with her children. She supports the proposal (Tr. 13-14).

Ms. Marissa Santiago is a parent and LSC member at Orozco. This year she learned that Orozco had over 120 applicants and over 80 had to be turned away. The proposal would allow children from the southwest area of the City to be enrolled in this quality program. She is in support of the proposal (Tr. 14-15).

Ms. Guadalupe Cameron is a parent and LSC member at Orozco. Her children have gone to Catholic schools, charter schools, magnet schools and now they like it at CPS. She loves CPS. All her children are doing well and she's happy with all the activities at Orozco. She wants to have Spanish students inside the city to be given an opportunity to go to Orozco (Tr. 15-16).

Marisol De Paz strongly supports the proposal. She wants her children to continue going to the eighth grade. There's love and community here at Cooper and she wants her children to continue at Cooper until 8<sup>th</sup> grade (Tr. 16-17).

Ms. Teresa Fraga is a member of the Board of the Pilsen Neighbors Committee and her 6 children went to Cooper. She supports the proposal. This is a big win-win for both Orozco and Cooper – for Cooper gets to expand to the 8<sup>th</sup> grade and Orozco gets to extend its bilingual gifted program (Tr. 17-18).

Ms. Montserrat Hernandez is a parent and member of the Cooper LSC. She points out how for a long time parents have been asking why Cooper does not have 6<sup>th</sup> through

8<sup>th</sup> grades. She heard the same thing from her art students – they wanted to stay. Cooper is special. There is a lot of love for the students. She supports the proposal (Tr. 19-21).

Ms. Maria Ramirez had three children go through Cooper. It is like her home. She worked many years there as a volunteer. She supports the proposal (Tr. 21-22).

Ms. Claudia Molina is a parent and sees that it is hard for the children to leave Cooper where they feel at home and the teachers are such good motivators (Tr. 23).

Mr. Efrain Martinez is Principal at Orozco. The students are doing great at both Orozco and Cooper and it is great to see how the parents are working together and supporting this proposal (Tr. 24).

Ms. Martha Alba is Principal at Cooper. Each grade will be added year by year, not all at once. Students and parents have shared their support to the proposal. She believes this proposal “is great for both schools” and she hopes both schools “do great with a great future” (Tr. 24-25).

State Representative Theresa Mah stated she is really happy to support this proposal. The ideas here came from the parents and the community out of years of discussion. She supports the principals, parents, families and community members for getting involved in this process and moving it along (Tr. 25-26).

## **THE FEBRUARY 5, 2018 PUBLIC HEARING**

The public hearing on the proposal was held at CPS, 42 West Madison in Chicago. After a brief introduction to the procedure to be followed at the hearing by the Hearing Officer, the first presenter at the Hearing was Ms. Gabriella Brizuela, Senior Assistant General Counsel, an attorney in the Chicago Board of Education’s Law Department. Ms. Brizuela explained that Exhibit 1 is a binder of documentary evidence and written statements showing that the CEO’s proposal to reassign boundaries of Orozco and Cooper is in accord with the requirements of the Illinois School Code and the CEO’s Guidelines for School Actions. She then described and briefly summarized the contents of Exhibit 1, having mentioned that there was a public copy of Exhibit 1 available for the public near the podium. She moved without objection that Exhibit 1 be received into evidence and it was received (Tr. 7).

Ms. Brizuela then called the CEO’s first representative, Ms. Minerva Garcia-Sanchez, Network Chief for Chicago Public Schools Network 7, whose statement in support of the proposal is located in Tab C-19 of Exhibit 1 (Tr. 8).

Ms. Garcia-Sanchez stated that both Orozco and Cooper are within Network 7, where she is responsible for oversight and support of these schools on behalf of the CEO. She detailed her 25-year career with CPS as a teacher and administrator and noted she

has a master's in administration from Chicago State University and is currently completing her doctoral degree at the University of Illinois-Chicago. He then described how the proposed boundary reassignment would work, allowing Cooper to phase in grades 6-8 – 6<sup>th</sup> in SY 2019-2020, 7<sup>th</sup> by SY 2020-2021, and 8<sup>th</sup> grade by SY 2021-2022. Then Cooper will be a K to 8 neighborhood school, while Orozco will be able to offer additional seats for families in their bilingual gifted program for students who are bilingual and/or heritage speakers. Both Cooper and Orozco's LSC's have expressed that this proposal would provide students a quality education and the academic continuity needed for a successful transition to high school. She then told how Congressman Garcia has backed this proposal with his full support. Also she said, the State Representative Theresa Mah supports the proposal. She also noted the strong support of several community-based organization. This support, both of political leaders and community leaders is set forth in the letters in the binder. Ms. Garcia-Sanchez then stated that this proposal is consistent with the CEO's Guidelines for School Actions because it is a proposal requested by parent or community members via the process to request proposals outlined in the guidelines. The resulting space utilization after the reassignment boundary change will not exceed either school's enrollment efficiency range as defined by the CPS's Space Utilization Standards. (Tr. 8-13; Tab C-19 in Exhibit 1).

Ms. Brizuela then introduced the next witness, Mr. James Dispensa, whose statement is located in Tab C-20 of Exhibit 1 (Tr. 13).

Mr. James Dispensa then made his statement at the Hearing. It tracked his written statement attached to Exhibit 1 at Tab C-20. Mr. Dispensa is Director of Demographic Analysis and Planning for the Chicago Public Schools and has been in that position since 2004. Mr. Dispensa stated the reasons why the proposal complies with the CEO's guidelines. Pursuant to the CEO's Guidelines for School Actions, the CEO may propose a boundary assignment change if the action is requested by the school principal, parents or community members, and the resulting space utilization will not exceed the facility's enrollment efficiency range as defined by the CPS's Space Utilization Standards and Methodology. This proposal is consistent with the Guidelines because it is a proposal formally requested by the members of the community, parents, staff and community representatives. Further, Mr. Dispensa explained how the proposal complies with the CPS's Space Utilization Standards, located in Exhibit 1 at Tab B-12. CPS provides an enrollment efficiency range for elementary schools based primarily upon the total number of instructional classrooms available in the facility. The proposal does not violate CPS's Space Utilization Standards. Mr. Dispensa also opined that the proposed boundary change would have no significant impact on the racial composition and stability of these schools. (Tr. 13-18; Tab C-20 of Exhibit 1).

Then the Hearing opened to those who signed up to speak.

The first speaker was Hamed Flores who is the Assistant Principal at Cooper. He has been at Cooper for 14 years, 11 years as a teacher, and the last 3 or so years as Assistant Principal. He stated he came to express his support for this proposal and he wished to thank the Cooper parents who came to the Hearing to support the proposal. He

is also present to advocate for the students at Cooper. Mr. Flores stated that he believes this proposal is going to help the students academically, socially and emotionally. (Tr. 19-21).

Mr. Alvaro Obregon is an alum of Cooper and Orozco and is a long-time community resident, who has been very supportive of efforts to improve education in the community. He recalled an event with Secretary Arne Duncan who challenged the community members to plan for themselves and not to just sit back and wait for others to do it. He sees this proposal as the fruition of such community action. He runs the Chicago Mariachi Project and he is in full and complete support of the proposal (Tr. 21-23).

Ms. Montserrat Hernandez is a parent rep for Cooper and she worked at the school in parent programming and also as an art teacher for the afterschool programs. She recalled an incident in which she met a 6<sup>th</sup> grader at Orozco who lamented having to leave Cooper where the student had a strong sense of family and love. She is here to voice her strong support for the proposal.

Next was the Principal of Orozco, Mr. Efrain Martinez. Mr. Martinez came to voice his strong support for the expansion of our regional bilingual gifted center. It will give more access to more students city-wide that are looking for programs like the one at Orozco. He is very proud of the parents of both schools, how they got together and put together this win-win proposal for the entire district. Everybody wants this to happen. For some parents looking for such a program as Orozco, this proposal's expansion will allow them to take their child to school on the way of a commute to their places of employment (Tr. 27-31).

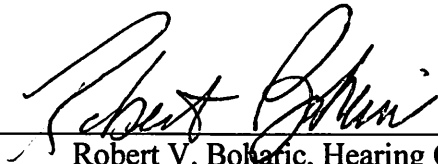
The Hearing was concluded with a statement from Ms. Brizuela that the record will be open for any additional input either in person at 42 W. Madison at CPS or online at [transitions@cps.edu](mailto:transitions@cps.edu) until 5:00 P.M. on February 6<sup>th</sup>, 2019.

## **FINDINGS AND RECOMMENDATION AS TO THE PROPOSAL**

The hearing officer makes the following findings as to the Proposed Reassignment Boundary Change of Cooper Duel Language Academy and Orozco Community Academy:

1. The hearing officer finds and reports that statements and other evidence received at the hearing and meetings strongly support the CEO's proposal.
2. The hearing officer finds that the proposal meets the Criteria for Reassignment Boundary Change set forth in the CEO's Final Guidelines for School Actions for the 2018-2019 School Year (Tab B-13) [at II B] in that the schools' principals, parents and community members have requested the reassignment boundary change and that the resulting space utilization after the change will not exceed either facility's enrollment efficiency range as defined by CPS's Space Utilization Standards.
3. Pursuant to 105 ILCS 5/34-230 the hearing officer finds and reports that the proposal and the procedures followed as to this Proposed Reassignment Boundary Change of Cooper Duel Language Academy and Orozco Community Academy comply with the above-cited Illinois statutory law and with the rules, policies, standards, procedures, and guidelines of the Chicago Board of Education.

Respectfully submitted:

  
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Robert V. Bohanic, Hearing Officer

February 11, 2019.