

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

In the Matter of:)	
The Public Hearing to Elicit Public Comment)	Before
On the Proposal to Close Julia C. Lathrop)	
Elementary School and)	Hon.Francis J. Dolan (Ret.)
Change Area Boundaries of)	
James Weldon Johnson Elementary School)	Independent Hearing Officer
And Lawndale Elementary Community)	
Academy)	2012

Hearing Officer's Report and Determinations To the Chief Executive Officer Regarding the Proposal to Close Julia C. Lathrop Elementary School and Change Attendance Area Boundaries of James Weldon Johnson Elementary School And Lawndale Elementary Community Academy

I. Introduction

On or about November 10, 2011, 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. At 8:20 p.m. on Friday, January 27, 2011, 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 councils, parents of the schools' students, members of the schools' staffs, the schools' principals, representatives of the Chicago Teachers' Union, students, and interested members of the public, concerning the CEO's proposal to Close Julia C. Lathrop Elementary School ("Lathrop") and Change Area Boundaries of James Weldon Johnson Elementary School ("Johnson") And Lawndale Elementary Community Academy (Lawndale").

Notice of the hearing was served on the parents, staff members, principals, and members of the local school councils via U.S. Mail and/or personal service through CPS Mail. Notice of

the Hearing was served upon the public by newspaper publication in the *Chicago Sun Times* and *Hoy* newspapers. A certified Court Reporter transcribed the hearing.

Pursuant to the directives provided in 105 ILCS §34-230 (School Action Public Meetings and Hearings) and the document entitled "Procedures for Hearings on Proposed School Closings, Consolidations, Attendance Area Boundary Changes or Reconstitutions" the undersigned summarizes below the input received at the Public Hearing.

II. Relevant Statutory Provisions and Board Policies/Procedures

A. Illinois School Code (105 ILCS):

1. §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:

“7. To apportion the pupils to the several schools;

“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 specifications of the powers herein granted are not to be construed as exclusive but the board shall also exercise all other powers that they may be requisite or proper for the maintenance and the development of a public school system, not inconsistent with the other provisions of this Article or provisions of this Code which apply to all school districts.

2. § 34-230. School action public meetings and hearings

“(a) ...the chief executive officer shall prepare and publish guidelines for school actions. The guidelines shall outline the academic and non-academic criteria for a school action...

“(b) The chief executive officer shall announce all proposed school actions to be taken at the close of the current academic year consistent with the guidelines....

“(c) ...the chief executive officer shall publish notice of the proposed school actions.

“(1) Notice of the proposal for a school action shall include a written statement of the basis for the school action, an explanation of how the school action meets the criteria set forth in the guidelines, and a draft School Transition Plan identifying the items required in Section 34-225 of this Code for all schools affected by the school action. The notice shall state the date, time, and place of the hearing or meeting.

“(2) The chief executive officer or his or her designee shall provide notice to the principal, staff, local school council, and parents or guardians of any school that is subject to the proposed school action.

“(3) The chief executive officer shall provide written notice of any proposed school action to the State Senator, State Representative, and alderman for the school or schools that are subject to the proposed school action.

“(4) The chief executive officer shall publish notice of proposed school actions on the district's Internet web- site.

“(5) The chief executive officer shall provide notice of proposed school actions at least 30 calendar days in advance of a public hearing or meeting....

“(d) The chief executive officer shall publish a brief summary of the proposed school actions and the date, time, and place of the hearings or meetings in a newspaper of general circulation.

“(e) The chief executive officer shall designate at least 3 opportunities to elicit public comment at a hearing or meeting on a proposed school action and shall do the following:

“(1) Convene at least one public hearing at the centrally located office of the Board.

“(2) Convene at least 2 additional public hearings or meetings at a location convenient to the school community subject to the proposed school action.

“(f) Public hearings shall be conducted by a qualified independent hearing officer...[who]... shall have the following qualifications:

“(1) ...must be a licensed attorney eligible to practice law in Illinois;

“(4) The independent hearing officer shall issue a written report that summarizes the hearing and determines whether the chief executive officer complied with the requirements of this Section and the guidelines.

“(g) Public meetings shall be conducted by a representative of the chief executive officer....

“(h) If the chief executive officer proposes a school action without following the mandates set forth in this Section, the proposed school action shall not be approved by the Board during the school year in which the school action was proposed.

3. § 34-225. School transition plans

“(b) The chief executive officer or his or her designee shall prepare and implement a school transition plan to support students attending a school that is the subject of a school action that accomplishes the goals of this Section. The chief executive must identify and commit specific resources for implementation of the school transition plan for a minimum of the full first academic year after the board approves a school action.

“(c) The school transition plan shall include the following:

“(1) services to support the academic, social, and emotional needs of students; supports for students with disabilities, homeless students, and English language learners; and support to address security and safety issues;

“(2) options to enroll in higher performing schools;

“(3) informational briefings regarding the choice of schools that include all pertinent information to enable the parent or guardian and child to make an informed choice, including the option to visit the schools of choice prior to making a decision....

B. Board Policies/Procedures:

1. Guidelines for School Actions 2011-2012 School Year Issued November 29, 2011 ("Guidelines")

Chicago Public Schools' ("CPS") Chief Executive Officer ("CEO")...publishes the following Guidelines to help the public and all interested stakeholders better understand the criteria for school actions. All proposals presented to the Board for consideration will reflect a commitment that the students and schools impacted receive higher quality educational options. Issuing these Guidelines is consistent

with the recently enacted Illinois Public Act 097-0474 requiring that the CEO publish guidelines outlining the criteria for certain types of school actions.

For the 2011-2012 school year, the CEO will consider the criteria specified below when recommending any of the following school actions governed by Public Act 097-0474:

- reassignment boundary change,
- phase-out,
- co-location,
- school closure, or
- school consolidation.

I. CRITERIA

...OTHER CRITERIA

The CEO may also recommend a school action:

- (1) if the school is in the process of phasing out based on a previous action by the Board...

In making a decision on which school actions to propose to the Board, the CEO will also consider other information including, but not limited to: student safety data, school culture and climate, enrollment estimates, the quality of the school facility, family and community feedback, or whether the school has recently undergone any school actions, changes in academic focus or actions taken pursuant to 105 ILCS 5/34-8.3.

II. NOTICE AND SCHOOL TRANSITION PLANS

On or before December 1, 2011, the CEO will give notice of any proposed school action. Notice will be provided to the principal, staff, local school council, parents or guardians, Illinois State Senator, Illinois State Representative, and Alderman for the school or schools that are subject to the proposed school action. Notice will include the date, time, and place of the two public meetings and one public hearing being held to elicit public comment on the proposal. Notice will be given at least 30 calendar days prior to a public meeting or hearing. Also, no action will be taken by the Board until at least 60 days after notice of the proposal is given.

Along with notice of the CEO's proposal, the CEO will issue a draft school transition plan. The draft school transition plan will include, but is not limited to, the following: (1) services to support the academic, social, and emotional needs of students; supports for students with disabilities, homeless students, and English language learners; and support to address security and safety issues; (2) options to enroll in higher performing schools; (3) informational briefings regarding the

choice of schools that include all pertinent information to enable the parent or guardian and child to make an informed choice, including the option to visit the schools of choice prior to making a decision; and (4) the provision of appropriate transportation where practicable.

Depending on the unique circumstances of the proposed school action, the following investments may be made and outlined in the draft school transition plan: school safety analysis, social and emotional supports, academic program investments, art and music programming, afterschool programming, professional development, additional administrative positions, school based health clinics and capital improvements.

III. DEFINITIONS

... "Phase-out" means the gradual cessation of enrollment in certain grades each school year until a school closes or is consolidated with another school.

"Reassignment boundary change" means an attendance area boundary change that involves the reassignment of currently enrolled students.

"School action" means any school closing; school consolidation; co-location; boundary change that requires reassignment of students, unless the reassignment is to a new school with an attendance area boundary and is made to relieve overcrowding; or phase-out.

"School closing" or "School closure" means the closing of a school and assigning all the students enrolled at that school to one or more designated receiving schools.

(Exhibit 10)

2. Board's Policy on the Review and Establishment of School Attendance Boundaries (Policy Manual Section 703.2, Board Report 05-0622-PO1)

PURPOSE:

The purpose of this policy is to establish a process and procedure for the establishment of attendance boundaries for new schools and for the review and revision of attendance boundaries that the Board may determine are necessary from time to time.

I. Annual Review of Attendance Boundaries

The Department of School Demographics and Planning (DSP) shall review the enrollment at existing schools to determine if there is a need to revise existing boundaries as necessary. If it is determined that there is a need to revise any

existing boundaries, DSP shall develop and recommend any proposed changes to the Chief Executive Officer prior to the beginning of the school year in which the changes will take effect

II. Factors to be considered

A. Capacities of Each of the Schools Involved in the Proposed Boundary Revisions

In considering whether to revise attendance boundaries at existing schools, DSP will consider the extent to which a school is overcrowded or underutilized. Where feasible, the goal is for elementary schools to be utilized at not more than eighty percent of design capacity..Schools will be considered...significantly underutilized if they are less than thirty percent. DSP also shall consider these utilization rates when proposing revisions to attendance boundaries for existing schools....

(Exhibit 9)

3. Procedures for Public Hearings on Proposed School Closure, Consolidation, Co-Location, Phase-Out, Reconstitution, or Reassignment Boundary Change

1. Upon considering to recommend to the Chicago Board of Education ("Board") that a school be closed, consolidated with another school, co-located, phased-out, reconstituted or subject to reassignment boundary change, an independent hearing officer shall be appointed consistent with 105 ILCS 5/34-230(f) 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 making 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.
- 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 complete a speaker registration on behalf of another person.
- c. The hearing officer will determine the order of speakers.
 - d. 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.
 - e. The total number of persons speaking at the hearing will be subject to the sole discretion of the hearing officer.
 - f. The hearing officer may impose any other reasonable procedures or limitations necessary to ensure that the proceedings are orderly and efficient.
 - g. 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 rearing officer's report will also determine whether the Chief Executive Officer complied with the requirements of 1051LCS 5/34-230 and the Chief Executive Officer's Guidelines for School Actions.
(Exhibit 11)

III. HEARING

Kathleen Gibbons, Assistant General Counsel of the Board of Education, presented the CEO's proposal. She submitted the following evidence in support of the proposal.

EXHIBITS PRODUCED:

Documentary submissions were received and included the following:

A. CEO's Compiled Exhibit

Notices of Hearing

1. Notice to Parents/Guardians

- Notice Letter to Parent/Guardian of a Student at Julia C. Lathrop Elementary School and James Weldon Johnson Elementary School dated November 30, 2011

- Draft Transition Plan for the Proposed Closure of Julia C. Lathrop Elementary School

2. Notice to School Personnel and Local School Council Members

- Notice Letter to School Personnel and Local School Council Members at Julia C. Lathrop Elementary School and James Weldon Johnson Elementary School dated November 30, 2011

- Draft Transition Plan for the Proposed Closure of Julia C. Lathrop Elementary School

3. Notice Letter to Elected Officials via Electronic Mail with Attached Notice Letter and Draft Transition Plan for the Proposed Closure of Julia C. Lathrop Elementary School

- Notice Letter to Senator Annazette R. Collins dated November 30, 2011, and Draft Transition Plan for the Proposed Closure of Julia C. Lathrop Elementary School

- Notice Letter to Representative Arthur Turner dated November 30, 2011, and Draft Transition Plan for the Proposed Closure of Julia C. Lathrop Elementary School

- Notice Letter to Alderman Michael D. Chandler dated November 30, 2011, and Draft Transition Plan for the Proposed Julia C. Lathrop Elementary School

4. Affidavits

- Affidavit of Devin F. McFarland, Project Manager at the Chicago Board of Education, Re: Mail and/ or Personal Delivery of Notice Letters to Parents/Guardians, School Personnel and Local School Council Members of Julia C. Lathrop Elementary School and James Weldon Johnson Elementary School on November 30, 2011

- Affidavit of Maritza Rivera-Sanchez, Administrative Assistant in the Office of Intergovernmental Affairs at the Chicago Board of Education, Re: Electronic Mail Delivery of Notice Letters to Elected Officials on November 30, 2011

•Affidavit of Robert Otter, Project Manager at the Chicago Board of Education, Re: Publication of Draft Guidelines for School Actions and the list of hearing officers, on October 31, 2011, final Guidelines for School Actions on November 29, 2011, Publication of Proposals on November 30, 2011, and Publication of Summaries from Community Meetings on January 11, 2012, and January 24, 2012

5. Public Notice of Hearing and Community Meeting by Newspaper Publication in the *Chicago Sun-Times* and *Hoy*, beginning on December 30, 2011, and in the *Chicago Tribune* on December 29, 2011.

Relevant Legal and Procedural Documents

6. 105 ILCS 5/34-18 (2011) ("Powers of the Board")
7. 105 ILCS 5/34-230 (2011) ("School Action Public Meetings and Hearings")
8. 105 ILCS 5/34-225 (2011) ("School Transition Plans")
9. Chicago Board of Education Policy on Review and Establishment of School Attendance Boundaries (Policy Manual Section 703.2, Board Report 05-0622-POI)
10. Guidelines for School Actions, 2011-2012 School Year (Issued November 29, 2011)
11. Chief Executive Officer's Procedures for Public Hearings on Proposed School Closure, Consolidation, Co-Location, Phase-Out, Reconstitution, or Reassignment Boundary Change

Documents and Written Evidence in Support of the Proposal

12. Transcript from the Community Meeting held on January 6, 2012, regarding the Proposed School Closure of Julia C. Lathrop Elementary School
13. Meeting Summary from the Community Meeting held on January 6, 2012, regarding the Proposed School Closure of Julia C. Lathrop Elementary School
14. Transcript from the Community Meeting held on January 20, 2012, regarding the Proposed School Closure of Julia C. Lathrop Elementary School

15. Meeting Summary from the Community Meeting held on January 20, 2012, regarding the Proposed School Closure of Julia C. Lathrop Elementary School
16. Written Statement of Oliver Sicat, Officer of Portfolio Strategy and Planning, Office of Portfolio for the Chicago Public Schools
17. Written Statement of James Dispensa, Director of School Demographics and Planning, Portfolio Office of the Chicago Public Schools with attachments
 - PowerPoint Presentation
 - Attendance Area Boundary Map
 - Board Report 09-0225EX12, Authorizing Phase Out of Julia C. Lathrop Elementary School
18. Written Statement of Annette Gurley, Chief of Schools, Austin-North Lawndale Network of the Chicago Public Schools
19. Written Statement of Stephen Glombicki, Deputy Director of the Office of Safety and Security for the Chicago Public Schools

B. Public Comment Documents

The record was kept open until Monday, January 30, 2012, at 5:00 p.m. to allow those parties who were unable to attend the hearing or for any other reason, to submit written testimony or any documents relating to the Board's proposal. No other documents were received either at the public hearing or subsequent thereto.

TESTIMONY PRODUCED

A. CPS Witnesses:

<u>Name</u>	<u>Affiliation</u>
Oliver Sicat	CPS Chief Portfolio Officer

My name is Oiver Sicat, and I am the Chief Portfolio Officer for the Chicago Public Schools. My primary responsibility is to develop and execute the strategic plan to meet our goal of ensuring all students in every community have access to high quality schools. I have been designated by the Chief Executive Officer to discuss his proposal to close Julia

C. Lathrop Elementary School, hereafter referred to as Lathrop, at the end of the current school year.

We evaluated which schools would be subject to action using the criteria for consideration contained in the Chief Executive Officer's Guidelines for School Actions hereafter referred to as Guidelines. The Guidelines provide that the CEO may recommend a school action if the school is in the process of phasing out based on prior action by the Board.

This proposed closure is a completion of the phase-out and change in the attendance area boundaries which was approved by the Board of Education on February 25th, 2009, per Board Report 09-0225-EX32. The goal of a phase-out is to limit ongoing enrollment in anticipation of eventual closure. Starting with the 2009-2010 school year, Lathrop reduced its entry level grade offerings by one grade level each year. After two years of the phase-out, Lathrop now serves 83 students in Grades 3rd through 8th. After thorough analysis, we believe we can provide the students at Lathrop with a better educational opportunity at James Weldon Johnson Elementary School.

We understand that the staff and families are concerned any time that this kind of change is proposed. We take these concerns very seriously. When we ask important questions around equity for all students district-wide and around our ability to provide a better education for our students immediately, we strongly believe this action is in the best interest of our students.

James Dispensa

**CPS Director of School Demographics
and Planning**

I am the director of School Demographics and Planning for the Chicago Public Schools in the Portfolio office. My responsibilities include undertaking school demographic studies, enrollment projections and the monitoring of space utilization of the public school facilities throughout Chicago. I have been in this position since October of 2004.

The Chief Executive Officer has asked me to appear at this hearing today to convey to you, the parents, faculty and staff and local school council members of the Lathrop Elementary School as well as interested members of the public in attendance, information relevant to the proposal to close Lathrop Elementary School, which is in the process of being phased out per the Board's approval in February 2009.

Lathrop's remaining 83 students will be assigned to Johnson Elementary School. Lathrop is located at 1440 South Christiana Avenue. To fully explain the proposal, I would like to take a moment to present the recent enrollment trend associated with the school and to review a prior Board of Education authorization related to Lathrop School.

The line graph on the screen before you represents the decline in Lathrop's enrollment since 2001.

The declining trend in Lathrop's enrollment contributed to the Board of Education's decision on February 25, 2009, to phase out Lathrop in accordance with the Board's Review and Establishment of School Attendance Boundaries Policy.

As a result of the phase-out, Lathrop's enrollment declined to its current enrollment of 83 students, and the school's enrollment is projected to decline to just 54 students for the upcoming 2012-2013 school year.

This projected enrollment figure is now too low for the school to continue to provide the best possible educational opportunities to its students.

The next line graph on the screen represents Johnson's enrollment since fall of 2001.

Johnson would easily be able to accommodate the 54 projected Lathrop students. During the 2001-02 school year Johnson's enrollment of 409 was approximately 41 percent below its ideal capacity of 690. Since that time the enrollment has declined slightly to the point where its enrollment of 364 is approximately 47 percent below its ideal capacity.

If Lathrop is closed, it is also proposed that Lathrop's attendance area be assigned to Johnson Elementary School and Lawndale Elementary School. Please note that this proposed adjusted attendance area is the same attendance area change that was approved in February 2009. Notwithstanding this proposed boundary change, I want to reiterate that all students enrolled currently in Lathrop Elementary School will be assigned to Johnson Elementary School.

Annette D. Gurley

**CPS Chief of Elementary Schools for
the Austin-North Lawndale Network**

I am employed by the Board of Education of the City of Chicago as a Chief of Elementary Schools, for the Austin-North Lawndale Network. Since August 2011, the Chicago Public Schools (CPS) has divided into 19 Networks, which includes 14 elementary schools and five high school networks. Previously, CPS was divided into 26 areas. Network offices are run by a chief previously known as the Chief Area Officer or CAO or area instructional officer (AIO), who provides support and oversight to the schools assigned to them on behalf of the Chief Executive Officer.

Julia C. Lathrop Elementary School (Lathrop) is within the Austin-North Lawndale Elementary School Network. And I am the chief responsible for the support and oversight of Lathrop on behalf of the CEO. Specifically, my responsibilities entail providing instructional support to schools and coaching, supervising and evaluating principals.

I have been the chief of Lathrop since August 2011. I have 26 years of experience as a teacher and administrator for the Chicago Public Schools

The CEO has asked me to appear at this hearing today to convey to you and to the parents, staff members and local school council members of Lathrop Elementary School as well as interested members of the public in attendance information relevant to the proposal to close Lathrop.

Currently, the school only has 83 students in Grades 3 through 8. As a result of this low student population, Lathrop only qualified for six teachers for the 2011-2012 school year. CPS gave Lathrop an additional teacher to ensure that no general education teacher had to teach three grades simultaneously. For the current school year, Lathrop has one third grade class, one fourth/fifth grade split class, one sixth/seventh grade split class and one eighth grade class. Multigrade or split general education classrooms are not best practices, particularly for underperforming schools such as Lathrop. In a split classroom, the teacher must divide her time between two curriculums and differentiate for a wide range of student ability levels; whereas, in a single grade classroom, the teacher focuses on one curriculum and differentiates within the one curriculum to address individual student needs.

Additionally, due to the small student population, Lathrop no longer has a music, art or computer teacher and no longer has a librarian. Lathrop also lost its full-time reading, math and science specialist positions. Furthermore, Lathrop no longer offers any afterschool academic enrichment and fine arts programs.

If the CEO's proposal to close Lathrop is approved by the Board of Education, the students currently attending Lathrop will be reassigned to James Weldon Johnson Elementary School (Johnson) located at 1420 South Albany Avenue. Johnson is a higher performing school which has experienced a 20 percent point increase on the Illinois Standard Achievement Test or the ISAT, composite scores since it became an Academy for Urban School Leadership ("AUSL") turnaround school in the 2009-2010 school year. Johnson is a Level 2 school and has risen from being in the bottom two percent of schools in the district in 2008 based on the percent of trend and student growth points earned in the performance policy to 58th trend and growth percentile rank in 2011. Comparatively, Lathrop is currently a Level 3 school and is in the bottom eight percent of schools.

In addition, if this proposal is approved, the Lathrop students will receive the following supports to assist with the transition to Johnson:

1. Academic supports that include the following:
 - a. CPS will provide individualized instruction for Lathrop students to boost academic achievement through the support of a highly-trained instructor who will focus exclusively on ensuring Lathrop students receive the intervention and remedial support to boost academic achievement for the remainder of the 2011-'12 school year.
 - b. To ensure a smooth transition, CPS will provide Johnson with comprehensive data on all transitioning students which will enable the school staff to be proactive in supporting the Lathrop students and

identifying necessary interventions to help the students succeed academically.

- c. Johnson, as a part of the AUSL Network, has a range of academic supports and resources that will benefit Lathrop students including intensive academic interventions, tutoring services, advanced data systems and aligned assessments which allow Johnson staff to identify the need for interventions early. Johnson is implementing the new Common Core Standards to ensure a rigorous instructional program. Johnson also has afterschool programs not available at Lathrop which provide students with access to additional instructional time to further accelerate student achievement. Finally, Johnson benefits from the AUSL in-house training program for aspiring teachers which gives them the instructional strategies and tools to meet the diverse needs of all students including those transitioning from Lathrop.
2. Social and emotional supports that include the following:
- a. CPS' Department of Youth Development and Positive Behavior Support case managers will work directly with the Lathrop and Johnson staff along with my staff to determine what supports are needed for Lathrop students to assist them with the transition. To prepare students for the transition, all Lathrop students will have access to small counseling groups to help them understand the change taking place and prepare them for the new school setting.
 - b. To give Lathrop students an opportunity to become familiar with Johnson and meet their new teachers and administrators, Johnson will host an open house before the end of the year and a welcome back night at the beginning of the 2012-'13 school year.
 - c. For students who are homeless and enrolled in the Students in Temporary Living Situations or the STLS program, CPS will provide an STLS staff person at Lathrop one day a week from March 2012 until the end of the school year and at Johnson one day a week from the beginning of the school year until October 31, 2012. The assigned STLS staff will assist with enrollment into the student's new school and facilitate transition into the school. The STLS staff will also provide input regarding any additional interventions required by STLS students to the team providing social, emotional and academic supports.

It is necessary to close Lathrop Elementary School because the school no longer has enough students and accompanying resources to provide its students with all the supports necessary to give them the opportunity to succeed.

Stephen Glombicki

CPS Deputy Director of Security

The Chief Executive Officer has asked me to appear at this hearing to identify the efforts my office has made to ensure that if the CEO's proposal to close Lathrop is ultimately approved by the Board of Education that the children currently attending Lathrop will be able to arrive at their new school safely and feel safe once there.

My office, the Office of Safety and Security ("OSS"), is prepared to address any safety and security challenges that may arise if this proposal is approved. OSS will work together in partnership with local community groups, elected officials, other sister agencies and the Chicago Police Department, specifically with the 10th Police District, to address the safety and security needs of this transition. Specifically, the Office of Safety and Security will host a monthly safety and security task force meeting involving all of these stakeholders, parents and other interested community members.

Additionally, Safe Passage Workers will be assigned to monitor designated street corners to monitor student safety during their travel to school in the morning and home in the afternoon. Regarding the safety of the students, once they are in their proposed new school, we will work closely with the principal and school's security staff to monitor the conditions inside. If need be, we can deploy climate team members to Johnson as well as to train Johnson's staff on the use of de-escalating conflict techniques.

B. Public Comments:

Cynthia De La Cruz

West Side Resident and Concerned Parent

I have come to a couple of these hearings because it concerns me not just for the specific school but for the 250 feeding schools that Chicago right now has in its hands. I believe that everybody here, even those who even favor having Lathrop remain open, must agree that there must be a change. No one could be content when the graduation rate in our city is only 57 percent within the 250 schools. I believe that the system has failed our students.

I strongly urge CPS, CTU and the parents to put aside their differences and really come together and work for the one goal that we all should be thinking of, and that's to improve the education for the children in the City of Chicago. I think that we have to restore our children so that they can have hope in the system.

Ten years from now, are we going to be here again discussing the same things? We need accountability. We need to get organizations and parents involved in decision-making roles for the schools.

Juanita Crespo

Concerned Citizen and Taxpayer

Failure is not an option. We must work together to improve our schools. No one should be against higher education options in our neighborhood. But, if Lathrop closes that will happen.

None of us want to arbitrarily shut down a school, but we need to make improvements to the system. The status quo is failing our children. The union and others here tonight fighting to keep a failing school open are blocking progress.

It is time to stop thinking about adults and start thinking about children which is our future. Let us work together and for once do right by our children by making the decision to improve their lives.

Henry Lewis

Lathrop Special-Ed Teacher

I have worked there since May, 2008. The Lathrop staff, and I'm proud to be one of the members of the staff, is as hard-working as any in Chicago. We are as committed to the success, the academic success and success in every other way, of our students.

Anyone who is familiar with the history of Lathrop, particularly since 2003, knows the strides that Lathrop has made in spite of the staggering challenges it has faced with respect to budget cuts, resulting staff cuts and the kind of criminal environment in the area. We have made as much improvement as probably most of the other schools in the City of Chicago.

Lathrop is a cornerstone of the North Lawndale community, and we have been providing a very special environment. And, I believe if Lathrop is given the opportunity to stay open, and if the school is opened up to all grades, pre-K through eight, we will make that race to the top. So I ask you to reconsider the proposal to close Lathrop.

Rey Delgado

Concerned Parent

I do not want our children to fail. The system failed me. If I was a teacher, I would not have even passed myself. A student with "D"s and "F"s should not be passed to the next grade.

It is not just this (the Lathrop) area. It is the whole Chicago area. I am a father of four. I live on the far north side. The school of my children is failing them also.

I do not want our children to go through what I went through; part-time job, and I cannot find a good job because all the jobs are closing down and unemployment is high. Like I said, I am a failed product. I want our children to have a good education so when a good job comes they could fight for that job.

You have the power now to make a change. You have two choices. Do you want your name to go down in history as the one that failed the school system or the one that changed the school system?

Laura Lopez

Lathrop Counselor

Lathrop is not a failing school. It is a school that has been starved to fail.

During the 2008-2009 school year, Lathrop was recommended for a phase-out due to low enrollment, not because of low ISAT scores. Our enrollment was at 363 that year, which is Johnson's current enrollment number. We were told that all students would be allowed to

graduate. Our enrollment declined after 2009 because of letters that were sent out to the parents by CPS every summer stating that Lathrop was closing.

The ISAT trends and growths show that Lathrop went from the 17th percentile in 2008 to the 70th percentile in 2010. We outperformed Johnson in 2008, 2009, and 2010. The school made gains despite being starved of school resources.

In the 2010-2011 school year, Lathrop lost 80 percent of its teachers. There were only four teacher positions for seven different grade levels. All classrooms were two-grade level splits. One was even a three-grade level split. We had 130 students. There was teacher instability. Three out of the four classes had three different teachers in the first quarter. The students were left with only gym as a prep, no art, no music. All of our afterschool partners discontinued their enrichment and support programs. We currently only have afterschool tutoring. As a result, in 2011 our ISAT scores decreased and only 49.6 percent of our students met or exceeded on the ISAT. But what school wouldn't fail under those circumstances?

There are still students in the building, and they need to be given the same resources that are provided to other students in the CPS schools. If Lathrop's teachers are expected to provide quality instruction to their students, then CPS should be expected to provide them with the resources to do so. CPS' motto is "Children First". If that is the case, then why has it been publicly stated that, if there is a chance that any school may fail in five or ten years, the school will not be funded? Why can't Lathrop get the \$3.4 million that CPS will invest in it after it closes? Why can't Lathrop get it now so that we can provide our students with the resources they need to get back on track to making gains as they did in 2010?

Darleen Garcia

**Community Worker in the
West Homer Park Area**

For the past approximately five to six years, I have been working with a community in the West Homer Park area. One of my roles has been to work with a number of CPS students. One of the main goals that we have is enriching their academics as well as their career development.

The honest truth is sometimes it is very difficult to work with students who really want to do better but they are so frustrated by the time they get to us. They find the time with us a safe haven when they are present, but sometimes they cannot even learn to develop communications or write a resumé in order to advance, and I am talking about seniors in high school.

I simply want to advocate for whatever measures need to be taken in order to improve our students' education. It is not fair that they have gone throughout the system and have faced the situations that they have had to. Many of them come from throughout the Austin, South Lawndale and West Humboldt Park areas.

I simply want them and future generations to have an even better education than I had. I am advancing in my academics and I come from a low-end income community. But I am thankful that I had parents that embraced me and were able to help me to move forward. I want my

students and I want the future generations, even the unborn, to have a better opportunity than I had.

So whatever measure needs be taken, I just hope we take into consideration everything that is at stake for the future. And that we include everyone and every single entity that needs to be incorporated in order to move forward and that the community continues to be heard.

I really hope that we work together because this educational system, our students, need something better.

Jean Arroyo

Concerned Resident

As you know, Lathrop has been on probation for four consecutive years and has one of the CPS' worst possible performance ratings. Nobody gets anxious about closing a school, but we cannot continue to sit back and watch our children fail. Now, only 50 percent of Lathrop's students meet standards on the ISAT, and other schools in the community are outperforming Lathrop by 15 percentage points on state exams.

There are some in this room who may be against the change and defending the status quo, but are we really satisfied with thousands of families across the city being forced to send their children to nearly 300 failing schools in the city? I don't think so.

For the education that is being offered currently at Lathrop School, it is best that it be closed and those students be sent to any other school to receive a better education and further enrichment opportunities. We cannot rob our children of every education opportunity that can be offered to them.

I came from a low-income family, and it is bad enough already. I believe that our children should get the best quality education that can be given.

Brandon Johnson

Chicago Teachers Union

My recommendation is that we oppose the Board's action to close Lathrop.

I am deeply concerned about the Board's policy to disinvest in Lathrop and neighborhood schools. As laid out earlier, \$3.4 million has been proposed by the Board of Education to be invested in Lathrop next year. My recommendation is that the \$3.4 million is used now.

I liken the experience of Lathrop to one-room schoolhouses pre Brown versus the Board of Education. It is senseless to anticipate growth when students are subject to such. The Board of Education's own admission is that thousands of students are not in quality seats. Is this what our students should come to expect; that if their school has the potential for failure that they will be disinvested and they will be filled with uncertainty of their future?

Lathrop students have been referred to as failures. I find this label offensive and narrow. The Board's presentation and characterization of Lathrop in their attempt to offer compassion and mercy is in my humble opinion disingenuous.

Malcolm X made it very clear. He said, "How can I have mercy or compassion in me for a society or a system that will crush people, disinvesting black children and then penalize them for not being able to stand up under the oppressive ways?"

Jermaine Gause

Lathrop Current Employee

I have worked at Lathrop for eight years. I am really offended every time I hear the statement that Lathrop is a failing school. Lathrop is a success story. It is a school that has been slowly starved of its resources, staff has been gutted from the inside out, and, despite all of that, we have still managed to make gains.

I feel as if, as of last year, because of the instability in our teaching position that the scores did go down. But if you check the real data, Lathrop has outperformed Johnson for the past three years despite last year.

The whole thing with this phase-out thing, I believe that it really just hurts our children because not only are resources taken away from our children but funding for different things. And even with our art program and computer stuff, that stuff was taken away way in the beginning of the phase-out. So who are we really cheating by taking that stuff? We are cheating our children because those are the things that the children need that they didn't have that other schools had.

I have been to three of these things, and I have listened to people get up here and read scripts about how schools should be closed, and they have no input on what goes on in North Lawndale or what has gone on at the school. They have no idea of the history of the school and the success. They have not been there in the trenches to see students bringing loved ones to school and being murdered on Douglas Boulevard. They were not there when the police were shooting and killing people behind the school. They do not see the tragedies that these children go through on a day-to-day basis, and then they come to school, and they still try to succeed.

And Lathrop, if you will really check the data, has made growth and the scores are constantly going up until last year when we lost all of our teachers.

I am really here because I oppose this thing, period. And, I believe that the data does not show the true story of what really has gone on in this school.

Carolyn Holmes

Concerned Parent

I would just like to know if any of you on the panel have been to any of these schools that you are proposing to close. You all need to walk through them. I know you all have it on paper, but it is better to go see for yourselves than just to listen and to see the writing.

None of these schools even need to be closed. Take money, fix them up. That is what they need. They need to be fixed up. Get them fixed up.

Then we need to work on why all these children are below the level of where they are supposed to be. That is what we need to be more concerned about; trying to get them to where they are supposed to be because, remember, these children are our future. So if they are not where they are supposed to be, what is our future going to be?

Gerald Anderson

Concerned Parent

I am concerned about these schools being closed.

The kids are not getting a good quality education. This will lead to nothing but a disaster. They will end up on the streets, selling drugs, stealing, robbing, maybe killing people.

You should give these kids a good opportunity and a chance to prove themselves. They are our future. They can succeed in life, fulfill their goals, and be whatever they want to be - judges, lawyers, clerks, firemen or policemen. Give them the opportunity so they are able to fulfill their goals.

I feel that it is not right for you to close the schools down and not give these kids an opportunity to succeed in life.

Cynthia Brown

**Lathrop Prior Student, Prior Employee,
Current Volunteer and Current Local
School Council Member**

I am here to ask you to please keep Lathrop School open.

I attended Lathrop School, I worked there 17 years, I am currently a volunteer there, and I am also on the local school council. I have seen the transformation of Lathrop and how it has affected my community. I worship, work and live in the Lathrop community. Lathrop is a vital part of the community.

If Lathrop closes, you are actually taking a part of something of a community that is already struggling. You would be taking the centerpiece away from us.

I am there every day. I see the families in the community and how important Lathrop is for them. Lathrop has always been there for the families, going through whatever they are going through.

I keep hearing you say that Lathrop is a failing school. If Lathrop is a failing school, that means, CPS, you failed Lathrop. That means I, as a community person, I failed Lathrop. We need to come together. If it is failing, we failed. So we need to come together as stakeholders and see what we can do to keep Lathrop from failing.

If Lathrop fails today, what is going to happen to Johnson ten years from now? We will still be standing here saying “another school has failed.” So that means what we are doing is – we are not doing it right. All of us need to stop pointing fingers. It is not our children. It is not the parents. It is not, actually, CPS. It is all of us.

Let us come together and see what we can do to keep supporting our children.

IV. Statement of Determinations

I make the following determinations regarding the proposal to close Julia C. Lathrop Elementary School (“Lathrop”) and change attendance area boundaries of James Weldon Johnson Elementary School (“Johnson”) and Lawndale Elementary Community Academy (“Lawndale”):

1. Compliance with the provisions of §34-230 (a) requiring the CEO to prepare, publish and submit for public comment “guidelines for actions” has been had. (*Exhibit 10*)
2. Compliance with the provisions of §34-230 (b), and (c) (1) through (5) requiring “notice” has been had. (*Exhibits 1 through 4*)
3. Compliance with the provisions of §34-225 requiring “school transition plans” has been had. (*Exhibits 1 through 4*)
4. Compliance with the provisions of §34-230 (d) requiring publication of notice has been had. (*Exhibit 5*)
5. Compliance with the provisions of §34-230 (e) (1), and (f) (1), (2), (3) requiring a public hearing conducted by a qualified independent hearing officer has been had via the hearing held on January 27, 2012, wherein the undersigned presided.
6. Compliance with the provisions of §34-230 (e) (2), and (g) requiring opportunities to elicit other public comment has been had via public community meetings conducted by a representative of the CEO on January 6, 2012, and January 20, 2012. (*Exhibits 12, 13, 14, 15*)

7. Compliance with the provisions of the Guidelines, specifically, “II. Notice and School Transition Plans” and “Procedures for Public Hearings on Proposed School Closure, Consolidations, Co-Location, Phase-Out, Reconstitution, or Reassignment Boundary” has been had via compliance with the various provisions of §34-230 as set out (at 1 through 5) hereinabove.

8. The Guidelines require the CEO to consider certain criteria when recommending certain school action governed by the provisions of §34-230. The CEO’s proposal to close Lathrop and change attendance area boundaries of Johnson and Lawndale requires consideration of the following criteria set out in the Guidelines:

“I. CRITERIA...

“*OTHER CRITERIA...*

“The CEO may...recommend a school action:

“(1) if the school is in the process of phasing out on a previous action by the Board....”

“In making a decision on which school actions to propose to the Board, the CEO will also consider other information including, but not limited to: student safety data, school culture and climate, enrollment estimates, the quality of the school facility, family and community feedback, or whether the school has recently undergone any school actions, changes in academic focus or actions taken pursuant to 105 ILCS 5/34-8.3.”

9. The proposed Lathrop closure is a completion of the phase-out and change in the attendance area boundaries which was approved by the Board of Education on February 25, 2009, per Board Report 09-0225-EX32. (See: the written statement of James Dispensa (“Dispensa”), Director of School Demographics and Planning, Portfolio Office of the Chicago Public Schools...Board Report 09-0225EX32, titled “Adjust the Attendance Areas of Lathrop, Lawndale and Johnson Elementary Schools and Change the Grade Structure of Lathrop Elementary School,” at Exhibit 17). The goal of a phase-out is to limit ongoing enrollment in anticipation of eventual closure.

10. The prior action of the Board (its propriety and/or enforceability) taken in February, 2009, to “phase-out” Lathrop and change area boundaries is not a matter for consideration or review concerning the current proposal. Accordingly, no determination herein is made concerning the Board’s February, 2009 action.

11. After two years of the phase-out, Lathrop now serves 83 students in Grades 3rd through 8th. Its enrollment is projected to decline to just 54 students for the upcoming 2012-2013 school year. This projected enrollment figure is now too low for the school to continue to provide the best possible educational opportunities to its students.

12. As a result of this low student population, Lathrop only qualified for six teachers for the 2011-2012 school year. CPS gave Lathrop an additional teacher to ensure that no general education teacher had to teach three grades simultaneously. For the current school year, Lathrop has one third grade class, one fourth/fifth grade split class, one sixth/seventh grade split class and one eighth grade class. Multigrade or split general education classrooms are not best practices, particularly for underperforming schools such as Lathrop. Additionally, due to the small student population, Lathrop no longer has a music, art or computer teacher and no longer has a librarian. Lathrop also lost its full-time reading, math and science specialist positions. Furthermore, Lathrop no longer offers any afterschool academic enrichment and fine arts programs.

13. If the CEO's proposal to close Lathrop is approved by the Board, the students currently attending Lathrop will be reassigned to Johnson located at 1420 South Albany Avenue. Johnson is a higher performing school. Johnson is a Level 2 school and has risen from being in the bottom two percent of schools in the district in 2008 based on the percent of trend and student growth points earned in the performance policy to 58th trend and growth percentile rank

in 2011. Comparatively, Lathrop is currently a Level 3 school and is in the bottom eight percent of schools.

14. If this proposal is approved, the Lathrop students will receive the following supports to assist with the transition to Johnson:

1. Academic supports that include the following:
 - a. ...individualized instruction ...to boost academic achievement through the support of a highly-trained instructor who will focus exclusively on ensuring Lathrop students receive the intervention and remedial support to boost academic achievement for the remainder of the 2011-'12 school year.
 - b. To ensure a smooth transition, CPS will provide Johnson with comprehensive data on all transitioning students which will enable the school staff to be proactive in supporting the Lathrop students and identifying necessary interventions to help the students succeed academically.
 - c. Johnson, as a part of the Academy for Urban School Leadership (“AUSL”) Network, has a range of academic supports and resources that will benefit Lathrop students including intensive academic interventions, tutoring services, advanced data systems and aligned assessments which allow Johnson staff to identify the need for interventions early. Johnson is implementing the new Common Core Standards to ensure a rigorous instructional program. Johnson also has afterschool programs not available at Lathrop which provide students with access to additional instructional time to further accelerate student achievement. Finally, Johnson benefits from the AUSL in-house training program for aspiring teachers which gives them the instructional strategies and tools to meet the diverse needs of all students including those transitioning from Lathrop.
2. Social and emotional supports that include the following:
 - a. CPS' Department of Youth Development and Positive Behavior Support case managers will work directly with the Lathrop and Johnson staff to determine what supports are needed for Lathrop students to assist them with the transition. To prepare students for the transition, all Lathrop students will have access to small counseling groups to help them understand the change taking place and prepare them for the new school setting.

- b. To give Lathrop students an opportunity to become familiar with Johnson and meet their new teachers and administrators, Johnson will host an open house before the end of the year and a welcome back night at the beginning of the 2012-'13 school year.
- c. For students who are homeless and enrolled in the Students in Temporary Living Situations or the STLS program, CPS will provide an STLS staff person at Lathrop one day a week from March 2012 until the end of the school year and at Johnson one day a week from the beginning of the school year until October 31, 2012. The assigned STLS staff will assist with enrollment into the student's new school and facilitate transition into the school. The STLS staff will also provide input regarding any additional interventions required by STLS students to the team providing social, emotional and academic supports.

15. CPS' Office of Safety and Security ("OSS") is prepared to address any safety and security challenges that may arise if the proposal is approved. OSS will work together with local community groups, elected officials, other sister agencies and the Chicago Police Department, specifically with the 10th Police District, to address the safety and security needs of this transition.

16. Compliance with the provisions of the Guidelines as set out in Determination 8 hereinabove has been had via the bases set out in Determinations 9, and 11 through 15 hereinabove.

17. The purpose of the Board's Policy on the Review and Establishment of School Attendance Boundaries (Policy Manual Section 703.2, Board Report 05-0622-PO1) is:

“...to establish a process and procedure for the...review and revision of attendance boundaries that the Board may determine are necessary from time to time.”

The testimony and written statement of Dispensa states, “The declining trend in Lathrop's enrollment contributed to the Board of Education's decision on February 25, 2009, to phase out

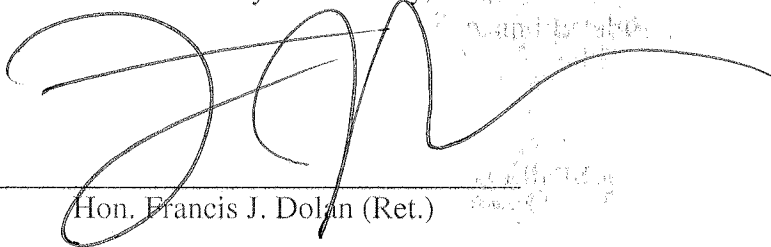
Lathrop in accordance with the Board's Review and Establishment of School Attendance Boundaries Policy.” (*Exhibit 17*). The “declining trend” continues to the present.

18. Compliance with the provisions of the Board's Policy on the Review and Establishment of School Attendance Boundaries has been had as set forth in the testimony and written statement of Dispensa. (*Exhibit 17*).

V. Conclusion

Based on these determinations, I conclude that the CEO has supported his proposal to Close Julia C. Lathrop Elementary School and Change Attendance Area Boundaries of James Weldon Johnson Elementary School and Lawndale Elementary Community Academy.

Submitted this 6th day of February, 2012.



Hon. Francis J. Dolan (Ret.)