

Board of Education of the  
City of Chicago

In Re: The Matter of  
The Proposed Reconstitution of  
Brian Piccolo Elementary School

Before  
Fredrick H. Bates  
Independent Hearing Officer

**Background**

**Introduction**

On or about January 9, 2012, 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 Monday, January 30, 2012, 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 Turnaround Piccolo Elementary School via Reconstitution. CPS served notice of the hearing on the parents, staff members, Principal, and members of the Local School Council via U.S. Mail, and/or personal service. 105 individuals signed in to attend the public hearing, and all 21 people who requested to speak at the hearing, were given the opportunity to do so. The record was left open for the submission of written materials to give anyone who was unable to speak at the Public

Hearing an opportunity to submit their statements and any supporting documentation. The Piccolo school community made multiple post-hearing written submissions.

Pursuant to the directives provided in the document entitled “Procedures For Public Hearings On Proposed School Closures, Consolidation, Co-Location, Phase Out, Reconstitution, Or Reassignment Boundary Change,” 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**

\* \* \* \*

- (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:

\* \* \* \*

- 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 2011-2012

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 2011-2012 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 2010 and Spring 2011. 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 2011 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 2011 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 2011 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 2010 and Spring 2011. 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 2011 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 2011 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 2011 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 2008 and Spring 2011. 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 2011 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 2011 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 2011 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 2010 and Spring 2011. 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 2011 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 2011 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 2011 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 2010 and Spring 2011. 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 2011 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 2011 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 2011 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 2009-2010 school year and from the 2010-2011 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 2010-2011 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 2010-2011 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 2010-2011 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 2011 = 3 points

Greater than or equal to the district average, but less than one standard deviation above the district average in 2011 = 2 points

Below the district average, but by no more than one standard deviation in 2011 = 1 point

More than one standard deviation below the district average in 2011 = 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 2011 = 3 points

Greater than or equal to the district average, but less than one standard deviation above the district average in 2011 = 2 points

Below the district average, but by no more than one standard deviation in 2011 = 1 point

More than one standard deviation below the district average in 2011 = 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 Area Officer (CAO) and CAO designees shall serve as the probation team that will identify the educational and operational deficiencies at Probation schools in their Area 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*).

\* \* \* \*

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 CLOSURES, CONSOLIDATION, CO-LOCATION, PHASE OUT, RECONSTITUTION, OR REASSIGNMENT BOUNDARY CHANGE.**” Those Procedures state:

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 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.
- 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 hearing officer's report will also determine whether the Chief Executive Officer complied with the requirements of 105 ILCS 5/34-230 and the Chief Executive Officer's Guidelines for School Actions.

## **SUMMARY OF THE EVIDENCE**

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

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

Mr. Sicat testified as follows: “I am the Chief Portfolio Officer for 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, or CEO, to discuss his proposal to reconstitute Brian Piccolo Elementary Specialty School, hereafter referred to as Piccolo. Reconstitution is commonly referred to as a turnaround. In a turnaround, students are not displaced, they remain enrolled at the same school, and the Board of Education authorizes a removal and replacement of the staff at the school.

Piccolo is eligible for reconstitution under the Illinois School Code, section 105 ILCS 5/34-8.3, because it has been on probation for at least one year and has failed to make adequate progress to correct its academic deficiencies. In fact, Piccolo has been on probation for five consecutive years, and for a total of 14 out of the past 16 years. You will hear testimony this evening from Jacare Thomas, Network Data Strategist for the Garfield-Humboldt Elementary School Network, detailing the academic performance of Piccolo. You will also hear a statement from Denise Little, Chief of Schools for the Garfield-Humboldt Elementary School Network, who will provide you with more information regarding the basis for the CEO’s proposal and the previous supports that the District provided to Piccolo in an attempt to accelerate student achievement at the school.

If this proposal is approved, the CEO is also recommending that the Academy for Urban School Leadership, or AUSL, take over operation of Piccolo. You will hear testimony tonight from Keisha Campbell, the principal of Julia Ward Howe Elementary School of Excellence, an AUSL turnaround school, who will describe the proven success of AUSL turnaround schools.

We understand that staff and families are concerned any time this kind of change is proposed. We take these decisions very seriously. When we ask the 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 reconstitution is in the best interest of our students.”

**Jacare Thomas      Data Strategist Garfield-Humboldt Elem. School Network**

Mr. Thomas testified: “I am the Data Strategist for the Garfield-Humboldt Elementary School Network of the Chicago Public Schools. In this capacity, I assist Chief of Schools, Denise Little, in analyzing data and advising on strategy for the 25 schools that

we serve in the Garfield-Humboldt Network. I have acted in this capacity since September of 2009.

I am appearing before you today to present specific data highlighting the low academic performance of Piccolo Elementary School. This data will be displayed on the PowerPoint presentation currently being shown.

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 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 four years ago. As you can see, in all four years, Piccolo has been a Level 3 school. In the 2007-2008 school year, Piccolo received 26.2% of available points. In the 2008-2009 school year, it received 35.7% of available points. In the 2009-2010 school year it received 14.3% of available points. In the 2010-2011 school year, it received 19% of available points. Prior to four years ago, CPS still had a policy determining a school's accountability status. Piccolo has been on probation for the past five consecutive school years. The notices of Piccolo's Performance Policy status for the last four school years, which were sent to the Piccolo principal, are included in the binder of documents that you have received.

The next slide shows the results of the Illinois Standards Achievement Test, or ISAT, for the 2010-2011 school year for Piccolo, the geographic network in which Piccolo is located, and the District. Piccolo is located in the Garfield-Humboldt network. The term "geographic network" refers to the schools that are currently in the Garfield-Humboldt Elementary School network, as well as elementary schools located within the community, but managed independently, such as charter schools. The reason for using geographic network in this calculation was to show how Piccolo is performing compared to all other schools within its community.

As you can see, Piccolo's 2010-2011 ISAT Composite meets or exceeds score, which is the combined result of the ISAT reading, mathematics, and science assessments, was 50.6%, compared to a geographic network average of 69.7% and a District average of 75.6%. In reading, the percent of Piccolo students meeting or exceeding state standards was 46.9%, compared to a geographic network average of 64.9% and a District average of 72.7%. In mathematics Piccolo's performance was 54.3%, compared to a geographic network average of 75.5% and a District average of 79.4%. In science Piccolo's

performance was 50.5%, compared to a geographic network average of 66.9% and a District average of 72.4%.

The next few slides show Piccolo's performance over time on the metrics used in the Performance Policy. These slides demonstrate that the performance gap between Piccolo and other schools in the geographic network and across the District has been persistent over time, and in recent years has been widening. Piccolo's Composite Meets or Exceed score was 6.2 percentage points below the geographic network average in 2005-2006 and 19.1 percentage points below the geographic network average in 2010-2011. Piccolo's Composite score was 17.3 percentage points below the District average in 2005-2006 and 25 percentage points below the District average score in 2010-2011.

In addition to measuring the percentage of students meeting state standards, CPS also measures the percentage of students exceeding state standards. In 2010-2011, Piccolo's ISAT Exceeds score was 2.2%, compared to a geographic network average of 11.3%, and a District average of 18.1%. Piccolo's Composite Exceeds score was 2.3 percentage points below the geographic network average in 2005-2006 and 9.1 percentage points below the geographic network average in 2010-2011. Piccolo's score was 7.5 percentage points below the District average in 2005-2006 and 15.9 percentage points below the District average score in 2010-2011.

The performance gap between Piccolo and the District is consistent across subjects. Piccolo's ISAT Reading Meets or Exceed score was 5.8 percentage points below the geographic network average in 2005-2006 and 18 percentage points below the geographic network average in 2010-2011. Piccolo's score was 16.6 percentage points below the District average in 2005-2006 and 25.8 percentage points below the District average in 2010-2011.

Piccolo's ISAT Mathematics Meets or Exceeds score was 8.2 percentage points below the geographic network average in 2005-2006 and 21.2 percentage points below the geographic network average in 2010-2011. Piccolo's score was 19.2 percentage points below the District average in 2005-2006 and 25.1 percentage points below the District average in 2010-2011.

Piccolo's ISAT Science Meets or Exceed score was 0.8 percentage points below the geographic network average in 2005-2006 and 16.4 percentage points below the geographic network average in 2010-2011. Piccolo's score was 13 percentage points below the District average in 2005-2006 and 21.9 percentage points below the District average in 2010-2011.

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.

As you can see, Piccolo's reading value-added score was -2.0 in 2010 and -1.4 in 2011. Its mathematics value-added score was -1.7 in 2010 and -0.2 in 2011. This means that, on average, students at Piccolo grew at a below-average pace in reading and mathematics in both of the last two years. As a point of reference, Piccolo's 2011 value-added score for reading was in the bottom 8% of scores in the District.

To conclude, Piccolo 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 progress in catching up to the District.”

**Denise Little                      Chief of Schools Garfield-Humboldt Network**

Ms. Little testified as follows: “I am employed by the Board of Education of the City of Chicago as the Chief of Schools for the Garfield-Humboldt Elementary School Network. Chicago Public Schools are divided up into Networks, previously known as Areas. Network offices are run by a Chief, previously known as the Chief Area Officer, and provide support and oversight for the schools assigned to them on behalf of the CEO. Brian Piccolo Elementary Specialty School (“Piccolo”) is within the Garfield-Humboldt Elementary School Network and I am responsible for the support and oversight of Piccolo on behalf of the CEO. I have been the Chief of Piccolo since August of 2011.

Before beginning, I would like to clarify that throughout my testimony, when I refer to the “Network,” I will be collectively referring to staff members from both the former Area and current Network.

By way of background, I have been an educator with CPS for over 30 years. I began my career as a teacher in Englewood. I taught 7<sup>th</sup> and 8<sup>th</sup> grade in six different CPS schools before becoming an assistant principal at Hefferan Elementary. I then served as principal at Hefferan for 13 years, during which time reading scores improved from 13 percent to

75 percent and math scores improved from 17 percent to 80 percent. In 2007, I became the Area Instructional Officer for Area 7, and I was later appointed as Chief Area Officer. I have a Masters degree in Education and Administration and Supervision with an endorsement in Computer Science, and I participated in the Public Education Leadership Program at Harvard University during the summers of 2009 and 2010.

As the Chief of Schools in the Garfield-Humboldt Network, my responsibilities include providing instructional support to schools, and coaching, supervising and evaluating principals. Since August, I have supervised, supported, coached and evaluated the performance of the principal of Piccolo School.

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 Piccolo School, as well as interested members of the public in attendance, information relevant to the proposal to reconstitute and turn around Piccolo.

Piccolo is located at 1040 North Keeler Avenue, and currently serves roughly 600 students in grades pre-Kindergarten through eighth.

Piccolo has been on probation for 14 of the last 16 years, and for the past five consecutive school years. As my colleague, Jacare Thomas, testified, the school has demonstrated low academic performance across subject areas, students are not growing at a rate consistent with other comparable schools in the geographic network and the District, and the gap between Piccolo and other schools has been widening in recent years. Based on the Performance Policy and my observations, I have concluded that Piccolo School has made insufficient progress in improving student academic achievement.

Through my review of the Piccolo School Improvement Plans, information I have gained from Network staff, my own knowledge of the District's initiatives, and my work with Piccolo since August 2011, I am aware of how the District has supported Piccolo in an attempt to correct its deficiencies during the last several years with programmatic, professional development and mentoring supports.

Dating back to 2006, the Board provided the following supports, shown in documents included in your binder at tab 12e:

- First, the District entered into a partnership with the Chicago Teachers Union, or CTU, to make Piccolo a Fresh Start School, meaning the CTU agreed to provide Piccolo teachers with instructional supports to help them be more successful in the classroom.
- Second, the District assisted with the school's implementation of Success For All, a program aimed at improving reading skills.
- Third, the District offered internal grade restructuring to address student discipline concerns.
- Fourth, the school's library was upgraded to include leveled texts.

More recently, the Network has provided Piccolo with the following supports in an effort to improve student achievement:

- Since Piccolo 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. This is done through the School Improvement Plan for Advancing Academic Achievement, or SIPAAA. Copies of the SIPAAA for the last two school years are located in your binder at tabs 12a and 12c. The SIPAAA is created with input from data and several stakeholders to identify the key areas where the school needs improvement, plan interventions to support the school, and allocate funds accordingly. The Chief not only provides input in the creation of the SIPAAA, but also approves the SIPAAA upon completion on behalf of the District. The Board of Education also approves the SIPAAA, and copies of the Board Reports adopting the last two years of SIPAAAs for Piccolo are located in your evidence binder at tabs 12b and 12d.
- In the 2010-2011 school year, the Network exercised extensive oversight for school budget allocations and staffing. The Piccolo principal was directed to convert one of the two assistant principal positions into a literacy coach and to use staff strategically to minimize split level classrooms.
- Beginning four years ago, Piccolo staff received regular professional development on guided reading practice, a reading program that grouped children according to reading level and emphasized small-group instruction. As Jacare Thomas testified, reading scores at Piccolo have been consistently lower than District and geographic network averages, and despite this support, reading scores at Piccolo remained more than 25 percentage points below the District average for the 2010-2011 school year.
- Network staff conducted frequent visits and walk-throughs at the school to support implementation of guided reading practice. By the end of the 2010-2011 school year, the Network leadership staff had visited Piccolo more than any other school. The Network regularly intervened to address student behavior, employee discipline, and to help resolve parent complaints at the school.
- The Network Attendance and Community Coordinator developed extensive community partnerships to provide Piccolo families with health services, sports programs, and violence prevention initiatives.
- A former Piccolo principal was removed and replaced in 2008 after the school had been placed on probation and had failed to make adequate progress to correct deficiencies in accordance with the Illinois School Code provision on remediation and probation of attendance centers (105 ILCS 5/34-8.3). Despite this action, Piccolo received only 19% of the available Performance Policy points in the 2010-2011 school year, which is fewer than the 26% it received in the 2007-2008 school year.
- Since August, teachers have been provided with mandatory professional development in strategies to improve reading, site word recognition, math skills, and science mastery through the following programs: Network Reading Strategies, Network Site Word Development Program, Network Math Achievement Test, and Network Science Assessment. In these programs, students

are regularly assessed to gauge mastery and educators throughout the Network support teachers in analyzing data to provide remediation and enrichment for students needing intervention.

Despite these supports, student academic growth at the school has not kept pace with District averages. For individual students and for the community, there is an urgent need for the performance of Piccolo to improve and to improve quickly. Accordingly, the CEO is recommending that Piccolo be turned around.

In a turnaround, students will not be displaced from the school. Instead, a new team of administrators, faculty and support personnel will be staffed at the school.

If the Board approves the proposed turnaround of Piccolo, the CEO will recommend that the Academy for Urban School Leadership, or AUSL, manage the school, and hire and train the new administration and staff. My colleague, Keisha Campbell, will testify next and provide you with more information about AUSL's strategies and successes. In my opinion, this comprehensive approach, if rigorously implemented, will result in accelerated student achievement at Piccolo.

In conclusion, there is an urgent need to improve student achievement at Piccolo Elementary School. The community and the students deserve better. Prior supports and interventions at Piccolo have not produced satisfactory results. The CEO believes that a turnaround will provide students with better educational opportunities, and we owe it to the Piccolo students to implement this strategy.”

**Keisha Campbell**

**Principal Ward Howe Elementary School**

Ms. Campbell's testimony was primarily for the edification of the Piccolo 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 school action, have been complied with. Ms. Campbell testified: "I am employed by the Board of Education of the City of Chicago as the principal of Julia Ward Howe Elementary School of Excellence, otherwise known as Howe.

The CEO has asked me to appear at this hearing today to convey to you, and the Piccolo school community, as well as interested members of the public in attendance, information on the Academy of Urban School Leadership, otherwise known as AUSL.

By way of background, I am currently the principal of Howe, a turnaround school in its fourth year. I have been a principal of Howe since AUSL took over management of the school in 2008. As principal, I have seen the Howe students accomplish 29.1 points of growth on the ISAT resulting in a composite of 72.0% of students meeting or exceeding state standards. Prior to my principalship at Howe, I served as an elementary school teacher and a lead literacy teacher in the Chicago Public Schools for five years. I also worked as a Striving Reader Coordinator, where I coordinated and implemented the

Striving Reader Research Project in Chicago Public Schools. I have a Bachelors of Science in Elementary Education and a Masters of Education in Instructional Leadership with an emphasis on reading, writing, and literacy.

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 and, more recently, at the high school level. AUSL manages 19 schools and seven are “dual mission” CPS schools, which include training academies that equip teachers to work specifically in turnaround settings. The remaining 12 schools are turnarounds; 10 elementary schools and two high schools.

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

The PowerPoint presentation currently being shown illustrates AUSL’s multi-year success in implementing turnaround strategies. The first slide compares the percentage of students meeting or exceeding state standards before AUSL managed the school to the same schools’ performance in the 2010-2011 year. As you can see, 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 three, 72.0 percent of students are 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 three of the turnaround, 74.0 percent of the students are meeting or exceeding state standards.
- At Harvard School of Excellence, only 31.8 percent of students were meeting or exceeding state standards on the ISAT before the turnaround. Today, in year four, 65.5 percent of students are meeting or exceeding state standards.

The second slide compares the schools’ performance growth from the 2009-2010 school year to the 2010-2011 school year. As you can see, every school demonstrated increased student achievement, and Bradwell, Curtis, and Deneen saw increased scores even in their first year. This slide also shows that AUSL schools make even further gains by year three, and one school is continuing to demonstrate growth five years after being turned around.

AUSL has developed a data driven framework that is the basis for its plan to improve academic performance outcomes at Piccolo, 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;
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 recruitment, 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.

As you can see, 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 Piccolo school community.”

**LaTrice Watkins**

**Piccolo LSC Chairperson**

Ms. Watkins stated: “I believe that we do not need a turnaround because in July we just got appointed a new principal and ever since she been in the school she's been on top of her job. She replaced some teachers there and kept some teachers there. Our kids know majority of the teachers and they have that social network with the teachers. ... So that is why I really don't want the turnaround to happen because the parents and the teachers are coming together to help out with the school. Report card pickup we had 86 percent for the people to come – the parents to come to pick up their report card and we never had that before, ever. Dr. Brunson opened up the school ... for the parents. The teachers are interacting with the parents. She has a plan in place for the ISAT scores to come up. And she started Saturday school for our ISAT tests for the kids. The discipline has improved. We do not have a lot of suspensions. There are – they are educated on how to behave themselves in the school once they walk into the school. The attendance rate I believe is at 92 percent, our goal is to get to 95 percent. So in that area we are making the change in our school now and we do not need anybody else to come to our school. We have new community partners helping with the kids social and emotional skills. We have parents classes that the community partner has brought in to engage our parents in working with computers, learning how to speak English and so on. So I feel that the staff and the principal is doing their job and we do not need a turnaround because we already did our own turnaround in the school.”

**Kim Bickes**

**Teacher**

She started at Piccolo shortly before they announced the Turnaround and now she is in jeopardy of losing her job. The students are also affected in that building and maintaining relationships is important to them. She points to the excessive dropout rate at Orr after they we made a Turnaround School.

**Gloria Pena Cahill**

**Teacher**

Prior to the last administration Piccolo was competitive and making gains in reading and math for five consecutive years on the ISAT prior to 2008. Piccolo was on probation because it did not meet all the requirements for AYP. She claims there was no attempt by CPS to help the school, and positions remained vacant. She stated: “No attempts were made by the District to see what teachers at Piccolo needed for their students or to see what the community and children needed. After School Programs were cut prohibiting most students from attending and were not given permission to start until November. This had a significant impact on a majority of students who need this program.”

**Shevonnie Williams**

**Parent**

Ms. Williams believes that the school needs to remain open for the sake of the children.

**Claudia Nunez**

**Teacher**

She complained that they have had 3 Administrations in 5 years with a change in curriculum each time. Under their current new Principal the scores are rising and the Parents are involved. They now have a highly qualified staff with strong leadership so there is no reason to turnaround Piccolo in her opinion.

**Kristian Locke**

**Concerned College Student**

Based upon the data presented at the hearing he believes that at Turnaround at Piccolo is needed.

**Thomas Hayes**

**Parent**

He testified: “[W]e need to find the right forum for our students in fixing the problems. Our students need to have a comfortable learning atmosphere so they can be successful, so they can go and receive a quality education just like, you know, the people who here at the Board of Education. I think they deserve a fair chance also.”

**Jay Rehak**

**Teacher, Whitney Young H.S.**

Mr. Rehak testified in pertinent part as follows: “I have come here tonight to oppose turning Piccolo around specifically because I believe from experience that all children need stability in their lives. In fact, again from experience I understand that stability is the cornerstone of success and the foundation of learning. There is no question that reconstituting Piccolo School will create instability in the lives of the children CPS is charged to serve. As Dick Gregory the great social activist has noted, for many students teachers are the mothers and fathers along the way. They are the cornerstone of those children's lives. So I ask you, I urge you today to look beyond your data and into the eyes of the children you will be destabilizing by destroying the Piccolo community and by terminating their mothers and fathers along the way.”

**Nedra Martin**

**Parent**

The new Principal is working with the parents and students. They have a variety of uniform colors now. 92% of the parents have voted “no” to the turnaround proposal.

**Lisa Andino**

**Community Member**

The West Humboldt Park Community Action Council has presented recommendations to CPS as an alternative to this Turnaround proposal, and CPS should listen to the community.

**Student A**

**Cameron 5<sup>th</sup> Grade Student**

Piccolo should be given another chance.

**Dan Valliere**

**WHPCAC**

He testified in part: “Over the past 12 months we've toured area schools with principals, we've reviewed school needs and performance and we share the sense of urgency and the need to dramatically improve the schools. We discovered that some schools have shown significant recent progress. These schools include schools like Morton, Ryerson, Warde. One of these is a turnaround with AUSL, being Morton. Two of them are neighborhood schools that have strong school leadership combined with many years working under a strong network team which was a former Area 7 team. We also discovered other schools in our neighborhood, including Piccolo, that had shown less recent progress. These schools were – in some cases had changes in principal leadership and also were under the Area 4 network that it had as you've heard earlier turn over in its leadership team. ...

We have also seen that there is new principal leadership at several of the former Area 4 schools, including Piccolo, this year, meaning starting, you know, at the beginning of this current school year. And there are strong signs of progress under this leadership, albeit recent. And Piccolo is one of these schools and you've heard some testimony already on that. Based on the past 12 months of our study as a committee the Community Action Council supports a proposal to improve Piccolo by maintaining the new promising principal leadership at Piccolo for two years with close monitoring of progress. And if the school does not show significant progress in two years then we will work with CPS to plan a turnaround process.”

**Debbie Pope**

**Retired CPS Teacher**

Ms. Pope believes that the Turnaround process disrupts relationships between Teachers and Students, and that the new teachers will have no commonality with the students. She feels the proposed action will destabilize the children and is not helpful. The results of Turnarounds are mixed at best in her opinion, so she feels CPS should work with the dedicated faculty and staff at Piccolo.

**John Arroyo**

**Community Member**

Mr. Arroyo said that he is totally for the Turnaround because CPS must stop the offense of not educating the children.

**Ernesto Betancurt**

**Community Member**

He feels that CPS can keep accepting failure, or do the right thing for the children. He supports the Turnaround at Piccolo.

**Martin Ritter**

**CTU**

Mr. Ritter spoke on behalf of the Chicago Teacher's Union and testified in relevant part as follows: "The status quo of CPS is for schools like this in low income communities to be divested from, that's the opposite of invest, for many years. All of the things and all of the programs that they mentioned in regards to Piccolo for the last years, many of those programs were cut or decreased in their funding. Numerous programs simultaneously cut while class sizes were increased. CPS cannot dispute this. Students support programs described throughout the numerous PowerPoint presentations and the testimony of I believe her name is Ms. Little, those programs were cut. In the past year net -- new network programs were introduced to Piccolo all based on assessment. Assessment is another word for testing. That's all we needed is more testing, right? Because testing actually teaches kids something as opposed to instruction.

I also would like to say that Orr High School, the current school that the Piccolo graduates occasionally go to because they choose not to go to, that is a turnaround school run by AUSL. If the children who go to Piccolo choose not to go to Orr that's run by the organization that is going to be proposed to be taking over Piccolo that says something about their, you know, belief in the turnaround model.

I'd also like to mention that in a recent community meeting at Piccolo that 107 parents attended and 92 percent of them voted against the turnaround in full knowledge that numerous financial resources would come into the school if the turnaround occurred. And they said they want to keep their teachers, they want to keep their staff, their lunch ladies, their janitors, their security guards, and people they have a connection with."

**Erin Smith**

**Teacher**

She offered the following comments in opposition to the Turnaround, which I have opted to include in there entirety: "I'm here tonight to convince the Board to vote no on the proposition to turn Piccolo over to AUSL. In the past four years alone there have been multiple changes that were detrimental to Piccolo's success.

We've had three different principals, three different reading curriculums and lost numerous staff to budget cuts. The constant change at Piccolo created an environment of instability where it was difficult for students to learn. This August we received a new principal that has since improved test scores, attendance and parent participation. Piccolo is finally moving in the right direction. Bringing in AUSL now is one more change that students do not need. Create stability at Piccolo by voting no to turning it over to AUSL.

According to AUSL's Web site it takes eight years to complete the AUSL turnaround process. With our new principal and policies at Piccolo we are one year into that process on our own. We have made significant improvement already so why start over? Don't set our students back another year, vote no to turning Piccolo over to AUSL. While I'm sure AUSL has good intentions, their track record in the Humboldt Park neighborhood is poor. Orr High School, the feeder high school for Piccolo students, has had a devastating drop in their senior class enrollment since becoming an AUSL school. One Orr student told us that her graduating class dropped from over 300 students to less than 120 due to dropout and expulsion. This AUSL student described an environment where AUSL staff does not deal with student behavior, they simply kick them out. Do not subject Piccolo students to this same environment, vote no to turning Piccolo over to AUSL.

The decision you make tonight will impact the education of over 500 students and the livelihood of over 40 staff members. Make the right choice, vote no to turning Piccolo over to AUSL.”

**Elisa Nigaglioni**

**Community Member**

She testified in relevant part as follows: “I'm a member of the community and I support the Piccolo School because I've been working with the parents there. ... Why not let this new principal who was chosen by CPS, it wasn't anyone else who chose them, CPS chose them, why not give them a chance to carry out their work? She worked for that company AUSL and so she knows what AUSL is about, she knows how to implement strategies for improvement. You've heard from the teachers and the kids and the parents here about what they can do.”

**Jackson Potter**

Mr. Potter incorrectly challenged the Hearing Officer as having currently or previously worked for the Franczek law firm and then offered: “I think it's important to note that there's only been one instance or two instances where hearing officers overturned the decision of the Board to close, turnaround, consolidate, co-locate a school. So I hope that this information will be taken seriously.”

**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, an affidavit regarding the same, and an e-mail reminder concerning the Hearing sent to CPS School-Based Staff; 2) The Chicago Board of Education's School Performance, Remediation and Probation Policy for the 2011-2012 School Year (Policy Manual Section 302.6A, Board Report 10-0728-PO4); 3) The Chief Executive Officer's Procedures for Public Hearings on Proposed School Closure, Consolidation, Phase-Out, Reconstitution, or Reassignment Boundary Change; 4) A copy of the relevant statutory provisions; 5) The 2008, 2009, 2010 and 2011 Notice Letters to the school concerning its performance policy status; 6) School Improvement Planning for Advancing Academic Achievement ("SIPAAA") for Piccolo Elementary School, 2010-2012, Year 1; 7) Board Report Approving the 2010-2012 School Improvement Plans for Schools on Probation and for Schools with School Improvement Status, dated December 15, 2010 (Board Report 10-1215-ED4); 8) SIPAAA for Piccolo Elementary School, 2010-2012, Year 2; 9) Board Report Approving Updates to the 2010-2012 School Improvement Plans and Related Budgets for Schools on Probation and for Schools with School Improvement Status, dated August 24, 2011 (Board Report 11-0824-ED2); 10) The Chicago Public Schools Restructuring Summary for Brian Piccolo Elementary School; and 11) The CPS witnesses written testimony and related Power Point presentations.

### **Documents Submitted In Opposition To The Turnaround**

After the hearing approximately 52 written statements were submitted, primarily by parents and teachers who opposed the proposed turnaround at Piccolo Elementary School.<sup>1</sup> Two additional documents were submitted post-hearing that warrant noting, and those documents include: 1) A letter from Cecile Carroll of Blocks Together alleging that

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<sup>1</sup> The documentary evidence received from the School Community following the Public Hearing, in large part mirrored the testimonial evidence presented. Accordingly, said submissions are described generally herein, and the Hearing Officer has submitted said materials to the CPS Law Department for inclusion in the record in this case. Some of the post-hearing parental submissions were in Spanish but were translated into English.

although Turnaround schools are not covered by the new legislation, there is new leadership at this school that deserves to be given an opportunity as they are trending in an upward direction; and 2) A letter from Alderman Emma Mitts, 37<sup>th</sup> Ward, supporting the CPS Turnaround at Piccolo, stating: “The residents of the 37<sup>th</sup> Ward deserve access to quality education.”

### **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 2011-2012 School Year, and the Chief Executive Officer’s Procedures for Public Hearings on Proposed School Closure, Consolidation, Phase-Out, Reconstitution, or Reassignment Boundary Change. 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 Turnaround Piccolo Elementary School via Reconstitution.

2. On Monday, January 30, 2012, a public hearing was held at the Board of Education, 125 South Clark, Chicago, Illinois. The public hearing that is required to be conducted prior to reconstituting a school has taken place in this case, 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 correct the school's 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. Piccolo is located at 1040 North Keeler Avenue, Chicago, Illinois 60651, and currently serves roughly 600 students in grades pre-Kindergarten through eighth.

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 in Piccolo would continue as students at the school; All staff including the faculty would be removed and replaced; Piccolo 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 2011-2012 School Year (Policy Manual Section 302.6A, Board Report 10-0728-PO4), 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 four years ago. In all four years, Piccolo has been a Level 3 school. In the 2007-2008 school year, Piccolo received 26.2% of available points. In the 2008-2009 school year, it received 35.7% of available points. In the 2009-2010 school year it received 14.3% of available points. In the 2010-2011 school year, it received 19% of available points.

7. ISAT performance is used as a part of the elementary school scoring in the CPS Performance Policy. Piccolo's 2010-2011 ISAT Composite meets or exceeds score, which is the combined result of the ISAT reading, mathematics, and science assessments, was 50.6%, compared to a geographic network average of 69.7% and a District average of 75.6%.

8. In reading, the percent of Piccolo students meeting or exceeding state standards was 46.9%, compared to a geographic network average of 64.9% and a District average of 72.7%. In mathematics Piccolo's performance was 54.3%, compared to a geographic network average of 75.5% and a District average of 79.4%. In science Piccolo's performance was 50.5%, compared to a geographic network average of 66.9% and a District average of 72.4%.<sup>2</sup>

9. The performance gap between Piccolo and other schools in the geographic network and across the District has been persistent over time, and in recent years has been widening. Piccolo's Composite Meets or Exceed score was 6.2 percentage points below the geographic network average in 2005-2006 and 19.1

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<sup>2</sup> The term "geographic network" refers to the schools that are currently in the Garfield-Humboldt Elementary School network, as well as elementary schools located within the community, but managed independently, such as charter schools. The reason CPS used the geographic network in this comparison was to show how Piccolo is performing compared to all other schools within its community.

percentage points below the geographic network average in 2010-2011. Piccolo's Composite score was 17.3 percentage points below the District average in 2005-2006 and 25 percentage points below the District average score in 2010-2011.

10. In addition to measuring the percentage of students meeting state standards, CPS also measures the percentage of students exceeding state standards. In 2010-2011 Piccolo's ISAT Composite Exceeds score was 2.2%, compared to a geographic network average of 11.3%, and a District average of 18.1%. Piccolo's Composite Exceeds score was 2.3 percentage points below the geographic network average in 2005-2006 and 9.1 percentage points below the geographic network average in 2010-2011. Piccolo's score was 7.5 percentage points below the District average in 2005-2006 and 15.9 percentage points below the District average score in 2010-2011.

11. The performance gap between Piccolo and the District is consistent across subjects. Piccolo's ISAT Reading Meets or Exceed score was 5.8 percentage points below the geographic network average in 2005-2006 and 18 percentage points below the geographic network average in 2010-2011. Piccolo's score was 16.6 percentage points below the District average in 2005-2006 and 25.8 percentage points below the District average in 2010-2011.

12. Piccolo's ISAT Mathematics Meets or Exceeds score was 8.2 percentage points below the geographic network average in 2005-2006 and 21.2 percentage points below the geographic network average in 2010-2011. Piccolo's score was 19.2 percentage points below the District average in 2005-2006 and 25.1 percentage points below the District average in 2010-2011.

13. Piccolo's ISAT Science Meets or Exceed score was 0.8 percentage points

below the geographic network average in 2005-2006 and 16.4 percentage points below the geographic network average in 2010-2011. Piccolo's score was 13 percentage points below the District average in 2005-2006 and 21.9 percentage points below the District average in 2010-2011.

14. 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/ethnicity, mobility, participation in the Students in Temporary Living Situations program, Individualized Education Program (or IEP), English Language Learner status, and gender. 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. Piccolo's reading value-added score was -2.0 in 2010 and -1.4 in 2011. Its mathematics value-added score was -1.7 in 2010 and -0.2 in 2011. This means that, on average, students at Piccolo grew at a below-average pace in reading and mathematics in both of the last two years. Piccolo's 2011 value-added score for reading was in the bottom 8% of scores in the District.

15. This low performance has taken place at despite efforts by CPS to provide

the school with assistance, strategies and training. The District has supported Piccolo in an attempt to correct its deficiencies during the last several years with programmatic, professional development and mentoring supports. Dating back to 2006, the Board provided the following supports:

- First, the District entered into a partnership with the Chicago Teachers Union, or CTU, to make Piccolo a Fresh Start School, meaning the CTU agreed to provide Piccolo teachers with instructional supports to help them be more successful in the classroom.
- Second, the District assisted with the school's implementation of Success For All, a program aimed at improving reading skills.
- Third, the District offered internal grade restructuring to address student discipline concerns.
- Fourth, the school's library was upgraded to include leveled texts.

16. More recently, the Network has provided Piccolo with the following supports in an effort to improve student achievement:

- Since Piccolo 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. This is done through the School Improvement Plan for Advancing Academic Achievement, ("SIPAAA"). The Network Chief not only provides input in the creation of the SIPAAA, but also approves the SIPAAA upon completion. The Board of Education also approves the SIPAAA.
- In the 2010-2011 school year, the Network exercised extensive oversight for school budget allocations and staffing. The Piccolo principal was directed to convert one of the two assistant principal positions into a literacy coach and to use staff strategically to minimize split level classrooms.
- Beginning four years ago, Piccolo staff received regular professional development on guided reading practice, a reading program that grouped children according to reading level and emphasized small-group instruction. As Jacare Thomas testified, reading scores at Piccolo have been consistently lower than District and geographic network averages, and despite this support, reading scores at Piccolo remained more than 25 percentage points below the District average for the 2010-2011 school year.
- Network staff conducted frequent visits and walk-throughs at the school to support implementation of guided reading practice. By the end of the 2010-2011 school year, the Network leadership staff had visited Piccolo more than any other

school. The Network regularly intervened to address student behavior, employee discipline, and to help resolve parent complaints at the school.

- The Network Attendance and Community Coordinator developed extensive community partnerships to provide Piccolo families with health services, sports programs, and violence prevention initiatives.
- A former Piccolo principal was removed and replaced in 2008 after the school had been placed on probation and had failed to make adequate progress to correct deficiencies in accordance with the 105 ILCS 5/34-8.3(d)(2) of the Illinois School Code. Despite this action, Piccolo received only 19% of the available Performance Policy points in the 2010-2011 school year, which is fewer than the 26% it received in the 2007-2008 school year.
- Since August, teachers have been provided with mandatory professional development in strategies to improve reading, site word recognition, math skills, and science mastery through the following programs: Network Reading Strategies, Network Site Word Development Program, Network Math Achievement Test, and Network Science Assessment. In these programs, students are regularly assessed to gauge mastery and educators throughout the Network support teachers in analyzing data to provide remediation and enrichment for students needing intervention.

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

17. Illinois law, and all 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 2011-2012 school year, and the CEO's Procedures governing the Public Hearing.<sup>3</sup>

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<sup>3</sup> The CEO's Guidelines for School Actions are inapplicable to this case. The definitions pertaining to 105 ILCS 5/34-230, found in 105 ILCS 5/34-200, define school action as "any school closing; school consolidation; co-location; boundary change that requires the 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." The definition does not include reconstitutions under 105 ILCS Section 5/34-8.3(d)(4) of the Illinois School Code. The CEO's Guidelines for School Actions were drafted pursuant to 105 ILCS 5/34-230, and since the definition of "school action" does not include reconstitutions, the CEO Guidelines are not applicable to reconstitution hearings.

### **Recommendation**

The Hearing Officer hereby recommends that the Board approve the CEO's proposal to Reconstitute Piccolo Elementary School. Piccolo 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. In fact Piccolo Elementary School has astonishingly been on probation for 14 of the last 16 years, and for the past five consecutive school years. The school has low performance, this performance is consistently low across subject areas, and the school is not making progress in catching up to the District. The only reasonable conclusion that one can draw from the data presented is that Piccolo School has made insufficient progress in improving student academic achievement.

FURTHER THE HEARING OFFICER SAYETH NOT.

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

February 5, 2012