Board of Education of the
City of Chicago

In Re: The Matter of
The Proposed Reconstitution of
Wendell Phillips High School

Before
Fredrick H. Bates
Independent Hearing Officer

Background

Introduction

On or about January 20, 2010, the undersigned was retained by the Chief Executive Officer (“CEO”) of the Chicago Public Schools to serve as an Independent Hearing Officer in this matter. On Monday, February 1, 2010, 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 Phillips High School via Reconstitution. 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/or Chicago Tribune.

Pursuant to the directives provided in the document entitled “PROCEDURES FOR HEARINGS ON PROPOSED SCHOOL CLOSINGS, CONSOLIDATIONS,
RECONSTITUTIONS OR ATTENDANCE AREA BOUNDARY CHANGES.” 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:

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

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

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

The Board’s School Performance, Remediation and Probation Policy provides in part:

That the Chicago Board of Education adopt a School Performance, Remediation and Probation Policy for the 2009-2010 School Year.

I. Purpose and Goals
This policy shall establish the standards and criteria for placing a school on Remediation or Probation for the 2009-2010 school year based on assessments administered in Spring 2009 and other performance data from prior school years. A school’s accountability status from the 2008-2009 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-four (24) 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 sixteen (16) to twenty-three and nine tenths (23.9) 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 fifteen and nine tenths (15.9) 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.

AP Exam: Shall mean the end of course exam established by the College Board that is administered upon completion of an AP 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 Chief Executive Officer may remove the affected metric from consideration and the school will not get a score for that metric. The 2008 and 2009 ISAT and PSAE 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 2009 ISAT Composite score - 50% meeting or exceeding state standards
   ii. High school minimum 2009 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.4 herein.

3. Additional Review: Elementary schools with a total performance score between 18 and 20 points, or between 42.9% and 49.9% of points and High Schools with a total performance score between 13 and 15.9 points, or between 36% and 43.9% of points will undergo an Additional Review as described in section IV.C below through which their Level 3 rating may be adjusted to a Level 2 rating. All such schools shall have Probation status pending the result of the Additional Review. Upon completion of the Additional Review, the school’s final Accountability Status shall be issued in accordance with Section IV.B.2. above.

4. 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.

C. Additional Review
Elementary Schools with a performance score between eighteen (18) and twenty (20) points, or between 42.9% and 49.9% of points, and High Schools with a performance score between thirteen (13) and fifteen and nine tenths (15.9) points, or between 36% and 43.9% of points, shall undergo an additional review by the Chief Education Officer (CEDO). The additional review will evaluate whether the school’s current performance, improvement over time and other factors may warrant adjusting the school’s accountability rating from Achievement Level 3 to Achievement Level 2.
As a part of this further review, a comprehensive evaluation shall occur utilizing metrics and standards issued by the Office of Research Evaluation and Accountability (“REA”). Using these metrics and standards, schools will be evaluated in the following areas based upon data provided by REA, collection of data by the Area Instruction Officer (AIO) or other designated oversight office, and other data and documentation provided by the school:

1. **Instruction**: whether there is high quality instruction in classrooms at the school as evidenced by high levels of academic engagement and challenging standards-based instruction;

2. **Instructional Leadership**: whether the school has strong instructional leadership as reflected by the level of program coherence, parental involvement and data-driven utilization of community resources at the school;

3. **Professional Capacity**: the existence of professional capacity in which there is meaningful professional development, collaboration among faculty members, a focus on student learning and collective responsibility for the school’s success;

4. **Learning Climate**: whether the learning climate stresses uniformly high expectations and is safe and orderly;

5. **Student Body Changes**: evaluation of whether the school has experienced a significant change in enrollment due directly to a Board-approved action or Board-directed reassignment of students to the school; and

6. **Data Enhancement**: evaluation of additional factors, conditions or circumstances with impact on a school’s data results.

The CEDO shall evaluate and document the school’s status and progress on each of the factors noted above and any other relevant indicators and shall provide a written explanation of their evaluation to the Chief Executive Officer (CEO). The CEDO evaluation shall also include a recommendation to the CEO as to whether the school would benefit from the additional support services that are provided to schools on Probation. The evaluation and recommendation of the CEDO shall include input from the school’s Area Instruction Officer or other designated oversight office. The CEDO evaluation and recommendation shall take into consideration a school’s “Corrective Action”, “Restructuring Planning” or “Restructuring Implementation” status under NCLB.

The CEO shall review all such evaluations and recommendations and shall take into consideration a school’s student mobility rates, poverty rates, bilingual education eligibility, special education and English proficiency programs when deciding whether or not to modify a school’s accountability rating. The CEO shall make the final determination whether the school’s accountability rating will be adjusted from Achievement Level 3 to Achievement Level 2.
V. ACCOUNTABILITY INDICATORS, STANDARDS AND SCORING

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B. High School Indicators, Standards and Scoring
A high school may receive a total performance score ranging from zero (0) to thirty-six (36). For the 2009-2010 school year, the current status, trend, and growth indicators and standards that determine a high school’s performance score shall be as follows:

1. One-Year Drop-Out Rate – 6 possible points
   a. Current Status - A high school shall be evaluated on its one-year drop out rate averaged from the two most recent school years. To determine current status, a school’s one-year drop-out rates from the 2007-2008 school year and from the 2008-2009 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:
      2% or less drop out in one year = 3 points
      6% - 2.1% drop out in one year = 2 points
      10% - 6.1% drop out in one year = 1 point
      More than 10% drop out in one year = 0 points

   b. Trend – A high school shall be evaluated on improvement of its one-year drop-out rate. Improvement trend is determined by comparing the 2008-2009 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 2008-2009 one-year drop-out rate of more than 0.5%, points are earned as follows:
        No reduction = 0 points
        Reduction of at least 0.1 but under 1.0 percentage points = 1 point
        Reduction of at least 1.0 but under 3.0 percentage points = 2 points
        Reduction of at least 3.0 percentage points = 3 points
      • Schools with a 2008-2009 one-year drop-out rate of 0.5% or less automatically earn 3 points regardless of improvement

2. Freshmen On Track – 6 possible points
   a. Current Status – A high school shall be evaluated on its Freshmen On Track rate averaged from the two most recent school years. To determine current status, a school’s Freshmen On Track rates for the 2007-2008 school year and the 2008-2009 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:
      80% or more on track = 3 points

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60%-79.9% on track = 2 points
45%-59.9% on track = 1 point
Less than 45% on track = 0 points

b. **Trend** – A high school shall be evaluated on improvement of its Freshmen On Track rate. Improvement trend is determined by comparing the 2008-2009 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. The school shall receive points as follows:
- For schools with a 2008-2009 Freshman On Track rate of 0%-89.9%, points are earned as follows:
  - No Improvement = 0 points
  - Improvement of at least 0.1 but under 2.5 percentage points = 1 point
  - Improvement of at least 2.5 but under 5.0 percentage points = 2 points
  - Improvement of at least 5.0 percentage points = 3 points
- Schools with a 2008-2009 Freshman On Track rate of 90% or greater automatically earn 3 points regardless of improvement.

3. **ACT Score** – 6 possible points

a. **Current Status** – A high school shall be evaluated on its average ACT score. To determine current status, a school’s average ACT scores for tests administered during the Spring 2008 PSAE administration and during the Spring 2009 PSAE administration will be averaged. If two years of data are not available, one year of data will be used. The school shall receive points towards its overall performance score as follows:
  - Average ACT score is 20 or more = 3 point
  - Average ACT score is at least 18, but less than 20 = 2 points
  - Average ACT score is at least 16, but less than 18 = 1 point
  - Average ACT score is less than 16 = 0 points

b. **Trend** – A high school shall be evaluated on improvement of its Average ACT score. Improvement trend is determined by comparing the 2009 Average ACT score with the Average ACT score of the three previous years. If the school does not have three previous years of data, the previous two years will be used. The school shall receive points as follows:
  - For schools with a 2009 average ACT score of 0-22.9, points are earned as follows:
    - No Improvement = 0 points
    - Improvement of at least 0.1 but under 0.5 = 1 point
    - Improvement of at least 0.5 but under 1.0 = 2 points
    - Improvement of at least 1.0 = 3 points
  - Schools with a 2009 Average ACT of 23 or greater automatically earn 3 points regardless of improvement.
4. **PSAE Reading Score – 1 possible point**
   
a. **Current Status** - A high school shall be evaluated on the percentage of students meeting or exceeding state standards as indicated by the school’s PSAE Reading results averaged from the two most recent school years. To determine current status, the school’s PSAE Reading results from tests administered in Spring 2008 and Spring 2009 shall 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:
   
   70% or more meeting or exceeding = 1 point
   50%-69.9% meeting or exceeding = 2/3 point
   30%-49.9% meeting or exceeding = 1/3 point
   Less than 30% meeting or exceeding = 0 points

   b. **Trend** - High schools will not receive a score based on improvement of their PSAE Reading scores hereunder; however accountability criteria will be implemented in the future to evaluate high schools on this metric.

5. **PSAE Mathematics Score – 1 possible point**
   
a. **Current Status** - A high school shall be evaluated on the percentage of students meeting or exceeding state standards as indicated by the school’s PSAE Mathematics results averaged from the two most recent school years. To determine current status, the school’s PSAE Mathematics results from tests administered in Spring 2008 and Spring 2009 shall 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:
   
   70% or more meeting or exceeding = 1 point
   50%-69.9% meeting or exceeding = 2/3 point
   30%-49.9% meeting or exceeding = 1/3 point
   Less than 30% meeting or exceeding = 0 points

   b. **Trend** - High schools will not receive a score based on improvement of their PSAE Mathematics scores hereunder; however accountability criteria will be implemented in the future to evaluate high schools on this metric.

6. **PSAE Science Score – 1 possible point**
   
a. **Current Status** - A high school shall be evaluated on the percentage of students meeting or exceeding state standards as indicated by the school’s PSAE Science results averaged from the two most recent school years. To determine current status, the school’s PSAE Science results from tests administered in Spring 2008 and Spring 2009 shall 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:
   
   70% or more meeting or exceeding = 1 point
   50%-69.9% meeting or exceeding = 2/3 point
   30%-49.9% meeting or exceeding = 1/3 point
   Less than 30% meeting or exceeding = 0 points
Less than 30% meeting or exceeding = 0 points

b. Trend - High schools will not receive a score based on improvement of their PSAE Science scores hereunder; however accountability criteria will be implemented in the future to evaluate high schools on this metric.

7. Attendance – 3 possible points
a. Current Status - A high school shall be evaluated on its average attendance rate from the two most recent school years. To determine current status, a school’s attendance rates from the 2007-2008 school year and the 2008-2009 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
   90%-94.9% attendance rate = 2 points
   85%-89.9% attendance rate = 1 point
   Under 85% attendance rate = 0 points

b. Trend - High schools will not receive a score based on improvement on their average attendance rate hereunder; however accountability criteria will be implemented in the future to evaluate high schools on this metric.

8. Students Enrolled in AP Classes – 3 Possible Points
Trend – A high school shall be evaluated on improvement in the percentage of its students enrolled in at least one AP Class. Improvement trend is determined by comparing the 2008-2009 enrollment percentage with the average percentage 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 2008-2009 AP enrollment rate of 0%-34.9%, points are earned as follows:
  No Improvement = 0 points
  Improvement of at least 0.1 but under 2.5 percentage points = 1 point
  Improvement of at least 2.5 but under 5.0 percentage points = 2 points
  Improvement of at least 5.0 percentage points = 3 points
• Schools with a 2008-2009 AP enrollment rate of 35% or greater earn 3 points regardless of improvement.

9. Students Scoring 3+ on AP Exams – 3 Possible Points
Trend – A high school shall be evaluated on improvement on the percentage of its students who are enrolled in AP classes that score 3+ on at least one AP exam (“AP Success percentage”). Improvement trend is determined by comparing the 2008-2009 AP Success percentage with the average AP Success percentage 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 AP enrolled students scoring 3+ on AP exams in 2008-2009, points are earned as follows:
  No Improvement = 0 points
  Improvement of at least 0.1 but under 1.0 percentage points = 1 point
  Improvement of at least 1.0 but under 3.0 percentage points = 2 points
  Improvement of at least 3.0 percentage points = 3 points
• Schools with 90% or greater of AP enrolled students scoring 3+ on AP exams in 2008-2009 earn 3 points regardless of improvement.

10. Students Making Expected EPAS Reading Gains – 3 possible points

Current Status - A high school shall be evaluated on the percentage of its students making expected gains in Reading from one year to the next on the EPAS assessment series as follows:
  Schools with an EPAS Reading Gains score at or above the 85th district-wide percentile = 3 points
  Schools with an EPAS Reading Gains score at or above the 50th district-wide percentile, but below the 85th district-wide percentile = 2 points
  Schools with an EPAS Reading Gains score at or above the 15th district-wide percentile, but below the 50th district-wide percentile = 1 point
  Schools with an EPAS Reading Gains score below the 15th district-wide percentile = 0 points

11. Students Making Expected EPAS Mathematics Gains – 3 possible points

Current Status - A high school shall be evaluated on the percentage of its students making expected gains in Mathematics from one year to the next on the EPAS assessment series as follows:
  Schools with an EPAS Mathematics Gains score at or above the 85th district-wide percentile = 3 points
  Schools with an EPAS Mathematics Gains score at or above the 50th district-wide percentile, but below the 85th district-wide percentile = 2 points
  Schools with an EPAS Mathematics Gains score at or above the 15th district-wide percentile, but below the 50th district-wide percentile = 1 point
  Schools with an EPAS Mathematics Gains score below the 15th district-wide percentile = 0 points

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Finally, the role of the hearing officer, and manner in which he or she is to receive comments, are set forth in the “PROCEDURES FOR HEARINGS ON PROPOSED
SCHOOL CLOSINGS, CONSOLIDATIONS, RECONSTITUTIONS OR ATTENDANCE AREA BOUNDARY CHANGES.” Those Procedures state:

1. Upon determining to recommend to the Chicago Board of Education (“Board”) that a school be closed, consolidated with another school, reconstituted or subject to attendance area boundary changes, the Chief Executive Officer (“CEO”) may appoint an independent hearing officer to conduct a hearing for the purpose of receiving comments and documents relevant to the proposed action.

2. The CEO or a designee will provide notice of a hearing to consider a proposed school closing, consolidation, reconstitution or change in attendance area boundaries to the school(s) that would be affected. Public notice of the hearing may also be given by publication in newspapers of general circulation and by posting notice at the Central Offices of the Board of Education and at the schools to be affected by the proposed action.

3. At the hearing, the hearing officer will consider the relevant statements, comments or documents of any person who wishes to speak. The total number of persons speaking at the hearing will be subject to the sole discretion of the hearing officer. The hearing will be transcribed.

4. The hearing officer will be solely responsible for conducting the hearing and will conduct the hearing in an efficient and impartial manner according to the following guidelines:
   a. 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;
   b. The hearing will commence and conclude at the time designated in the notice of hearing;
   c. The hearing officer will commence the hearing by reviewing the purpose for which the hearing is convened;
   d. The hearing officer will determine the order of speakers’ participation;
   e. Participants may submit any relevant documents or written statements to 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.

5. Following the hearing, a hearing officer will prepare and submit to the CEO a recommendation and/or a summary report of the public comment and documents received at the hearing.
6. The CEO may include the hearing officer’s summary report, the documents received at the hearing, and any recommendation received from the hearing officer in his or her recommendation to the Board on the proposed action.

7. These hearing procedures shall apply at any community meeting held in compliance with the Board policy on the Closing of Schools and/or the Board policy on the Consolidation of Schools.

SUMMARY OF THE EVIDENCE

Testimony Received at the Public Hearing & Community Meeting

<table>
<thead>
<tr>
<th>Name</th>
<th>Affiliation</th>
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<td>Robert Runcie</td>
<td>Chief Administrative Officer, CPS</td>
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Mr. Runcie stated the basic case for reconstituting Gillespie School, and testified as follows: “I am the Chief Administrative Officer for the Chicago Public Schools. I have been in this position since March 2009. I appear before you on behalf of the Chief Executive Officer of the Chicago Public Schools, to introduce the proposal to turn-around Wendell Phillips High School and its Achievement Academy through reconstitution based on chronic low academic performance.

Before I begin, I want the hearing officer and the community to understand that Phillips High School students are our first concern in making this recommendation. I want to make it clear that Phillips students have not failed and, this recommendation is predicated on the conviction that, if the school is provided a clean slate, it will help CPS to deliver to Phillips students the high quality education all students deserve and Phillips students will succeed.

The CEO’s recommendation that Phillips be reconstituted is based on the Board of Education’s authority to reconstitute schools on academic probation under Section 34-8.3 of the Illinois School Code and the CPS Performance Policy. There are copies of these statutes and policies in the binder of documents that you have received.

Section 34-8.3 grants the Chief Executive Officer and the Board of Education the authority to take certain corrective measures with respect to schools with academic deficiencies. One of those measures is placing schools on probation. If a school has failed to make adequate progress in correcting its academic deficiencies after being placed on probation, Section 34-8.3 allows the Chief Executive Officer, with the approval of the Board of Education, and after a hearing, to reconstitute the school and remove and replace the staff.
At the Board of Education meeting in December 2009, the Chief Executive Officer published criteria for identifying low performing schools as candidates to be reconstituted. Specifically, schools that earned less than 33.3% of points on the CPS Performance Policy for two consecutive years were eligible for reconstitution. Phillips received 27.8% of available points on the Performance Policy in 2007-2008 and 19.4% of available points in 2008-2009.

In evaluating whether or not to reconstitute a school, the Chief Executive Officer also applied various exclusionary criteria. Schools that met any of the following criteria were not considered for reconstitution:

1. The school has a contract principal who has been in place for less than two years.
2. The school is participating in the Fresh Start program, which is the CPS partnership with the Chicago Teacher’s Union.
3. The school has been subject to reconstitution or principal removal under Section 34-8.3 of the Illinois School Code within the last two years.
4. The school is currently in the process of phasing out.
5. The school has been used as a designated receiving school for reassigned students due to a school closure or consolidation within the last two years.

These exclusions ensure that schools that have had major changes in governance or leadership in the last two years are given sufficient time to show progress before being considered for reconstitution. None of the above criteria applied to Phillips, and therefore it was considered for reconstitution.

If approved by the Board of Education of the City of Chicago, the following would occur as a result of the reconstitution:

1. All students currently enrolled in Phillips or eligible to enroll in Phillips this coming fall would continue as students at the school.
2. All staff including the faculty would be removed and replaced.
3. Phillips and its new administration and staff would be supported by the Academy for Urban School Leadership (AUSL), which Akeshia Craven, Chief Area Officer for Area 19, will describe more fully in her statement.

We understand that turnarounds present challenges to students and staff but we know that they can dramatically improve educational outcomes for students. We believe that Phillips students deserve nothing less.”

Ryan Crosby  
Director of Performance Policy, CPS

Mr. Crosby delineated the school’s data pursuant to the CPS School Performance Policy. He testified as follows: “I am the Director of Performance Policy for the Chicago Public Schools. In this capacity I oversee the implementation of the District’s Performance, Remediation and Probation Policy, or “Performance Policy”, and compliance with state and federal school accountability policies. I have been in this position since June 2008.
I am appearing before you today to present specific data highlighting the low academic performance of Wendell Phillips Academy High School. This data is being displayed on the PowerPoint presentation currently being shown.

As discussed by Mr. Runcie, schools considered for reconstitution were those that received fewer than 33.3% of points on the CPS Performance Policy for two consecutive years. The CPS Performance Policy is the District’s school accountability policy. Under this policy, each high school receives an annual rating based on its performance on a variety of student outcome measures, including standardized test scores, dropout rate, freshmen on-track data, AP course enrollment and success, and student attendance. This rating is based on a point system. Points are received for the school’s current level of performance, its improvement over time, and the growth of individual students from year-to-year on standardized assessments. In 2008-2009, there were 12 separate metrics on which schools were evaluated, each worth up to three points, for a total of 36 available points. High schools that received less than 44% of the total available points were placed on probation. Schools that received less than one-third (or 33.3%) of total available points for two consecutive years, were considered for reconstitution.

The CEO selected 33.3% as the cut-point because one-third of total points represents a school that earns, on average, one point out of three on each metric. Put another way, a school earning exactly 33.3% is a school that met, on average, the minimum criteria to earn at least one point on each of the 12 metrics. A school that earns less than one-third of points is not, on average, meeting this minimum threshold. Schools earning less than one-third are those that not only have low performance, but have shown very little improvement over time. Furthermore, by selecting schools that received less than one-third of points for two consecutive years, we are not considering schools that simply had one bad year. Rather, the schools selected had chronic low performance.

In the 2007-2008 school year, Phillips earned 27.8% of available points. In the 2008-2009 school year, Phillips earned 19.4% of available points. CPS began placing schools on probationary status due to low academic performance 14 years ago. Phillips has been on probation in each of those 14 school years, including the current school year.

The next slide shows the percent of students at Phillips and across the District who met or exceeded state standards on the Prairie State Achievement Examination, or PSAE, in the 2008-2009 school year. PSAE performance is used as a part of the high school scoring in the Performance Policy.

As you can see, Phillips’ 2008-2009 performance on the PSAE composite, which is the combined result of the PSAE reading, mathematics, and science assessments, was 2.7%, compared to a District average of 28.5%. In reading, the percent of Phillips students meeting or exceeding state standards was 6.3%, compared to a District average of 34.8%. In mathematics Phillips’ performance was 1.1%, compared to a District average of 26.9%. In science Phillips’ performance was 0.6%, compared to a District average of 23.7%.
The gap between Phillips and the District has been persistent over time, and in recent years has been widening. Since the 2001-2002 school year, Phillips has not had more than 10% of students meeting state standards. At its highest point in 2006-2007, the PSAE Composite score at Phillips was 9.9%, but has declined since to 2.7%, a decrease of 7.2 percentage points or 72%. Over that same time period, the District average declined from 29.3% to 28.5%, a decrease of 0.8 percentage points, or 3%.

It is important to note that beginning in 2007-2008, the Illinois State Board of Education, or ISBE, changed the way that the PSAE was scored, which means we should use caution in comparing scores prior to 2007-2008 with scores from 2007-2008 and after. However, scores from the ACT college readiness exam, which is one component of the PSAE, are more easily comparable over time. Average ACT score is also a metric used in the Performance Policy. As you can see, average ACT scores at Phillips have historically been below the District average and despite increases over several years, have declined over the last two years. The average ACT score at Phillips was 13.8 in 2008-2009. The CPS average was 17.

The low performance on standardized tests at Phillips’ is consistent across subjects. On the PSAE reading test, Phillips went from a high of 18.4% of students meeting standards in 2004-2005 to 6.3% in 2008-2009, a decrease of 12.1 percentage points, or 66%. Over that same time period, the CPS average decreased from 41.1% to 34.8%, a decrease of 6.3 percentage points or 15%. The 6.3% of students at Phillips in 2008-2009 means that only 11 out of 174 students tested met state standards in reading.

In mathematics, Phillips declined from a high of 9.5% in 2005-2006 to 1.1% in 2008-2009, a decrease of 8.4 percentage points, or 88%. Over that same time period, the CPS average decreased from 28.5% to 26.9%, a decrease of 1.6 percentage points, or 6%. The 1.1% of students at Phillips in 2008-2009 means that only two out of 174 students tested met state standards in mathematics.

In science, Phillips declined from a high of 7.1% in 2006-2007 to 0.6% in 2008-2009, a decrease of 6.5 percentage points, or 92%. Over that same time period, the CPS average decreased from 25.4% to 23.7%, a decrease of 1.7 percentage points, or 7%. The 0.6% of students at Phillips in 2008-2009 means that only one student out of 174 tested met state standards in science.

In addition to standardized test scores, the CPS Performance Policy evaluates schools on attendance rate. The attendance rate for Phillips has been consistently lower than the District average for the past seven years. Since having an attendance rate similar to the District average in 2002-2003, the attendance rate at Phillips has declined significantly, to a low of 68.5% in 2008-2009. It is important to note that beginning in the 2007-2008 school year, high schools began taking attendance each period, as opposed to once per day as had been the case. As a result, attendance rates for most high schools declined that year. However, while attendance rates District-wide picked back up in 2008-2009, the attendance rate at Phillips continued to decline. With an attendance rate of 68.5% in
2008-2009, more than 30% of instructional time at Phillips was missed by students. This represents over 250 hours of instructional time missed by the average Phillips student throughout the year.

The ultimate goal of high schools is to graduate students prepared for college and the workplace. The 5-year cohort graduation rate at Phillips has declined significantly over the past several years. In the 2004-2005 school year, Phillips had a graduation rate of over 50%, which was close to the District average. Since then, the graduation rate has declined substantially. In 2008-2009, the graduation rate was 34.6%, meaning 65% of the students who began as freshman in the 2004-2005 school year did not graduate by the 2008-2009 school year.

To conclude Mr. Hearing Officer, Phillips met all of the criteria for reconstitution. The school has low performance on standardized tests and other student outcome measures and this performance has remained low over time.”

Akeshia Craven
Area 19 CAO

CAO Craven testified as follows: “I am the Chief Area Officer for the Chicago Public Schools Area 19. Wendell Phillips High School and its Achievement Academy are within my area and I am responsible for their oversight on behalf of the Chief Executive Officer. I have been employed by Chicago Public Schools for five years. Prior to becoming Chief Area Officer, I led two key CPS high school initiatives. The first was the development and rollout out of the Instructional Development System (IDS) managed instruction strategy. The second was the development and rollout of the Instructional Leadership Council and school-based Instructional Leadership Teams.

As you have already heard, Phillips has been on probation for 14 years. It has received less than a third of total performance points under the Board’s Performance and Remediation of Schools Policy for two consecutive school years. That means that students at the school are not growing at a rate consistent with other comparable schools in the district.

The district has supported Phillips over the last several years with the following supports:

- Since school year 06-07, the District has provided the school with a comprehensive instructional development system (IDS). Through IDS, the school’s teachers in English, mathematics and science receive curriculum aligned to PSAE, Illinois and College Readiness Standards; quarterly and end of year assessments aligned to the curriculum and meant to provide ongoing data about student progress and learning gaps; and targeted professional development in the form of workshops as well as site-based 1-on-1 coaching.
- Since the school has been on probation, the District has provided oversight of its discretionary budget to ensure funds are allocated in line with the school’s goals for student outcomes.
Beginning in school year 06-07, the school operated under an Area Instructional Officer-monitored restructuring plan as a result of not meeting annual yearly progress or AYP. The plan emphasized double-period reading and mathematics classes to support student progress and professional development for the administrative team related to standardized assessments and specifically PSAE data.

During school year 08-09, the District provided the school two additional educational support persons in order to dramatically improve the rate at which freshmen entering Phillips completed their first year of high school on track to graduate.

Despite those supports, Phillips has not improved student outcomes. For individual students and for the community, there is an urgent need for the school’s performance to improve and to improve quickly. Accordingly, the Chief Executive Officer is recommending that Phillips be turned around through reconstitution.

In a reconstitution, students will not be displaced from the school. Instead, a new team of administrators, faculty and support personnel will be staffed at the school. They will undergo extensive professional development and planning before the start of the 2010-11 school year to develop a comprehensive plan and approach:

- to change the school culture and environment;
- to ensure that students are safe within the school and its grounds;
- to work with community partners to ensure that students are safe en route to school;
- to address the students’ social and emotional needs;
- to develop a curriculum plan and instructional strategies that meet student needs;
- to create a professional climate in which administrators, teachers and staff are accountable both for their professional practice and for student achievement; and
- to develop a school-wide culture in which students and parents are accountable for student academic work, student behavior and student achievement.

This comprehensive approach, if rigorously implemented, will result in accelerated student achievement at Phillips.

If the Board approves the proposed turnaround of Phillips the Chief Executive Officer will recommend that the Academy for Urban School Leadership (AUSL) manage the school, and hire and train the new administration and staff. AUSL is a pre-approved and proven turnaround provider that has a great deal of experience in turning around troubled Chicago Public Schools, both on the elementary level and, more recently, at the high school level. AUSL also currently operates six dual mission CPS schools with teacher training academies in which it trains teachers to work in turnaround settings as administrators and teachers. AUSL will rigorously implement its proven turnaround process at Phillips.
While the turnaround process is a multi-year journey, experience has shown CPS that AUSL turnaround strategies do 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 that are inviting and conducive to increasing student achievement and accelerated student academic growth.

In particular, AUSL turnarounds have produced the following:

- At Orr Academy High School, the AUSL turn-around strategy has resulted in significant improvement in how students feel supported and in parent confidence and engagement in the school. Seventy-six percent (76%) of students surveyed report that the school provides adequate or excellent student support. Ninety-six percent (96%) of parents believe that they have meaningful opportunities to participate in the school.

- At Sherman School of Excellence, CPS and AUSL’s first turnaround effort in 2006, only 28% of students were meeting/exceeding state standards when AUSL first took over. In 2009 over 50% of students met/exceeded state standards, thanks to great school leadership and a new school culture.

- At Harvard School of Excellence, only 30% of students were meeting state standards on the ISAT before the turnaround. Today, the 56% of students meet state standards.

- At Howe School of Excellence, the AUSL turnaround increased student performance by 8% on the ISAT test in one year.

- Though not turnaround schools, AUSL operates two CPS high schools – Chicago Academy HS and Collins Academy HS. At Chicago Academy, the 08-09 Freshmen On-Track rate was 63.2% compared to a district average of 64% and schoolwide attendance was 93.2% compared to a district average of just under 81%. At Collins Academy, the Freshmen On-Track rate was 70.3% in 08-09 compared to 38.5% at Collins High School prior to AUSL taking leadership of the school.

In conclusion, there is an urgent need to accelerate student achievement at Phillips. The community and the students deserve to do better. Prior supports and interventions at Phillips have not produced satisfactory results. The Chief Executive Officer believes that a turn-around by reconstitution will accelerate student achievement and we owe it to the Phillips’ students to implement this strategy.”

Stephen Glombicki  
Deputy Director of Security

“I am employed by the Board of Education of the City of Chicago as the Deputy Director of Security. My role at Chicago Public Schools is to assist the Director of Safety and...
Security, Michael Shields, in his mission to ensure that students, faculty and staff are safe within CPS schools and on school grounds and to work with community partners to provide safe routes for students to and from school.

I am appearing before you at the request of the Chief Executive Officer (CEO) to identify the efforts my office has made and will make to ensure that students at Phillips High School are safe within their school and its grounds after it is turned around in the 2010-2011 school year.

I have a Bachelor of Science degree in Law Enforcement Management and 42 years of experience with Chicago Police Department. Prior to accepting the position as Deputy Director of Security for the Chicago Board of Education in August of 2009, I was a Captain with the Chicago Police Department. Before that, I was a Lieutenant in charge of the Gang Enforcement Operations for Area # 2. Much of my law enforcement career has been spent studying how, and implementing strategies, to make communities safe for young people through law enforcement.

If the CEO’s proposal to reconstitute and turnaround Phillips High School is approved, currently enrolled undergraduates at Phillips will continue at Phillips. No student will be displaced. Surveys of students at Phillips indicate that 70% of students feel physically and emotionally safe at the school. While, the CEO’s goal is that 100% of students feel physically and emotionally safe at the school, 70% is a solid foundation on which we will continue to build.

The Office of Safety and Security has already developed a productive working relationship with the Phillips community and with elementary and high schools in the surrounding area. We will continue that if Phillips is turned around and will make diligent preparation for a safe 2010-2011 school year. Specifically, the following will happen:

- Director Shields will continue to host and facilitate a monthly 35th street corridor safety and security meeting at Phillips. The meeting includes representatives from Phillips, Dunbar, De La Salle, Chicago Military at Bronzeville, Police Commanders from the 2nd & 21st Districts, representatives from Chicago Transit Authority, and representatives from Alderman Dowell’s office (3rd Ward) and from Alderman Fioretti’s office (2nd ward). The monthly meeting brings together all of the stakeholders and their respective resources to ensure that security concerns in the area are addressed holistically for the benefit of all of the schools in the area.

- Director Shields will also continue to conduct a Security Task Force meeting at Phillips High School, that focuses on safety issues at Phillips High School and has been very successful creating a safe climate at the school.

- Prior to the start of the 2010-2011 school year, the Office of Safety & Security will meet with the Police Commander of the 2nd District, Commander Genessa Lewis, and her staff, including the school sergeant, to coordinate security plans
made by the Office of Safety and Security and the Chicago Police Department at Phillips.

We believe that these efforts will help improve safety and security at Phillips and bring CPS nearer to its goal of having 100% of students at Phillips feel physically and emotionally safe at the school.”

Pat Dowell          Alderman 3rd Ward

Alderman Dowell submitted a written letter to the Board for inclusion in the record. That letter provided as follows: “There is no doubt that changes need to be made at Phillips High School as they, along with several other high schools, have fallen short of meeting state standards for several years. However, the measurements used in this evaluation do not accurately reflect some of the positive changes made at Phillips that you will no doubt be hearing about from parents and teachers. These changes were also documented in the Consortium on School Research’s latest report. These recent efforts seem to be helping with this improvement and are indicative of Phillips’ ability to change without the drastic measure of replacing most of the staff. If the investment that is normally made in turnaround schools were to be made at Phillips, significant academic improvements would result.

Many of the teachers, faculty members, and support staff have been there for generations and have developed a level of trust with the students that will not easily be replicated by a new staff. In addition to the nationally certified school counselors, the people at Phillips have created an effective “culture of calm”. Staff retention is often low in these turnaround models and although replacements might be necessary, I know there are many very dedicated and effective teachers there whose dismissal would be a huge loss to the school and the community.

AUSL appears to have a good track record with elementary schools, but AUSL only has one “turnaround” high school in their portfolio. Although they only assumed management of Orr High School one year ago, test scores have not improved and are still way below state standards. Regardless of academic performance, Orr has city-wide enrollment while I was assured Phillips would remain a neighborhood school. I am concerned with the fact that AUSL does not have experience dealing with this type of high school as I feel would impose serious and unnecessary risks to the school and community. Additionally, it is difficult to separate AUSL’s initial success at elementary schools from the additional funding they receive for being a turnaround. Again, I feel this investment should be made at Phillips regardless of its administration.

Turnaround schools with outside management do not have formal Local School Councils (LSCs), so we must consider the fact that Phillips is the last high school in the Third Ward with a governance structure that allows decisions and accountability to come directly from the community. Furthermore, CPS acknowledges that LSCs strengthen schools and increase student performance. Distancing the community that has been home to the Phillips students for generations from the decision making process would be a
significant detriment to the school’s ability to address a variety of contextual needs and achieve the benefits of an LSC recognized by CPS.

It is possible that AUSL could make a positive difference at Phillips, but when considering the abovementioned issues, it seems that the risk is greater than the possibility of potential benefit. The Chicago Board of Education should take these and other concerns relayed by the community into serious consideration as the enactment of this turnaround could impose setbacks to the school, the community, and to CPS’s educational goals.”

Euel Bunton
Principal

“I am the principal of Phillips High School and Phillips Achievement Academy. Before I begin, I'd like to respectfully request that the data on the graduation rate be checked again. It is actually 59.6 percent according to the state report card.\(^1\) Wendell Phillips Community High School and Phillips Achievement Academy is committed to providing an environment where all students can learn, developing skills and competencies to maximize their choice upon high school graduation. Since the first year of my administration we have worked to expand programs and partnerships towards this end.

Today, you will hear from members of the Phillips staff who will speak about their commitment to our students and school. You will hear about our teachers working together as a professional learning community to improve student learning. You will hear

\(^1\) Phillips staff noted that the District reported a 5-year cohort graduation rate of 34.6% for 2008-2009, while the Illinois State Board of Education (ISBE) lists a graduation rate of 56.9% on the Illinois State School Report Card. This discrepancy in graduation rates is apparently due to differences in the entry year of the students included in the metric as well as other differences in calculation methods. The District uses a different methodology than that reported out by ISBE on the State School Report Card. The District graduation rate tracks the outcomes of first-time freshmen over a five-year period. The District’s five-year cohort graduation rate takes the number of students in the incoming cohort who graduate within five years of entering high school as its numerator and the total number of students in the cohort less the number of verified out of district transfers as the denominator. For Phillips’ 2008-2009 score, the cohort in the calculation enrolled as first-time freshmen in 2004-2005. In contrast, for the State School Report Card, the graduation rate is based on students who graduate within four years, not five. The rate reported on the State School Report Card also differs because it does not use a cohort formula (i.e., it does not track the outcomes of individual students). For 2008-09, this rate takes the number of graduates in 2008-2009 as the numerator and the number of first-time freshmen in 2005-2006, less transfers out plus transfers in as the denominator. Using this calculation method has the effect of counting students that transfer in after the freshmen year towards the school’s graduation rate, which is not the case with the District’s rate. This method rate also allows students who graduate in 5 or more years to be included in the graduation rate for the year they graduate. For example, a student who graduates in 5 years will be included in the numerator for the year in which she graduates while being included in the denominator in the previous year.
about our work toward instituting mentoring programs and the difference this has made in the lives of our students. You will hear about progress made over time in creating a college-going culture for many students who now envision the pursuit of a post-secondary education not only as an option for a select few but as a viable option for all those who choose to pursue a post-secondary degree.

You will hear about our progress in instituting strategic plans towards improving our freshmen on-track rate. After hearing the statements from our staff, I request that you reconsider the proposal for school turnaround and allow our school to continue these efforts with greatly expanded academic, social/emotional supports, and professional development to improve student outcomes.”

Camilla Stewart  
Teacher

I'm here representing one-half of the freshmen on-track team at Phillips High School. The freshmen on-track labs were brought to Phillips High School as a pilot program funded by The Gates Foundation for the 2008-2009 school year. The mission was to devise and implement successful, sustainable strategies to keep the freshmen on track and to increase the overall freshmen on-track rate at Phillips.

The average freshmen on-track rate over the four years prior to having a freshman on-track team was 54 percent. For the 2007-2008 school year, the freshmen on-track rate was 58.2 percent. Since acquiring and establishing the freshmen on-track program, the 2008-2009 overall freshmen on-track rate increased to 62 percent using the metrics established by the Department of Graduation Pathways and the University of Chicago Consortium on Chicago Schools Research. This was accomplished in spite of having 24 percent of the freshmen population with IEPs, 38 percent of the freshmen having to take Summer Bridge; 6 percent were considered overage by Board standards, and 70 percent of the freshmen were below grade local in all four areas based on their ninth grade core scores.

For the 2009-2010 school year, our first semester freshmen on-track rate is 80 percent. This means that 105 out of 130 qualified freshmen students have either no Fs or one F in their core classes. This was accomplished in spite of having 36 percent of the freshmen population with IEPs. 34 percent of the freshmen had to attend Summer Bridge. 48 percent are considered overage by Board standards, and the average eighth grade for read and math scores upon entering Phillips was 11. The current goal for the overall freshmen on-track rate for 2009-2010 school year is 65 percent.²

Micha Minor  
Teacher

“I'm a social studies teacher at Phillips Achievement Academy. I am going to present information concerning student performance and trends. I'm including charts and graphs to assist in presenting the information. The first data presented is about the freshmen class from the 2008-2009 school year. According to CCSR, our freshmen on-track rate

² See infra note 4 at page 26.
was 4 percent. This does not represent accurate records. According to our records, 46 percent of our students are on track, and our transcript has been submitted that will show that. 3

Also, I am presenting highlights about student performance data for the students who graduated from Phillips Achievement Academy who are now seniors in the host school. The graduating class of 2010 in the host school is made up of 17.8 percent of former Phillips Achievement Academy students. One of our former students is in the top five percentile. Out of the top 20 students in the 2010 graduating class, our former students represent 20 percent of that. Also out of the top 50 students in the graduating class of 2010, our former students represent 22 percent of them. The reason why I think that's important is because that shows how we have attempted to make sure they transitioned successfully out of high school and graduated.”

Serg Cpetaovic  
Teacher

He stated in part as follows: “I am one of the science teachers of sophomores at Wendell Phillips High School as well as a teacher of students with special needs, and I just want to report some data from the first formative exams that the students took in chemistry as part of the IDS curriculum. Of the two sections of sophomores that I have, one, excuse me, one class had 52.9 percent meeting or exceeding standards while the other class had 64.2 percent meeting or exceeding standards. That is considerably higher than both the Region and the District, with the Region having 48.7 meeting standards and the District having 47.6 meeting standards.”

Kimba Munson  
Teacher

She testified in part: “One of the greatest strengths of the staff at Wendell Phillips is our ability to pull together and work together. I know teamwork for 20 years of military service in the Army Reserve. The staff at Phillips would like to be allowed the opportunity to work together with you, students, parents, and the community to create an asset-rich environment with greater opportunities for our students. Research shows that comprehensive, asset-based approaches to education and youth development have tremendous potential to contribute to the academic success of students from all backgrounds.

Students want to be more involved in a school they can call their own. Students have shown concern for their neighborhood safety. They are motivated to be leaders in school decisions and conflict resolution. Working together with more resources would empower everyone, lessen issues of security by involving students in conflict resolution, promote responsibility, and strengthen relationships and continue those connections.”

3 See infra note 4 at page 26.
“Wendell Phillips High School serves a community of striving minorities. It is alive with tradition, hard work, and achievements. Like any being, there are strengths and weaknesses. I wish to focus on the strengths. The measure of a school is in its commitment to purpose, progress, and development by the students at Phillips. …

Wendell Phillips is a science hub of hope, learning, collaboration, and engagement. The students are exposed to and interact with cutting-edge science and equipment, many for the first time. It is my hope that when the final decision is made, these young scientists are accounted for and that their progress is not disrupted.”

Phillips Achievement Academy transitions students who did not receive an elementary school diploma. Phillips Achievement Academy students experience in-depth lessons that use a variety of innovative and traditional teaching techniques, including long-term projects, cooperative learning activities, and reflective journal writing. Their strategies have helped students practice positive human relations, social studies, and time-management skills that produce successful young citizens.

She testified about a discrepancy in the Freshman-on-track data, as follows: “On behalf of the staff, parents, representatives, and most importantly our students, I would like to address the inaccuracies of the data showing only a 4 percent on-track rate for our 2008-2009 school year. During early December last year, we received information that Phillips Achievement Academy students had a reported on-track rate of 4 percent. We knew that this very low on-track rate was inaccurate. Progress reports, report card conferences, Saturday recovery classes, and transcript data indicated a significantly higher on-track rate. I’m immediately initiated the task of compiling data to substantiate the true rate of on-track for all the students. We worked collaboratively with Mr. Euel Bunton, the building principal; Ms. Grace; the Achievement Academy managers; and RAE representatives to correct faulty data which was entered into the system.

Phillips Achievement Academy, formerly known as Englewood Achievement Academy, follows the Johns Hopkins model serving a population of students that are overage and have not received their eighth-grade diplomas. The curriculum provides intensive

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4 The statistics cited by Phillips staff relate only to Phillips Achievement Academy students. Achievement Academies are not subject to the Performance Policy, and Freshman On-Track data from the Phillips Achievement Academy was not used in determining the probation status of Phillips High School under the Performance Policy. Apparently Phillips staff did contact the Office of Performance in December regarding this discrepancy for the Achievement Academy. However, adjusting the Freshman On-Track rate for Phillips Achievement Academy would have no effect on the Performance Policy score of Phillips High School, its probationary status, or its eligibility to be turned-around via reconstitution under Section 34/8.3 of the Illinois School Code.
interaction in reading, math, and social studies, which is critical to our students because some of our students come to us with reading and math scores at or below the fourth-grade level. Additionally, our school fosters learning by providing a safe and nurturing environment. We believe that our staff and students have not been represented correctly. Thus, we ask your indulgence in reviewing our documents and to reconsider placing our school on turnaround status. Recognizing that the Chicago Public Schools system is a data-driven organization, we believe that once our data is entered correctly that our on-track rate will be a significantly higher number than was reported as of 2008-2009.”

Martha Idewu  
Staff

“The staff and the administration at Phillips are fully cognizant of the implications of the changes in demographics surrounding our school. Median income has risen and, despite the challenges facing our country’s current industry, housing prices remain comparatively high. With the demolition of the CHA … [housing] students' homes have been torn down. Their neighborhoods have been destroyed, and homelessness has increased. We therefore respectfully request that you not now destroy the relationships that have been built between current students and the current Wendell Phillips staff and administration. It is often these very relationships that provide the final, essential, and sometimes tenuous link to our students’ survival and success. Please, retain the current Phillips structure, administration and staff, and allow us to implement changes that will function effectively within the current as well as within changing demographics.”

Amy Besita  
Teacher

I have had the unique opportunity to work there for three years: my first year in the Achievement Academy, and the last two years in Phillips' actual high school. I began with the sophomore orientation. 2007 was a challenging year for Phillips’ staff and students. A whole group of children were entering the building because of turnaround at Englewood High School, but I could not be more proud to be here two years later and see those same students now as seniors. Those students that entered Phillips as an extremely at-risk group are now enrolled in honors and AP courses, members of various athletic teams, involved in after-school activities, and most importantly on track for graduation, for plans for college and the future. It's the staff and the supportive atmosphere they create at Phillips that enable them to bridge the gap between these different groups of students.

Hubert Jackson  
Alumni Association

They are not opposed to the turnaround of Phillips High School, but they do not want the history of Phillips High School displaced. The Alumni Association implores the CEO and Board to collaborate with them in making changes at Phillips High School by affording them the opportunity to participate in the implementation process as true stakeholders.
Janice Richardson  Alumni Association

She stated that the Alumni Association is not opposed to the turnaround of Phillips High School, but they do not want the history of Phillips High School displaced. The Alumni Association implores the CEO and Board to collaborate with them in making changes at Phillips High School by affording them the opportunity to participate in the implementation process as true stakeholders. She requested that, consistent with the CPS Turnaround Guidelines, the Board delay on voting on the CEO’s proposal until the Alumni Association has had an opportunity to interact with AUSL and the Turnaround Committee.

Sheryl Brown-Rivers  Alumni Association

She believes that Turnaround is a positive development for Phillips High School, but like all of the other members of the various Alumni organizations at Phillips which are actively involved with the school, and provide scholarships to the students, she does not want the history of Phillips High School displaced and wants the CEO and Board to collaborate with them in making changes at Phillips High School by affording them the opportunity to participate in the implementation process as true stakeholders.

Student 1  Senior

The AVID program, Advancement Via Individual Determination, has saved my education. I was not the best student enrolled into Phillips, but after enrolling into this program I have reached my full potential, and it pushed me to study hard, take notes, and sit in front of the class during instructional time. I have changed my attitude because of this program because of everything it provides. Teaching takes trust and continuity, which we have plenty of at Wendell Phillips. The teachers make sure that we have a full understanding of our lessons.

Student 2

The teachers at Wendell Phillips do their best to make sure that the students understand the work. The teachers go above and beyond to make sure the students understand what's being taught. Teachers like Ms. Stone, Ms. Collier, Mr. Miner, and many others work their hardest to see that students at Wendell Phillips graduate. These teachers are there to help you when you need help or are troubled. If these teachers were to leave the school, the students wouldn't know who to go to for advice. The teachers are not the reason why students don't want to learn. It's the students’ fault for why they're not learning. Our staff does their best to keep the students in class, out of the halls, and out of fights.

Student 3  Senior

I really feel that getting rid of the teachers and the staff at the school would not be a benefit at all, because I know that I trust teachers that I work with.
Student 4  

Junior

At Phillips Academy, teachers use their valuable time after school to make available to students. Every Saturday they offer ACT prep classes to help students score high on the exam. Students are encouraged to take advantage of these opportunities to better themselves. We already have a diverse staff who are good at what they do.

Student 5  

Freshman

Phillips Achievement Academy gave him the opportunity to prepare himself for the transition to high school. He wanted to take the time to thank all of his teachers.

Student 6  

Senior Class President

I am the president of the senior class of 2010. I'm president of the Brotherhood. I'm a member of the basketball team, performed at the Shakespeare play at Navy Pier, participated in the speech soap-box competition, attended the American Legacy competition at the DuSable Museum, a senior mentor, served as a judge election, and yesterday I modeled at the Prom Fantasy 2010 Fashion Show at the DuSable Museum. I've been given all of these opportunities since I've attended Phillips in 2006. Many teachers of yesterday have faded because they failed to adapt to the changes of the students' needs. While most teachers leave when school is out, we have teachers that dedicate themselves as late as 7:00 o'clock to cater to our needs. Let's not tear down the true meaning of why we are here and make up our own. This is about the importance of students and our education. What I do know is this: Phillips and its people are powerful beyond the measure. I understand that you are trying to take our teachers away.

Student 7  

PAA Student

Upon meeting Phillips Achievement Academy teachers and staff, I was well prepared academically by my teachers and became an honor roll student for my entire freshman year. My teachers work hard to see that I succeed in all my classes by motivating me and to stay positive and focused. With their help, I have better attendance and I'm meeting my goals to become a Phillips High School graduate and go off to college. So why take away the staff that has supported me and gave me my hopes and dreams back? If you take away the staff, students will become frustrated, possibly drop out, hanging on the streets, and that will bring about more Chicago Public Schools children in the jails.

Samuel Duarte  

Taft Teacher

He spoke against reconstitution, and in support of the teachers at Phillips. One of the things I want you to look at is the socioeconomic status of the neighborhoods that surround Phillips High School, especially the statistic on what's known as below twice poverty level. These are people who have to live on half of what the poverty level actually is. He submitted the Chicago Department of Public Health materials.
Yvonne Pugh          Alumni Association

She was very proud of the students and alumni that spoke at the hearing, and added: “[W]e are concerned and we want to continue to support Phillips because of its grand history and because of our appreciation of it being the bridge that brought us here and carried us across.”

John Poineau        Assistant Principal

I began teaching at Phillips in September of 1971 as an English teacher. Five years ago, I became an administrator. I have taught some of the staff members who have worked at Phillips. I have taught the parents and grandparents of some of the students who do now attend. Looking at the dynamics of the social, psychological, and educational culture of a school from the outside provides only limited insight into what really goes on in the building. It can lead to many misconceptions and biases, some half-truths, and some totally untruths. We have many challenges just as we’ve had over the years. Yes, our students need to improve their academic achievement. That is a fact. Is a turnaround model of the best solution? In my opinion, it is not.

What I see daily from the majority of the faculty and staff reflects and shows a deep-seated commitment to our students, a concerted effort to improve both teaching and learning, and positive selfless giving that you might want to refer to as a culture of caring. The faculty and staff have taken the students where they are and have worked to develop interventions and support services to improve academic achievement. You’ve heard about some of those: freshmen on track; sophomore on base; the male mentoring program called Brotherhood; Girls of Tomorrow, the female mentoring program; as well as many after-school academic support programs. Many teachers invite students in during their lunch periods to make up work. Many teachers stay after school and arrive early. As I greet the students in the morning, they’ll say: I have to go up to so-and-so's room. I'm working on some math problems with her.

I have seen and heard and can attest to the teacher collaboration that takes place at level meetings, department meetings, and with the instructional leadership team. The teachers have been working to develop professional learning communities that are data driven. The teachers have implemented high school IDS curriculum and work with their coaches to improve student outcomes as measured by the formative tests.

Several community programs are working with us to address some other needs of our student body. Our seniors are working with Ada S. McKinley, Dawson Technical Institute. We partnered with Centers for New Horizons, NSGA, and have a clinic in the basement sponsored by Mercy Hospital. The alumni have been tapped to participate as mentors as well as providing multiple scholarship opportunities for our students. We had a former teacher at Phillips who passed away last year. She left $100,000 in scholarship money to the students at Phillips High School.
In short, I do not doubt the commitment, the passion, and the ability of our staff. Give them the resources and let them continue to impact the lives of the students in a positive way.

**Allen Byrd  
Teacher**

He pointed out that every student who graduated from Phillips last fall had obtained multiple college acceptance letters, and that the relationships the students have with the staff are important.

**Minnie Joiner  
Lunchroom Attendant**

She testified understandably as follows: “I've been working for 17 years at Phillips High School in the lunchroom, and I want to know what does the lunchroom have to do with the teachers. We all know what we're supposed to do. We're there to feed them. Our kitchens are clean. We passed the inspections so far every year. So what's the excuse?”

**Wes Riley  
Teacher**

“I want to read, a short passage from a book called Black Students Black Teachers. It says: ‘No significant learning takes place without a significant relationship. One of the reasons why African-American youths' achievement declines with each passing year is compartmentalization. This allows students to be taught by different teachers throughout the day. To understand African-American youth, you must understand their need for bonding and nurturance regardless of the age. The worst environment for an African-American student is a large high school. Can you imagine an African-American male, right-brain thinker, almost 4,000 students being taught by five different facilitators through the day while his mind is on the latest rap CD, basketball tryouts, and selling crack cocaine? This dropout rate hovers at 50 percent in some cities. In Japan, students remain with their teacher for a minimum of two years. In Germany, it may extend for four years. Both countries realize the importance of relationships. In addition, they both understand it is a terrible waste of money every September to learn new names, ascribe new rules, and review last year's work to assess where to begin in the new school year. The National Center for Restructuring Education, Schools, and Teaching has championed this movement for over a decade.’ One last note I'd like to make that hasn't been brought up tonight is the fact that the AUSL is called a proven turnaround method, which is completely laughable.”

**Jill Stone  
Teacher**

She stated in part: “In my years at Phillips I found the teachers, administration, and staff to be a dedicated and caring group of individuals who are truly committed to the students. I have found the students to be challenged certainly but also caring, creative, innovative, eager to do well, and most importantly hungry for people who care about them doing well. The students that come to our school often face challenges in their personal lives that are beyond the scope of a learning institution. However, at Phillips we have
developed several programs to deal with their social and emotional needs. The freshmen benefit from the advice of the more experienced students, and the mentors benefit from taking on the responsibility of being a role model and a leader in the school. The program has become very popular, and now we have come full circle with mentors who were themselves mentored as freshmen. Beyond this, the students are prepared for college-level work, and I often have former students come back and tell me how happy they are they took my class because it's helping them be successful in college.

Debra Lester              Phillips H.S. Union Delegate

She testified as follows: “My objective for being here tonight is first and foremost for our students. We choose to teach Phillips students and would like the opportunity to work together with greater and clearer expectations, considering the change in demographics, to provide rigorous opportunities to our students including IB academic programs, more language, music, ETC, job skills, and technology. We have worked with limited and diminishing resources, including teachers, IT, CTT, security, supplies, and building maintenance. We, like our students, need consistency and support. We need enough teachers to keep class sizes reasonable for the special needs many of our students have. We need support staff, including advisers, counselors, and security, to ensure a safe learning environment for all. The building needs some updates to bring it back to its heritage and bring pride to its staff, students, and community. We have lost many of our resources in the unstable neighborhood school environment, of our fluctuating enrollment, and 20th day layoffs. When teachers are let go, what you have are leaders leaving. The remaining teachers are overloaded, students' schedules change, and the school climate is unstable, which creates difficulties and discipline issues.

In conclusion, we are in the process of our own turnaround plan which includes, but is not limited to, access building, forming data teams, after-school resources, attendance accountability teams, parent university, parent shadowing, and monitoring progress of our students.

Summary of Documents Received

Documents Submitted By CPS

The CEO, through the Law Department, submitted several documents to the hearing officer that were received and made a part of the record in this case. Those documents included: 1) copies of the notice letters advising of the hearing sent to the school communities including the Principals, LSCs, parents, and teachers and staffs, and an affidavit regarding the same; 2) copies of the notifications published in the newspaper; 3) the Board’s Policies on Performance; 4) the Procedures for the Hearing; 5) a copy of
the relevant statutory provisions; 6) the ISBE 2008 & 2009 School Report Cards; 7) 2008-2009 and 2009-2010 Notice Letters to the school concerning its performance policy status; and, 8) the CPS witnesses’ written testimony and related Power Point presentation.

**Documents Submitted In Opposition To The Closing**

Several documents were submitted to the hearing officer that were received and made a part of the record in this case. Those documents included: 1) The witness statement of Dr. Kugler indicating that the entire turnaround/school closing process is disruptive to the education of the students; 2) The witness statement of Micha Miner, a teacher at Phillips Achievement Academy, disputing CPS’ Freshman On Track Data; 3) Statistical Data from the Chicago Health & Health Systems Project; 4) The 2010 Wendell Phillips Alumni Calendar; 5) Alderman Dowell’s letter to the Board; 6) A research article regarding Boosting Student Achievement; 7) The written witness statements of several teachers opposing the reconstitution plan; 8) A presentation from the Alumni Association supporting the Turnaround, asking to be a partner in the process, including being involved in the selection and/or retention of faculty; 9) A letter from the Grand Boulevard Federation expressing concerns about the Turnaround process and AUSL; and 10) A letter from attorney Ernesto Borges expressing his concern as an alumnus about the Turnaround process and AUSL based upon their track record at Orr High School.

**STATEMENT OF FINDINGS**

1. Proper notice of the Public Hearing was given as required by Illinois law and the Procedures for Hearings on Proposed School Closings, Consolidations,

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5 The documentary evidence received at, and 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.

6 See supra note 4, at page 26.
Attendance Area Boundary Changes or Reconstitution. 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 staffs, the principal, representatives of the Chicago Teachers’ Union, and interested members of the public, an opportunities to comment on the CEO’s proposal to Turnaround Phillips High School via Reconstitution.

2. On Monday, February 1, 2010, a public hearing was held at the Board of Education, 125 South Clark, Chicago, Illinois. The public hearing 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. Wendell Phillips High School is located at 244 East Pershing Rd. Chicago, IL 60653.

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
Phillips or eligible to enroll in Phillips this coming fall would continue as students at the
school; All staff including the faculty would be removed and replaced; Phillips and its
new administration and staff would be supported by the Academy for Urban School
Leadership (AUSL).

6. None of the “Exclusion Factors” contained in the Board’s Policies and
Guidelines which would exclude Phillips from being turnaround eligible, are applicable
in this case.

7. In December 2009, the CEO published criteria for identifying low
performing schools as candidates for reconstitution. Schools that earned less than 33.3%
of the total available points on the CPS Performance Policy for two consecutive years
were eligible to be turnaround via reconstitution. Phillips received 27.8% of available

8. CPS began placing schools on probationary status due to low academic
performance 14 years ago. Phillips has been on probation in each of those 14 school
years, including the current school year.

9. Phillips’ 2008-2009 performance on the PSAE composite, which is the
combined result of the PSAE reading, mathematics, and science assessments, was 2.7%,
compared to a District average of 28.5%. In reading, the percent of Phillips students
meeting or exceeding state standards was 6.3%, compared to a District average of 34.8%.
In mathematics Phillips’ performance was 1.1%, compared to a District average of
26.9%. In science Phillips’ performance was 0.6%, compared to a District average of
The gap between Phillips and the District has been persistent over time, and in recent years has been widening. Since the 2001-2002 school year, Phillips has not had more than 10% of students meeting state standards. At its highest point in 2006-2007, the PSAE Composite score at Phillips was 9.9%, but has declined since to 2.7%, a decrease of 7.2 percentage points or 72%. Over that same time period, the District average declined from 29.3% to 28.5%, a decrease of 0.8 percentage points, or 3%.

The average ACT score at Phillips was 13.8 in 2008-2009. The CPS average was 17.

The low performance on standardized tests at Phillips is consistent across subjects. On the PSAE reading test, Phillips went from a high of 18.4% of students meeting standards in 2004-2005 to 6.3% in 2008-2009, a decrease of 12.1 percentage points, or 66%. Over that same time period, the CPS average decreased from 41.1% to 34.8%, a decrease of 6.3 percentage points or 15%. The 6.3% of students at Phillips in 2008-2009 means that only 11 out of 174 students tested met state standards in reading. In mathematics, Phillips declined from a high of 9.5% in 2005-2006 to 1.1% in 2008-2009, a decrease of 8.4 percentage points, or 88%. Over that same time period, the CPS average decreased from 28.5% to 26.9%, a decrease of 1.6 percentage points, or 6%. The 1.1% of students at Phillips in 2008-2009 means that only two out of 174 students tested met state standards in mathematics. In science, Phillips declined from a high of 7.1% in 2006-2007 to 0.6% in 2008-2009, a decrease of 6.5 percentage points, or 92%. Over that same time period, the CPS average decreased from 25.4% to 23.7%, a decrease of 1.7 percentage points, or 7%. The 0.6% of students at Phillips in 2008-2009 means that only
one student out of 174 tested met state standards in science.

13. In addition to standardized test scores, the CPS Performance Policy evaluates schools on attendance rate. The attendance rate for Phillips has been consistently lower than the District average for the past seven years. Since having an attendance rate similar to the District average in 2002-2003, the attendance rate at Phillips has declined significantly, to a low of 68.5% in 2008-2009. With an attendance rate of 68.5% in 2008-2009, more than 30% of instructional time at Phillips was missed by students. This represents over 250 hours of instructional time missed by the average Phillips student throughout the year.

14. The 5-year cohort graduation rate at Phillips has declined significantly over the past several years. In the 2004-2005 school year, Phillips had a graduation rate of over 50%, which was close to the District average. Since then, the graduation rate has declined substantially. In 2008-2009, the graduation rate was 34.6%, meaning 65% of the students who began as freshman in the 2004-2005 school year did not graduate by the 2008-2009 school year.7

15. This low performance has taken place at despite efforts by the CPS to provide the school with assistance. The district has supported Phillips over the last several years with the following supports:

- Since school year 06-07, the District has provided the school with a comprehensive instructional development system (IDS). Through IDS, the school’s teachers in English, mathematics and science receive curriculum aligned to PSAE, Illinois and College Readiness Standards; quarterly and end of year assessments aligned to the curriculum and meant to provide ongoing data about student progress and learning gaps; and targeted professional development in the form of workshops as well as site-based 1-on-1 coaching.

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7 See not 1 supra at page 23.
• Since the school has been on probation, the District has provided oversight of its discretionary budget to ensure funds are allocated in line with the school’s goals for student outcomes.

• Beginning in school year 06-07, the school operated under an Area Instructional Officer-monitored restructuring plan as a result of not meeting annual yearly progress or AYP. The plan emphasized double-period reading and mathematics classes to support student progress and professional development for the administrative team related to standardized assessments and specifically PSAE data.

• During school year 08-09, the District provided the school two additional educational support persons in order to dramatically improve the rate at which freshmen entering Phillips completed their first year of high school on track to graduate.

16. In spite of the additional measures afforded to Phillips High School, the students have continued to perform below the standards set by CPS.

17. Illinois law, and all of the applicable Chicago Public School Policies and Guidelines have been complied with in their entirety, specifically including, but not limited to the School Performance Policy for the 2009-2010 school year.

Recommendation\(^8\)

The Hearing Officer hereby recommends that the Board approve the CEO’s proposal to Reconstitute Wendell Phillips High School.\(^9\)

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\(^8\) The fact that there are other under-performing schools that are not being reconstituted at this time may seem unfair to the school community, but CPS is not required to take the same action in every case, nor are they required to take action simultaneously on all of the schools on probation. It seems obvious that to do so would unduly burden and strain CPS’ limited resources. Moreover, there is nothing in the state law, or the Board Policies or Guidelines, which requires the lowest performing schools in an Area to be acted upon first. If a school is on probation for two consecutive years, without any of the exclusions being applicable, it is subject to being a Turnaround school.

\(^9\) The Hearing Officer would be remiss in failing to note that there was a strong and unified presence by the Alumni Association which request that the CEO and Board collaborate with them in making changes at Phillips High School by affording them the opportunity to participate in the implementation process “as true stakeholders.”
FURTHER THE HEARING OFFICER SAYETH NOT.

Respectfully submitted,

Fredrick H. Bates/s/
Fredrick H. Bates
Hearing Officer

February 12, 2010