

**RESCIND BOARD REPORT 02-0424-PO02
POLICY ON THE CLOSING AND CONSOLIDATION OF SCHOOLS
AND ADOPT NEW POLICY ON THE CLOSING OF SCHOOLS**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:

Rescind Board Report 02-0424-P002, "Policy on the Closing and Consolidation of Schools," and adopt new "Policy on the Closing of Schools," as follows:

POLICY TEXT:

When considering the matter of closing schools, it is the intent and desire of the Board of Education to provide students high quality academic opportunities in a supportive educational atmosphere. In accordance with existing Board actions and consent decrees and to the maximum extent consistent with financial constraints, the Board will avoid closing schools when such closings will have a negative impact on the desegregation or integration of any school.

I. SCHOOL CLOSINGS FOR NON-ACADEMIC REASONS

The Board may close a school for any or all of the following non-academic reasons:

- A. Space Utilization Level.** The space available at a school or schools in close proximity is not being used in the most efficient, cost-effective manner; or
- B. Physical Condition of Building.** The physical condition of the school building(s), including the cost to repair safety hazards and make structural changes necessary to ensure compliance with all city, state and federal laws, makes continued operation of the site cost-prohibitive or continued occupancy of the site unsafe or impractical; or
- C. Alternative Use of School Facilities.** The Board may close a school to use its facilities for other programmatic/educational purposes, for support services, to open a new school, or to expand an existing school; or
- D. Conversion to Charter School.** The Board may decide to close a school and convert it to a charter school as provided in Section 5/27A-5 of the Illinois School Code, 105 ILCS 5/27A-5.

No school will be closed for any of the reasons set forth above if such closing would violate the 1980 Desegregation Consent Decree or the Modified Consent Decree, whichever is in effect at the time of the proposed closing.

II. SCHOOL CLOSINGS FOR ACADEMIC REASONS

Pursuant to Section 34-8.3 of the Illinois School Code, 105 ILCS 5/34-8.3, the Board may decide to close schools that have been on probation for at least one year and have failed to make adequate progress in correcting performance deficiencies following an opportunity for public hearing. The decision to close a school for academic reasons shall be based on a consideration of the factors that led to the school being placed on probation and the availability of "higher performing schools" in close proximity, as determined by the Chief Executive Officer ("CEO"). If there are no "higher performing schools" in close proximity, as determined by the CEO, the Board will provide transportation to the nearest schools with available space that can meet the students' educational needs. In addition, the following academic performance criteria shall be considered:

- A.** Whether the school remains on probation due to a failure to meet the objective criteria required to be removed from probation and has a history of chronic probation status;
- B.** Whether the overall school results on the Illinois Standards Achievement Test, Prairie State Examination or other designated annual test of academic proficiency are in the lowest academic performance category; and

- C. Whether overall student progress in reading is less than one school year, as measured by the most recent results on the ITBS or other designated annual test of academic proficiency.

A school on probation closed pursuant to this Section II may re-open as an entirely new school with a different educational focus.

Pursuant to Section 6316(b)(8)(B) of the No Child Left Behind Act, 20 U.S.C. Sec. 6316, the Board may also decide to close schools that have failed to make Adequate Yearly Progress for five (5) consecutive years and convert them to charter schools.

III. SCHOOL CLOSINGS DUE TO A NEED FOR CHANGE IN EDUCATIONAL FOCUS

The Board may determine that a school closure is necessary to address the educational needs of students by affecting any of the following changes at the site:

- A. Implementation of new curriculum and/or instructional programs;
- B. Extensive reassignment of school faculty and staff; or
- C. Transformation of educational focus, which may result in significant change in the student population.

The Board will determine the duration of a school's closure based upon the time needed to implement the changes in educational focus. A school closed pursuant to this Section III may re-open as an entirely new school.

IV. PROCESS FOR SCHOOL CLOSINGS

The Chief Executive Officer of the Chicago Public Schools ("CEO") may recommend school closings to the Board for any of the reasons in Sections I through III of this Policy. If the CEO proposes to recommend the closing of a school or schools, he or she shall convene a hearing to elicit public comment regarding the proposed action. The CEO or a designee shall issue procedures for the conduct of the public hearings to address proposals to close schools.

Before the public hearing, the CEO or his or her staff will review October pupil enrollment data for the current school year and prepare three-year enrollment projections, broken down by racial category, for all schools affected by the proposed action. In addition, before any school closing is proposed, the CEO's staff shall prepare an impact analysis setting forth:

- A. The projected impact on the racial composition and stability of all schools affected by such action (with three-year enrollment projections attached);
- B. Any projected negative impact on the racial composition and stability of any affected school; and
- C. Possible alternatives to the proposed action, including maintenance of the status quo, along with the projected impact that each alternative would have on the racial composition and stability of each school affected by such action.

The enrollment projections, impact analysis and a transcript of the public hearing will be provided to the Board prior to its consideration of a proposed school opening. The Board will review the data and will not approve any action that is inconsistent with the provisions of the Comprehensive Student Assignment Plan developed pursuant to the 1980 Desegregation Consent Decree or any modification of that consent decree.

If, after the public hearing, the CEO determines to recommend the school closing(s) to the Board, he/she or a designee shall prepare a final board report regarding the school closing(s) based on all pertinent information, including relevant information received at the public hearing. The board report shall be submitted to the Board for final action. The Board shall take final action on any recommended school closings prior to the beginning of the next school year.

After approval of any school closing(s) by the Board, the CEO shall be responsible for the orderly closing of the school(s).

V. REASSIGNMENT OF STUDENTS UPON SCHOOL CLOSING

- A. When a school is closed for academic reasons, the students will be reassigned to a higher performing school or to schools with available space that can meet their educational needs (including special education and bilingual education).
- B. When a school is closed for non-academic reasons or due to a change in educational focus, the students will be reassigned to a school or schools with available space that can meet their educational needs (including special education and bilingual education).
- C. Students with disabilities at a neighborhood school closed pursuant to this policy will be placed at the closest school to their homes that can implement their Individualized Education Program. Students with disabilities at a non-neighborhood school closed pursuant to this policy will be placed at the neighborhood school or the closest school to their homes that can implement their Individualized Education Program.
- D. Students may apply for enrollment at a school or schools other than the school to which they are reassigned as provided in paragraphs A-C above, subject to space availability and the admissions criteria of such school(s).
- E. If a school closing requires that the attendance boundaries of any school receiving students be redrawn, they shall be redrawn pursuant to applicable Board policies.

VI. REASSIGNMENT OF APPOINTED TEACHERS ASSIGNED TO CLOSED SCHOOLS

Regularly certified and appointed teachers at schools closed pursuant to this policy prior to July 1, 2004, shall become reassigned teachers pursuant to the Board's policy, "Reassignment and Layoff of Regularly Certified and Appointed Teachers Due to Changes in Staffing Needs," (Board Report 97-0723-PO2). On and after July 1, 2004, tenured teachers at schools closed pursuant to this policy shall become reassigned teachers pursuant to the Board's policy, "Reassignment and Layoff of Regularly Certified and Appointed Teachers Due to Changes in Staffing Needs." Regularly certified and appointed teachers at closed schools whose entire student population is reassigned to one school will be reappointed to the receiving school consistent with CPS staffing formulas.

VII. LOCAL SCHOOL COUNCILS AT CLOSED SCHOOLS

Local School Councils at schools that are closed for any reason shall be dissolved when the school closes.

LEGAL

REVIEW: This policy was drafted with the assistance of the Law Department.

Amends/Rescinds: Rescinds 02-0424-PO02; 91-1218-PO01; Rescinds 01-0425-PO03.

Cross References: Student Desegregation Plan for the Chicago Public Schools, 1981; Comprehensive Student Assignment Plan (1982).

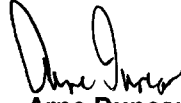
Legal References: Consent Decree, 1980, United States v. Board of Education of the City of Chicago, 554 F. Supp. 912 (N.D. Ill. 1983); 105 ILCS 5/34-18 (2002); 20 U.S.C. Sec. 6316.

Approved for Consideration:



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Approved:



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