

**REMOVE AND REPLACE THE PRINCIPAL OF BRIAN PICCOLO SPECIALTY SCHOOL
AND TERMINATE THE PRINCIPAL'S CONTRACT**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the principal of Brian Piccolo Specialty School (Piccolo) be removed and replaced pursuant to Section 34-8.3(d) of the Illinois School Code and that her contract be terminated pursuant to Section V of the Board's Uniform Principal's Performance Contract.

DESCRIPTION:

I. Legal Framework

The 1995 Amendatory Act of the Illinois School Code grants the Chief Executive Officer of the Chicago Public Schools ("CEO") the authority to place schools on probation to correct deficiencies in their academic performance (105 ILCS 5/34-8.3). The Illinois School Code further grants the Chicago Board of Board ("Board") the authority to establish guidelines to determine the factors for placing an attendance center on probation. 105 ILCS 5/34-8.3(b)(4).

Pursuant to that authority, the Board adopted the "School Remediation and Probation Policy for the 2007-2008 School Year," (Board Report 07-0328-PO1). In accordance with the policy, Piccolo was placed on probation for the 2007-2008 school year. The Board has also adopted the "School Performance, Remediation and Probation Policy for the 2008-2009 School Year," (Board Report 08-0602-PO2). In accordance with the policy, Piccolo must remain on probation until it achieves "Good Standing" status for two consecutive school years. Therefore, Piccolo will remain on probation for the 2008-2009 school year and will not be eligible for removal from probation status until the 2010-2011 school year, at the earliest.

The School Code provides that when a school on probation fails to make adequate progress to correct deficiencies within one year, the CEO, with the approval of the Board and after an opportunity for a hearing, may remove and replace the school's principal. 105 ILCS 5/34-8.3(d)(1). Pursuant to Section V of the Board's Uniform Principal's Performance Contract, a principal's contract may be terminated before the expiration of its four-year term based upon the principal's removal pursuant to Section 34-8.3(d).

II. Hearing on Principal Removal

Pursuant to the "Guidelines for the Removal and Replacement of Principals of Schools on Probation for the 2007-2008 School Year" and the "Procedures Governing Principal Removal Hearings," Deborah Edwards Clay, Piccolo's principal, and the Piccolo Local School Council were duly notified that the CEO was contemplating the removal of Ms. Clay as principal pursuant to Section 34-8.3(d) to further the school's educational improvement. Mr. Michael J. Hernandez, Esq., an independent hearing officer, presided over the Piccolo principal removal hearing on September 8, 2008, in an efficient and impartial manner.

The Law Department, representing the CEO, presented the statements of the Area 4 Instruction Officer and the Chief Officer of Research, Evaluation and Accountability as well as documentation to support a recommendation to remove Ms. Clay as Piccolo's principal to the hearing officer. Legal counsel for Ms. Clay also presented documentation to the hearing officer for his consideration.

The hearing officer has submitted a written report to the CEO summarizing all relevant evidence offered during the hearing, making findings of fact, and recommending the removal of Ms. Clay as the principal of Piccolo Specialty School.

III. Chief Executive Officer's Recommendation

The Chief Executive Officer has reviewed the Hearing Officer's findings of fact and recommendation and hereby recommends that Ms. Deborah Edwards Clay be removed and replaced as the principal of Brian Piccolo Specialty School effective September 30, 2008. The CEO further recommends that Ms. Clay's current Uniform Principal's Performance Contract, with a term beginning July 1, 2008, and ending June 30, 2012, be terminated effective September 30, 2008. These recommendations are based upon the following factors:

- A. During the 2007-2008 school year, the Area 4 Instruction Officer made repeated attempts to work with the Piccolo principal to improve instruction. Despite those efforts, the principal failed to effectively and/or sufficiently develop, implement or comply with the school improvement plan.
- B. The Piccolo principal failed to comply with a Direct Assistance Plan and a Corrective Action Plan issued by the Area 4 Instruction Officer pursuant to the Board's "Professional Support and Remediation of Contract Principals" Policy (Board Report 07-0124-PO3) or to otherwise follow the directives of the Area 4 Instruction Officer.
- C. On state tests, Piccolo's scores have been consistently low and, as a result, it is on the State's Academic Watch List and in "Restructuring Implementation" status under the federal No Child Left Behind Act ("NCLB"), which means that the school has not made Adequate Yearly Progress, the measure of minimum student performance required under state law and NCLB.

If the Board adopts the Chief Executive Officer's recommendation to remove the Piccolo principal, the following actions will occur:

- 1. The Chief Executive Officer will appoint an interim principal for Piccolo, based upon the recommendations of the Chief Education Officer. The interim principal will serve at the pleasure of the Chief Executive Officer; and
- 2. The Piccolo Local School Council shall have no authority to select a new four-year contract principal until Piccolo makes sufficient academic progress to be removed from probation.

LSC REVIEW: LSC approval is not applicable to this report.

FINANCIAL: The interim principal position will be filled at a cost within current budget appropriations.

PERSONNEL IMPLICATIONS: An Interim Principal will be selected, who will serve at the pleasure of the Chief Executive Officer. Until the school comes off probation, the Local School Council of Piccolo Specialty School will have no authority to select a new four-year contract principal.

Approved for Consideration:

Barbara Eason-Watkins

**Barbara Eason-Watkins
Chief Education Officer**

Noted:

Pedro Martinez
**Pedro Martinez
Chief Financial Officer**

Respectfully submitted:

Arne Duncan

**Arne Duncan
Chief Executive Officer**

Approved as to Legal Form:

Patrick J. Rocks
**Patrick J. Rocks
General Counsel**