

**REMOVE AND REPLACE THE PRINCIPAL OF HORACE MANN ELEMENTARY SCHOOL
AND TERMINATE THE PRINCIPAL'S CONTRACT**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the principal of Horace Mann Elementary School (Horace Mann), Patricia McPherson-Davis, 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 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 had in place policies under which Horace Mann was placed on probation. The Board recently adopted the "School Performance, Remediation and Probation Policy for the 2008-2009 School Year," (Board Report 08-0602-PO2). In accordance with that policy, Horace Mann will remain on Probation until such time as the school makes Adequate Yearly Progress for two (2) consecutive years or until a period of five (5) years has passed since the Board took such 8.3(d)(2) or (4) action, whichever occurs first.

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 2008-2009 School Year" and the "Procedures Governing Principal Removal Hearings", Patricia McPherson-Davis, Horace Mann's principal, and the Horace Mann Local School Council (LSC) were duly notified that the CEO was contemplating the removal of Patricia McPherson-Davis as principal pursuant to Section 34-8.3(d) to further the school's educational improvement. Mr. Fredrick Bates, Esq., an independent hearing officer, presided over the Horace Mann principal removal hearing on Friday, June 12, 2009, in an efficient and impartial manner.

The Law Department, representing the CEO, presented the statements of the Area 17 Instruction Officer and the Chief Officer of Research, Evaluation and Accountability as well as documentation to support a recommendation to remove Patricia McPherson-Davis as Horace Mann's principal to the hearing officer. The hearing was uncontested.

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 Patricia McPherson-Davis as the principal of Horace Mann.

III. Chief Executive Officer's Recommendation

The CEO has reviewed the Hearing Officer's findings of fact and recommendation and hereby recommends that Patricia McPherson-Davis be removed and replaced as the principal of Horace Mann effective June 30, 2009. The CEO further recommends that Patricia McPherson-Davis' Uniform Principal's Performance Contract, with a term beginning July 1, 2006, and ending June 30, 2010, be terminated effective June 30, 2009. These recommendations are based upon the following factors:

- A. Horace Mann is on the Illinois State School Improvement list, which means that the school has not made Adequate Yearly Progress, or AYP, the measure of minimum student performance required under the federal No Child Left Behind Act, or NCLB. Horace Mann has not made AYP for the past six school years, meaning that Horace Mann is in Restructuring under NCLB, which is the most severe level of NCLB sanctions. This is further evidence of the long-standing low level of performance on student assessments at Horace Mann.
- B. Principal McPherson-Davis has failed to direct the implementation of successful instructional strategies school wide. Horace Mann has not made adequate yearly progress during the principal's tenure. It is a probation school with Restructuring Implementation NCLB Improvement Status. There was a minimal increase (.6) from the 2007 to 2008 ISAT Composite percent of students who meet or exceed the standards and an increase (.5) from 2007 to 2008 ISAT Composite percent of students who exceed the standards. According to the Elementary School Performance Policy Report, the average of the past two years is 53.7% ISAT Reading Meet/Exceed, 52.9% ISAT Math Meet/Exceed, 47.1% ISAT Science Meet/Exceed. The principal achieved 14 out of 42 (33.3%) possible performance policy points.
- C. Horace Mann has been on probation throughout Principal McPherson-Davis' tenure. Principal McPherson-Davis has not put structures in place, i.e., standards based lesson plans and targeted instructional interventions that are conducive to a strong learning environment. The Principal has not taken the lead to engage and develop staff to work collaboratively together. Moreover the evidence presented established below average teacher attendance, students transferring and a myriad of other indicators that Horace Mann lacks leadership.

If the Board adopts the CEO's recommendation to remove the Horace Mann principal, the following actions will occur:

- 1. The CEO will appoint an interim principal for Horace Mann, based upon the recommendations of the Chief Education Officer. The interim principal will serve at the pleasure of the CEO; and
- 2. The Horace Mann Local School Council shall have no authority to select a new four-year contract principal until Horace Mann 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.

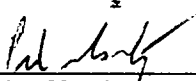
PERSONNEL IMPLICATIONS: An Interim Principal will be selected, who will serve at the pleasure of the CEO. Until the school comes off probation, the Local School Council of Horace Mann will have no authority to select a new four-year contract principal.

Approved for Consideration:



Barbara Eason-Watkins
Chief Education Officer

Noted:



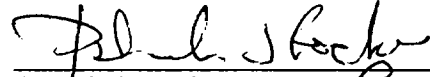
Pedro Martinez
Chief Financial Officer

Respectfully submitted:



Ron Huberman
Chief Executive Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel