

April 28, 2010

**REMOVE AND REPLACE THE PRINCIPAL OF LANGSTON HUGHES ELEMENTARY SCHOOL
AND TERMINATE THE PRINCIPAL'S CONTRACT**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

That the principal of Langston Hughes Elementary School (Earl Ware) be removed and replaced pursuant to Section 34-8.3(d) of the Illinois School Code and that his 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 Performance, Remediation and Probation Policy for the 2009-2010 School Year," (Board Report 09-0624-PO1) (hereinafter "probation policy") and as a result, Langston Hughes Elementary School remained on probation in accord with the terms of that policy.

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 2009-2010 School Year" and the "Procedures Governing Principal Removal Hearings", Earl Ware, Langston Hughes Elementary School's principal, and the Langston Hughes Elementary School Local School Council were duly notified that the CEO was contemplating the removal of Earl Ware as principal pursuant to Section 34-8.3(d) to further the school's educational improvement. Mr. Hubert Thompson, Esq., an independent hearing officer, presided over the Langston Hughes Elementary School principal removal hearing on March 25, 2010, in an efficient and impartial manner.

The Law Department, representing the CEO, presented the Area 16 Chief Area Officer, the Director of Performance Policy and the Director of Asset Management, the Director of Least Restrictive Environment Monitored Programs for the Office of Specialized Services, as well as evidence to support the CEO's recommendation to remove Earl Ware as Langston Hughes Elementary School's principal to the hearing officer. Earl Ware also presented witnesses and evidence 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 Earl Ware as the principal of Langston Hughes Elementary 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 Earl Ware be removed and replaced as the principal of Langston Hughes Elementary School effective April 28, 2010. The CEO further recommends that Earl Ware's current Uniform Principal's Performance Contract, with a term beginning July 1, 2006, and ending June 30, 2010, be terminated effective April 28, 2010. These recommendations are based upon the following factors, and other factors identified during the March 25, 2010 hearing:

- On state tests, Hughes' scores have been consistently low and, as a result, it is currently on Probation in accordance with the CPS Performance Policy and has been on Probation for the past five (5) years. Hughes' Value-Added Scores in Reading and Math show that the students at Hughes are growing at a lesser pace than similar students in the District. Furthermore, the attendance rate for Hughes has been consistently lower than the District average and has declined over time.
- The Illinois State Board of Education ("ISBE") has been monitoring Hughes for not being in compliance with the Individuals with Disabilities in Education Act since the 2000-2001 school year. During Earl Ware's principalship at Hughes, ISBE placed Hughes on "Sanction Status," which meant that the school had to develop a Prescribed Correction Active Plan ("PCAP") to cure existing deficiencies. Despite receiving support from the central and area offices, Earl Ware failed to cure the deficiencies and ISBE determined that they would make the unprecedented recommendation of removing Hughes from "Sanction Status" and placing the school directly on "Probation." If Hughes is placed on "Probation" Hughes will have one year to cure existing deficiencies. If the deficiencies are not corrected within one year, Hughes Elementary School will be ineligible to receive state funding under ILCS 5/18-8.05(A)(3)(a) and will be effectively closed by ISBE.
- Earl Ware failed to adhere to the Board's Student Travel Policy concerning an overseas trip to Japan during the 2008-2009 school year involving fifteen (15) elementary school students and five (5) chaperones. Mr. Earl Ware missed the e-application deadline; did not register the trip with the United States Department of State until less than a week before the scheduled date of departure; did not provide proof of travel insurance until after the students had already left on the trip; and he did not ensure that all chaperones were qualified to be on the trip before submitting the application. In fact, Mr. Ware allowed the trip to go forward even though the trip had not been approved by the Board.

If the Board adopts the Chief Executive Officer's recommendation to remove the Langston Hughes Elementary School's principal, the following actions will occur:

1. The Chief Executive Officer will appoint an interim principal for Langston Hughes Elementary School, 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 Langston Hughes Elementary School Local School Council shall have no authority to select a new four-year contract principal until Hughes makes sufficient academic progress to be removed from probation as required by the Board's probation policy.

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.

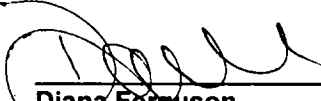
PERSONNEL IMPLICATIONS: An Interim Principal will be selected, who will serve at the pleasure of the Chief Executive Officer. Until the school comes off probation, the Local School Council of Langston Hughes Elementary School will have no authority to select a new four-year contract principal.

Approved for Consideration:



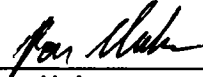
Barbara Eason-Watkins
Chief Education Officer

Noted:



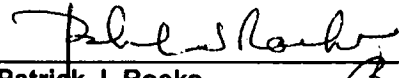
Diana Ferguson
Chief Financial Officer

Respectfully submitted:



Ron Huberman
Chief Executive Officer

Approved as to Legal Form: 



Patrick J. Rocks
General Counsel