

**April 26, 2023 Special Board Meeting Written Comments
Received between Monday, April 24th and Thursday, April 27th
Submitted via Written Comments Form**

1	<p>Hope Learning Academy deserves to stay open for the unbelievable students, loving and committed staff members, as well as for the supportive family members. Many students show TREMENDOUS growth after attending Hope Learning Academy and we have so many family members that recommend our school to others. There's no other place like Hope!</p>
2	<p>Hello Board and others,</p> <p>My name is Walter Brzeski.</p> <p>Over the past year, I've sent countless emails over and over and over again to CPS Law, CPS FOIA Dept, CEO Martinez, and others at CPS to have CPS provide me with the 2011 redacted security video showing then Steinmetz assistant principal Jaime G. Jaramillo, Jr. choking and dragging a female student.</p> <p>I've posted numerous tweets asking for the video and spoke to the Board multiple times and left comments over and over and over again for the Board at their meetings as well and the security video hasn't been given to me by CPS.</p> <p>Mr. Jaramillo, Jr. was arrested for his actions, didn't receive any discipline from CPS, didn't lose any days' pay, and the female student/victim later was given a \$10,000 settlement in the matter.</p> <p>The Illinois Attorney General's Public Access Counselor (PAC) ruled in my favor on April 19, 2022 over ONE year ago in a Request for Review I sent them after CPS denied my FOIA request for the video.</p> <p>Please have the CPS FOIA, CPS Law, or the pertinent CPS department send me the redacted video as soon as possible.</p> <p>The Illinois Attorney General's Public Access Counselor's (PAC) determination, a ruling in my favor, is in the attachments of the board comments.</p>
3	<p>Hope Learning Academy Chicago is a special place. Comments submitted by parents during the contract renewal process indicated that they choose to send their students to Hope from all over Chicago for several reasons, including the safe environment, the support for Diverse Learners, and the access to community organizations that the school partners with. Hope uniquely aims to help scholars of all abilities achieve their maximum potential by developing relationships with their families and employing qualified professionals to support students daily. Hope is the only public school that I know of that has a Board Certified Behavior Analyst, a Social Worker, an Occupational Therapist, and two Speech Language Pathologists. If the school closes, the beneficial relationships and environment built over the course of it's existence will be broken, leaving the community of scholars, families, and staff to find other options for education, employment, and community. Currently the school is left with a caring staff who knows the needs of their students, scholars and families with unique needs of their own, a contract and a facility to help meet those needs, but no organization to accept the responsibility. The option that appears to yield the most positive outcomes for the entire Hope Chicago community</p>

is for the school to continue to provide services to it's scholars and families under a new organizational umbrella. This would allow for the invaluable relationships/resources that make up the Hope Chicago community to remain intact and for the scholars affected to continue receiving a quality education without interruption. Merging Hope Chicago with it's building-mate school, Wilma Rudolph, would allow the staff and families to keep Hope alive.

4 Good morning, my name is Melissa and I have been a teacher at Hope for 10 years. Hope is the place where I learned to be a teacher. I learned to have patience and the importance of relationships. I learned the importance of treating colleagues, children and families with respect. The Hope organization has not treated it's employees, parents or students with respect. Hope Springfield are cowards!! They have not been here to talk to our families. They refuse to engage with them through zoom or in person. They have canceled their next 2 board meetings. Hope Springfield are a cowards!! At first they tried to blame the closure on declining enrollment, but when proven wrong, they blamed it in on CPS. They said CPS was not a good partner. Hope Springfield are cowards!! They claim to be a nonprofit, but blame the closure on financial reasons and CPS not paying their bills. Hope Springfield are cowards!! They are afraid of the CTU. They are afraid to treat their employees with dignity and give us the compensation we deserve. Hope Springfield are cowards!! Why is that they are only closing their only inner city school? Their only school with brown and black students and staff. Hope Springfield are cowards!! Hope springfield did not make Hope Chicago the special place it has been for the last 15 years. We did it inspite of them.

5 Good Afternoon CEO Martinez, President del Valle, and Board Members.

My name is Patricia Alvares and I am a proud Acero Schools parent who has two students that attend Acero Octavio Paz, located in the Little Village community. [REDACTED] is in 5th grade and [REDACTED] is in 7th grade. Both of my children are excelling academically and they have expressed how much they are welcomed and supported at Paz. I applaud the leadership at the school and network for always keeping parents informed and for providing families with a platform to grow alongside our scholars.

I can attest to this first hand as I have had the incredible opportunity to participate and lead various events including our family engagement nights like Family Bingo, Family Reading nights, our annual Back to School Events and several parent workshops. I have also been a part of the UnidosUS program - *Padres Comprometidos*. I learned that Acero Schools is the only charter school in Chicago that is a part of the UnidosUS affiliate network that has incorporated this parent leadership program. I am thankful that the network has implemented this program that educates parents on the importance of being involved in our students education while teaching us important skills such as learning how to communicate with school administrators, understanding the importance of mental health and social emotional learning, advocating for our students education,

and this year Acero incorporated UnidosUS', *Digital Skills 4 Life*, which is helping parents grow in our understanding on digital literacy.

Acero Schools has been a second home to me and my students. I wholeheartedly trust and support the mission and vision of the network and our school. Paz is in the heart of the Little Village community and I am proud to be a part of Octavio Paz and the Acero Schools network for serving not only our families, but our community as well.

I thank you for your time today and I invite you to visit our school to see how amazing our community truly is.

6 The Future of the students of HOPE?

As a paraprofessional at HOPE learning academy I have seen , heard & witnessed what hope really is . It's the students ,teachers ,paraprofessionals & administration that constantly keep a ray of light shining through the toughest school day. The bright smiles & the welcoming Good mornings ! Making sure that every student is redirected or established once the school day has started. I have seen many challenging behaviors that students with disabilities have at an every day or weekly matter but we have not given up on that we strive every day to try to correct or establish a fundamental plan to achieve the students success in learning skills and establish goals too see them succeed at an education that they deserve. I'm deeply saddened & still can't believe & held my tears as young children cried when hearing there school was closing, it was a total heartbreaking moment.The professionalism in which the staff handled the matter is prof that regardless of HOPE closing they are still with them 100% every day & will continue to be (The HOPE these children need to succeed for the future)

7 My Son [REDACTED] has attended Hope for 2 years and within that timeframe we've seen tremendous growth and social development. The teachers and staff have worked with our family to meet the special needs of our son. We transferred him from 2 other schools before we fell in-love with the unique and individualized education style that Hope offers for diverse students. This level of care and education can't be found at just any other school. The sudden closure is scary and completely devastating! I'm worried that the uprooting of [REDACTED] from his peers, teachers and school will cause a setback and regression. Structure and routine and familiarity are all important to any kid but most importantly children on the spectrum. I've never seen a more loving and nurturing environment for my son at school than we've seen at Hope. I'm afraid that my child will get bullied again, or even fall behind.

8 Good morning,
I am a parent of Hope Academy. I have one current student, and another child that was accepted to begin Kindergarten at Hope in the Fall. At the time of the devastating news that Administration made an unethical and unfounded decision to close Hope Chicago, the original hope was that Administration would hear from us parents and see what devastating news it was to all the families and staff. Unfortunately Administration has advised their decision is final and further supported our position as a family that their decision to close was for their benefit only. Our hope and prayer now, is that CPS will allow Wilma Rudolph to absorb Hope, and allow for a successful continuation of our children's educational future.

My 3rd grade student, attended Pre-K at Wilma Rudolph, and my youngest child currently attends Pre-K there, so I have personal experience of how wonderful the school is. Since the beginning of both schools sharing the same building, it has been a

cohesive extension of one another, more than just sharing a building. With knowing that Wilma Rudolph is an amazing school, to develop it to a full scale elementary for both school's current students, would be the absolute best way to keep our children's futures bright.

Hope Academy's future is not only critical for the staff and families, but for the community as well. Hope hosts Gads Hill programs, Tutoring Chicago and a UIC Health and Wellness clinic.

I never imagined I would find a second family in my children's school, but I did with Hope Academy. My son has had struggles, and Hope staff has embraced him and all of my family, and he is now on a path of success. I can reach the Principal Mike Jakubowski via cell phone; I can reach Social Worker Nora Chapman via cell phone; every teacher and staff member prioritizes every student and family; my entire family's Primary Care Provider is Elaine Shapiro who is the provider at the UIC Hope Health and Wellness Center located in the school; my son attends tutoring services with Tutoring Chicago at Hope Academy; my son attends Gads Hill's after school program at Hope Academy. This is so much more than a school and I am asking CPS to allow all families and staff to keep their second home next school year.

I appreciate your time to read my message. I pray my thoughts and feelings will resonate and be a factor in consideration, of not just mine, but all of the families and staff alike, sincerest wishes to grant Hope Academy to become a part of Wilma Rudolph Elementary.

Thank you,
Megan Fitzgerald

9 Dear CPS,

I am writing in hopes that we are able to keep Hope Learning Academy open. My hope is that CPS takes over the school. I am a parent of a 4th grader at Hope Learning Academy. My child has attended neighborhood schools before going to Hope. I feared for his safety, and I did not feel like the teaches cared. My child has blossomed while attending Hope. The staff and students are like family to me and my child. He looks forward to going to school every day and has loved all of his teachers from 1st grade to present. The staff at HLA are compassionate and truly care about the welfare and education of all of the students. They understand that my child was special and super smart. They made sure that he didn't get bored and continued to challenge him and for that I am grateful.

I don't know what I am going to do with my son now. He did take a test to get into Skinner. Unfortunately, he is on the waitlist for both programs. I do not want to put my child in just any school where is not thriving. I also cannot afford to send him to a private school. He is extremely bright an deserves the best education possible and he deserves to feel safe and cared for. All of that was happening for him at HLA.

I am saddened that Hope Learning Academy will not be able to remain open. This is a wonderful school and safe learning environment for so many children. I am afraid that my child will not get that somewhere else. This will be a loss for this community, staff of HLA and the students. Please consider keeping Hope Learning Academy open so that our children can continue to thrive.

	Thank you,
10	As a substitute teacher, I am frustrated and concerned about continuous errors in pay for substitute teachers. We had issues with incentive pay in Dec. and March. This week we have errors with pay for April 2023 training. We were to receive our daily rate for training, but told an entirely different rate. On top of this, when errors occur in Timekeeper, they are not quickly corrected. Sometime take 30 days or more to be corrected. This is unacceptable and show incompetence in the CPS Payroll Office. Our rates of pay are low to begin with. These constant errors are making our financial situations more problematic. The pay delays and errors are further discouraging substitute teachers from working for CPS; thus, continued MF the substitute shortage. A different payroll system was rolled out for substitute teachers in Jan. 2023, which is causing more delays rather than streamlining pay. Please look not this matter, as it is affecting more than 1,200 CPS substitute teachers.
11	<p>I am a day to day substitute with a BA in Elem Ed and a PEL. My daily rate is \$187.11. I just got notification that I'm only being paid \$139 for the Spring Substitute PD. This is incorrect. It has always been the daily rate for as long as I've been subbing. I sent an email to sub services, no response!</p> <p>I also didn't get paid my Feb incentive until April 7th. I sent NUMEROUS emails to sub services and NO RESPONSE! Feb Incentives should have been paid in March, not April!</p>

ATTACHMENTS



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

April 19, 2022

Via electronic mail
Mr. Walter Brzeski



Via electronic mail
Ms. Annie Righi
Freedom of Information Act Officer
Chicago Public Schools
42 West Madison, 3rd Floor
Chicago, Illinois 60602
arighi@cps.edu

RE: FOIA Request for Review – 2020 PAC 65306; CPS No. N008658-082520

Dear Mr. Brzeski and Ms. Righi:

This determination is issued pursuant to section 9.5(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(f) (West 2020)).

On August 25, 2020, Mr. Walter Brzeski submitted a FOIA request to Chicago Public Schools (CPS) seeking "[t]he security video for CPS Event Detail Report #678534, submitted on Thursday, January 13, 2011 for an event on either Tuesday, January 11, 2011 or Wednesday January 12, 2011."¹ On October 13, 2020, CPS denied his request pursuant to sections 7(1)(j)(iii)² and 7.5(r)³ of FOIA. CPS' response to Mr. Brzeski asserted that the recording fell within the scope of those exemptions because, "[t]he video footage you seek

¹Chicago Public Schools' online FOIA center FOIA request submitted by Walter Brzeski (August 25, 2020).

²5 ILCS 140/7(i)(j)(iii) (West 2020).

³5 ILCS 140/7.5(r) (West 2020).

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contains images of students, and was likely used in student disciplinary proceedings."⁴ On October 20, 2020, Mr. Brzeski submitted this Request for Review disputing CPS' denial of his request. In his Request for Review, Mr. Brzeski alleged that the video footage he seeks captures a physical altercation involving a then-assistant principal and a student, which led to the then-assistant principal being charged for assaulting the student.⁵ He also asserted that the student received a \$10,000 settlement from CPS because of the incident in question.

On October 28, 2020, the Public Access Bureau sent a copy of the Request for Review to CPS and asked it to provide a copy of the responsive video footage, for this office's confidential review, along with a detailed explanation of the factual and legal bases for withholding the recording pursuant to the above-stated sections of FOIA. On December 10, 2020, CPS provided a written response that was submitted under a claim of confidentiality pursuant to section 9.5(d) of FOIA,⁶ and a separate, non-confidential, response for this office to forward to Mr. Brzeski. On December 17, 2020, this office sent Mr. Brzeski a copy of the CPS's non-confidential response. On January 7, 2022, this office requested additional information from CPS. On March 3, 2022, CPS responded to this office's inquiry.

DETERMINATION

"All records in the custody or possession of a public body are presumed to be open to inspection or copying." 5 ILCS 140/1.2 (West 2020); *see also Southern Illinoisan v. Illinois Dep't of Public Health*, 218 Ill. 2d 390, 415 (2006). A public body "has the burden of proving by clear and convincing evidence" that a record is exempt from disclosure. 5 ILCS 140/1.2 (West 2020). The exemptions from disclosure are to be narrowly construed. *Lieber v. Board of Trustees of Southern Illinois Univ.*, 176 Ill. 2d 401, 408 (1997).

Section 7.5(r) of FOIA

Section 7.5(r) of FOIA exempts from inspection and copying "[i]nformation prohibited from being disclosed by the Illinois School Student Records Act [ISSRA]." Section

⁴Letter from Annie Righi, Freedom of Information Act Officer, Chicago Public Schools, to Walter Brzeski (October 13, 2020).

⁵Mr. Brzeski also submitted with his Request for Review a copy of CPS' investigative memorandum concerning the underlying incident, which he appears to have obtained in response to a previous FOIA request. Identifiable student information has been redacted from this memorandum, but the un-redacted portion contains a very detailed description of the incident reflected in the responsive video footage.

⁶5 ILCS 140/9.5(d) (West 2020).

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6(a) of ISSRA⁷ provides that "[n]o school student records or information contained therein may be released, transferred, disclosed or otherwise disseminated[.]" Section 2(d) of ISSRA⁸ broadly defines "school student record" as "any writing or other recorded information concerning a student and by which a student may be **individually identified**, maintained by a school or at its direction or by an employee of a school, regardless of how or where the information is stored." (Emphasis added.)

It is undisputed that the recording in question captures former students in a hallway while those students were attending school. Some of the materials Mr. Brzeski filed with his Request for Review include Cook County Circuit Court records and settlement information naming a student who was involved in a civil suit concerning the underlying incident. Mr. Brzeski also submitted copies of police records which provide a physical description of a student involved in the incident and a CPS memorandum providing a detailed description of the video recording of the incident. When combined with this other information, the responsive recording could be used to individually identify at least one student captured on the footage.

An administrative rule implementing ISSRA, however, generally excludes from the "school student record" definition, "[v]ideo or other electronic recordings created and maintained * * * for security or safety reasons or purposes, provided the information was **created at least in part for law enforcement or security or safety reasons or purposes**["⁹ The rule also provides:

The content of a video or other electronic recording may become part of a student's school student record to the extent school officials use and maintain this content for a particular reason (e.g., disciplinary action, compliance with a student's Individualized Education Program) regarding that specific student. Video or other electronic recordings that become part of a student's school record shall not be a public record and shall be released only in conformance with Section 6(a) of the Act and the federal Family Educational Rights and Privacy Act (citation omitted).^[10]

⁷105 ILCS 10/6(a)(West 2020).

⁸105 ILCS 10/2(d) (West 2020).

⁹23 Ill. Adm. Code §375.10 (2020), last amended at 44 Ill. Reg. 13364, effective July 28, 2020 (Emphasis added.)

¹⁰23 Ill. Adm. Code §375.10 (2020), last amended at 44 Ill. Reg. 13364, effective July 28, 2020.

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Based on the plain language of the above-quoted rule, if the requested recording has become a part of the former-student's educational record—because CPS used or maintained that recording for a particular reason regarding that student—then the recording would constitute a "school student record," pursuant to ISSRA, and would be exempt from disclosure pursuant to section 7.5(r) of FOIA. On January 7, 2022, this office asked CPS whether the responsive footage became part of any student's record. On March 3, 2022, CPS maintained that the video was exempt, but did not confirm that the footage had been made part of any student's record. In the absence of this information, the Public Access Bureau is unable to conclude that the recording constitutes a "school student record," and therefore, CPS did not sustain its burden of demonstrating by clear and convincing evidence that the recording is exempt in its entirety under section 7.5(r) of FOIA.

Section 7(1)(j)(iii) of FOIA

CPS also withheld the recording under section 7(1)(j)(iii), which exempts from disclosure "information concerning a school or university's **adjudication** of student disciplinary cases, but only to the extent that disclosure would unavoidably reveal the identity of the student[.]" (Emphasis added.) *Black's Law Dictionary* defines "adjudication" as meaning "[t]he legal process of resolving a dispute; the process of judicially deciding a case." *Black's Law Dictionary* 47 (9th ed. 2020). Similarly, an "adjudication hearing" is defined as an "[a]gency proceeding in which a person's rights and duties are decided after notice and an opportunity to be heard." *Black's Law Dictionary* 788 (9th ed. 2009).

Based on the plain language of the exemption, the Public Access Bureau has previously determined that "to apply [s]ection 7(1)(j)(iii), a school's adjudication of a disciplinary matter should include, at the very least, the commencement of some type of formal hearing to determine the rights of the students." Ill. Att'y Gen. PAC Req. Rev. Ltr. 11072, issued February 9, 2011, at 2. Here, CPS has not demonstrated that any formal hearing was held to determine the rights of a student. Accordingly, this office concludes that CPS has not sustained its burden of demonstrating that the records are exempt from disclosure under section 7(1)(j)(iii) of FOIA.

Section 7(1)(c) of FOIA

Section 7(1)(c) of FOIA¹¹ exempts from disclosure "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." Section 7(1)(c) defines "unwarranted invasion of personal

¹¹5 ILCS 140/7(1)(c) (West 2020), as amended by Public Acts 102-038, effective June 25, 2021; 102-558, effective August 20, 2021.

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privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." Section 7(1)(c) further provides that "disclosure of information that **bears on the public duties of public employees and officials** shall not be considered an invasion of personal privacy." (Emphasis added.)

A public body's assertion that the release of information would constitute an unwarranted invasion of personal privacy is evaluated on a case-by-case basis. *Chicago Journeymen Plumbers' Local Union 130, U.A. v. Department of Public Health*, 327 Ill. App. 3d 192, 196 (1st Dist. 2001). The phrase "clearly unwarranted invasion of personal privacy" evinces a strict standard to claim the exemption, and the burden is on the public body having charge of the record to prove that standard has been met. *Schessler v. Department of Conservation*, 256 Ill. App. 3d 198, 202 (4th Dist. 1994).

Because the video footage involves a public employee's actions while he was performing his public duties as an assistant principal, the recording unequivocally bears on the performance of that employee, and therefore, the disclosure of the footage would not constitute an unwarranted invasion of the assistant principal's personal privacy. See Ill. Att'y Gen. Pub. Acc. Op. No. 18-018, issued December 31, 2018, at 6 (complaints or allegations of misconduct against public employees are generally not exempt from disclosure in whole under section 7(1)(c) because such information bears on the performance of the employees' public duties).

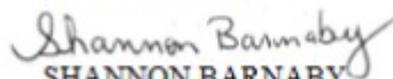
Further, there is a strong public interest in monitoring how public employees perform their public duties, including disclosure of records concerning a public employee's alleged misconduct. See Ill. Att'y Gen. Pub. Acc. Op. No. 21-007, issued July 27, 2021, at 7 (noting a "broad public interest in monitoring the affairs of local government to hold public officials accountable."). However, images that identify the former student, as well as any other students that happened to be captured in the footage, are highly personal by their very nature, and their disclosure would be objectionable to a reasonable person. These students' right to privacy outweighs any legitimate public interest in disclosure of their images on those recordings.

Therefore, this office concludes that CPS has not sustained its burden of demonstrating that the recoding is exempt in its entirety pursuant to section 7(1)(c) of FOIA. Accordingly, this office requests that CPS provide Mr. Brzeski with a copy of the responsive recoding, with the students' images redacted.

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The Public Access Counselor has determined that resolution of this matter does not require the issuance of a binding opinion. This file is closed. If you have any questions, my e-mail address is Shannon.Barnaby@ilag.gov.

Very truly yours,


SHANNON BARNABY
Assistant Attorney General
Public Access Bureau

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Remarks

CPS Board Meeting | April 26, 2023

Good Afternoon CEO Martinez, President del Valle, and Board Members.

My name is Patricia Alvares and I am a proud Acero Schools parent who has two students that attend Acero Octavio Paz, located in the Little Village community. [REDACTED] is in 5th grade and [REDACTED] is in 7th grade. Both of my children are excelling academically and they have expressed how much they are welcomed and supported at Paz. I applaud the leadership at the school and network for always keeping parents informed and for providing families with a platform to grow alongside our scholars.

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Acero Schools has been a second home to me and my students. I wholeheartedly trust and support the mission and vision of the network and our school. Paz is in the heart of the Little Village community and I am proud to be a part of Octavio Paz and the Acero Schools network for serving not only our families, but our community as well.

I thank you for your time today and I invite you to visit our school to see how amazing our community truly is.

Buenas tardes CEO Martinez, Presidente del Valle, y Miembros de la Junta.

Mi nombre es Patricia Alvares y soy madre orgullosa de dos estudiantes que asisten a la escuela Acero Octavio Paz, ubicada en la comunidad de Little Village. ■■■■■ ■■■■■ está en 5to grado y ■■■■■ está en 7mo grado. Mis dos hijos están sobresaliendo académicamente y han expresado lo mucho que son bienvenidos y apoyados en Paz. Aplaudo a la dirección de la escuela y a la red por mantener siempre informados a los padres y por ofrecer a las familias una plataforma para crecer junto a nuestros alumnos.

Puedo atestiguar esto de primera mano ya que he tenido la increíble oportunidad de participar y dirigir varios eventos incluyendo nuestras noches de familia como el Family Bingo, noches de lectura en familia, nuestros eventos anuales de regreso a la escuela y varios talleres para padres. También he formado parte del programa UnidosUS - *Padres Comprometidos*. Me enteré de que Acero Schools es la única escuela concertada de Chicago que forma parte de la red de afiliados de UnidosUS que ha incorporado este programa de liderazgo de padres. Estoy agradecida de que la red haya implementado este programa que educa a los padres sobre la importancia de estar involucrados en la educación de nuestros estudiantes mientras nos enseñan a desarrollar habilidades importantes como aprender a comunicarse con los administradores de la escuela, entender la importancia de la salud mental y el aprendizaje social emocional, abogar por la educación de nuestros estudiantes, y este año Acero incorporó UnidosUS, *Digital Skills 4 Life*, que está ayudando a los padres a crecer en nuestra comprensión de la competencia digital.

Acero Schools ha sido un segundo hogar para mí y mis hijos. Confío y apoyo incondicionalmente la misión y la visión de la red y de nuestra escuela. Paz está en el corazón de la comunidad de Little Village y estoy orgulloso de formar parte de Octavio Paz y de la red de Escuelas Acero por servir no sólo a nuestras familias, sino también a nuestra comunidad.

Les agradezco su tiempo hoy y los invito a visitar nuestra escuela para que vean lo asombrosa que es realmente nuestra comunidad.