

August 27, 2003

**RECOMMENDATION TO REMOVE THE PRINCIPAL OF MARY McLEOD BETHUNE
ELEMENTARY SCHOOL PURSUANT TO SECTION 34-8.3(d) OF THE ILLINOIS SCHOOL CODE**

THE CHIEF EXECUTIVE OFFICER RECOMMENDS:

The removal of the principal of Mary McLeod Bethune Elementary School ("Bethune School") pursuant to Section 34-8.3(d) of the Illinois School Code.

DESCRIPTION:

The 1995 Amendatory Act of the Illinois School Code grants the Chief Executive Officer of the Chicago Public Schools the power to place an attendance center on probation to correct deficiencies in the performance of that school (105 ILCS 5/34-8.3).

Pursuant to that power, in October 2002, the Chief Executive Officer placed or retained 46 elementary schools, including Bethune School, on probation because fewer than 25% of the students in these schools

were reading at or above national norms on the Iowa Test of Basic Skills and state norms on the Illinois Standards Achievement Test and because those schools had a history of low student achievement over the past several years.

Section 34-8.3(d) further states that, with respect to attendance centers on probation which have failed to

The Chief Executive Officer has reviewed the Hearing Officer's findings of fact and recommendation prior to making his recommendation, and hereby adopts the Hearing Officer's recommendation to remove the principal

of Bethune School.

II. Factors Considered in the Recommendation to Remove the Principal of Bethune Elementary School

The factors considered by the Chief Executive Officer and the independent Hearing Officer in recommending

**PERSONNEL
IMPLICATIONS:**

An Interim Principal will be selected, according to Section III A above, and shall serve at the pleasure of the Chief Executive Officer. Until the school comes off probation, the Local School Council of Bethune School will not have the authority to select a new four-year contract principal. The current principal has executed, or will execute, a Settlement and General Release entered, or to be entered, by and between the principal and the Board.

Respectfully Submitted,

ARNE DUNCAN
Chief Executive Officer

Approved for Consideration:

Barbara J. Eason-Watkins (A.K.)

BARBARA J. EASON-WATKINS
Chief Education Officer

Noted:

Peggy A. Davis

PEGGY A. DAVIS
Chief of Staff

Approved as to legal form: *JBV*

Ruth M. Moscovitch

RUTH M. MOSCOVITCH
General Counsel

ATTACHMENT A

BOARD OF EDUCATION OF THE CITY OF CHICAGO

**GUIDELINES FOR THE REMOVAL AND REPLACEMENT
OF PRINCIPALS OF SCHOOLS ON PROBATION**

Introduction

The Illinois School Code grants the Chief Executive Officer ("CEO") of the Chicago Public

Schools ("CPS") the power to place an attendance center on probation to correct deficiencies in the center's academic performance. 105 ILCS 5/34-8.3. Pursuant to that power, in October 2002, the CEO had maintained 76 schools on probation in which fewer than 25% (in elementary schools)

- E. failure of the principal to effectively and/or sufficiently follow the directives or recommendations of the CPS Office of Accountability.

II. Hearings.

A principal determined to be subject to removal and replacement is entitled to a hearing before an independent officer appointed by the Chief Executive Officer pursuant to section 8.3(d):

- A. the date, time and place of the hearing shall be set and announced by the CEO;
- B. the CEO shall send notice of the date, time and place of the hearing to all interested parties at least two (2) days in advance of the hearing;
- C. the hearing officer will be responsible for conducting the hearing in an efficient and impartial manner;
- D. at the hearing, the hearing officer may consider relevant oral testimony and documentary evidence offered by:

personnel from the CPS Central and Area Offices;

members of the school's local school council;

the school's principal;

any witnesses called by the principal to testify on his or her behalf;

The total number of witnesses testifying at the hearing shall be subject to

the discretion of the hearing officer;

- E. if a principal waives his or her opportunity for a hearing, Board personnel shall submit only written evidence, including written testimony, to the

III. Procedures for removing and replacing Principals.

When the CEO, after a hearing, recommends the removal and replacement of a principal to the Board and the Board approves that action, the following will occur:

- A. an interim principal will be appointed for the school by the CEO based upon the recommendation of the Chief Education Officer;
- B. the interim principal will serve at the pleasure of the CEO until the school makes sufficient educational progress to be taken off probation;
- C. ~~until the school makes sufficient educational progress to be taken off~~

probation, the local school council of a school on probation whose principal has been removed and replaced by an interim principal pursuant to section 8.3(d) shall have no authority to select a new four-year contract principal.

ATTACHMENT B

BOARD OF EDUCATION OF THE CITY OF CHICAGO

PROCEDURES GOVERNING PRINCIPAL REMOVAL HEARINGS

1. The Chief Executive Officer ("CEO") shall appoint an independent hearing officer to receive input from concerned persons prior to the determination of whether the principal of any Chicago Public School shall be removed pursuant to section 34-8.3(d) of the Illinois School Code.
2. Following the hearing, the hearing officer will prepare a written report containing findings of fact and submit the report to the CEO summarizing all input received relevant

3. The CEO will review the hearing officer's findings of fact prior to making the final determination ~~as to the removal of the principal~~