

August 22, 2001

ILCS SCHOOL CODE

SCHOOL PURSUANT TO SECTION 34-8.3(d) OF THE ILLINOIS SCHOOL CODE

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS:**



Section 34-8.3(d) of the Illinois School Code

**DESCRIPTION:**

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 1996, the Chief Executive Officer placed 109 schools on probation, including Piccolo School, because fewer than 15% of the students in these schools were reading at or

above grade level and because these 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 make sufficient progress in correcting educational deficiencies, the Chief Executive Officer may take one or more of the following actions with the approval of the Board of Education, including the removal of the original and



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OFFICE OF THE SUPERINTENDENT OF EDUCATION  
OCCURRING IN PUBLIC SCHOOLS ON PROBATION

Introduction

City of Chicago

The Illinois School Code grants the Chief Executive Officer of a

Public Schools (CPS) the power to place an attendance center on probation to correct deficiencies in the center's academic performance. 105 U.S.C. 5/31.8.3. Pursuant to that power

E. failure of the principal or school staff to comply with applicable law

gaining agreements, court orders, or Board rules and policies in the disruption of the school's educational process and environment;

collective bargaining which results in a learning environment

failure of the principal to effectively follow the directives of the GRS Officers & Assembly

II. Hearings

entitled to a hearing

A principal determined to be subject to removal and replacement

before the hearing officer appointed by the Chief Executive Officer

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 five days in advance of the hearing. The notice shall clearly apprise all interested parties that the subject of the hearing is the proposed removal and replacement of the principal;

The hearing officer will be responsible for conducting the hearing in an efficient and impartial manner.

in the GRS Central and Region Education Offices not limited to, personnel from the Office of

personnel from including, but

Accountancy and the Region Education Offices; the school's Preparation Manager;

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;

subject to:

The total number of witnesses testifying at the hearing shall be at the discretion of the hearing officer.

... shall submit only written evidence, including written testimony, to the

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" " hearing officer;

F. after the hearing, the hearing officer will submit a written report to the CEO summarizing all relevant testimony and documentary evidence

offered during the hearing, making findings of fact, and recommending

whether the principal should be removed and replaced in accordance with

section 83(2)(d);

... shall submit only written evidence, including written testimony, to the hearing officer. Within the 60 days in which the hearing officer's written report is due, the hearing officer shall determine whether the principal shall be removed and replaced in accordance with section 83(2)(d) or whether the principal shall remain in the position for a period of 90 days. If the principal is removed and replaced, the hearing officer shall recommend the removal or replacement of the principal based on the principal's failure to show educational progress.

Procedures for removing and replacing a principal

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

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A. an interim principal will be appointed for the school by the CEO based upon the recommendation of the Chief Education Officer and the Chief Accountability 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

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When the principal has been removed and replaced by an interim principal pursuant to section 83(2)(d) shall have no authority to select a new four-year contract

principal.

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PROCEDURES GOVERNING PRINCIPAL REMOVAL HEARING

When determining that a school in the Chicago School District (CSD) is in probation pursuant to section 24.8 of the Illinois School Code, the hearing officer shall determine if the principal of the school is in violation of the Illinois School Code. The hearing officer shall determine if the principal is in violation of the Illinois School Code by reviewing the principal's performance evaluation, if available, and any other relevant information. The hearing officer shall determine if the principal is in violation of the Illinois School Code by reviewing the principal's performance evaluation, if available, and any other relevant information. The hearing officer shall determine if the principal is in violation of the Illinois School Code by reviewing the principal's performance evaluation, if available, and any other relevant information.

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At the hearing, the hearing officer may consider the relevant testimony of the principal, the school's Probation Manager, members of the school's local school council, and the school principal. The hearing officer may also consider the testimony of any witnesses called by the principal or the school's Probation Manager.

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

If a principal waives his or her opportunity for a hearing, Board personnel shall submit

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6. The hearing officer will be solely responsible for conducting the hearing and shall follow the following guidelines:

a. the hearing officer will commence the hearing by reviewing the purpose for which the hearing is convened:

certified court reporter,

d. the hearing officer shall call on the OPS Chief Accountability Officer or designee

to provide evidence on the educational reasons for the contempla-

tion hearing. The hearing officer may also call on the probation manager and other persons

to provide information regarding the contemplated action.

e. participants may submit any relevant written or documentar-

y evidence to the hearing officer. All oral testimony is to be directed to the h-

earing officer. Only the hearing officer will be permitted to ask questions of the participants.

access or pose questions to the participants.

f. the hearing officer may impose any other reasonable procedures or limita-

tions as may be necessary to ensure that the hearing is conducted in an orderly and efficient manner.

Following the hearing, the hearing officer shall prepare and submit to the CEO a written report summarizing all evidence and testimony received relevant to the matter of whether

the principal concerned should be removed and containing findings of fact and a

recommendation on the disposition of that matter.

The CEO will review the hearing officer's findings of fact prior to making a final

determination whether to seek the Board's approval of the principal's removal.