

ILLINOIS GENERAL ASSEMBLY CHICAGO EDUCATIONAL FACILITIES TASK FORCE
State Rep. Cynthia Soto and State Sen. Heather Steans, Co-Chairs

FINAL RECOMMENDATIONS TO THE ILLINOIS GENERAL ASSEMBLY
TO ASSURE HIGH-QUALITY EDUCATIONAL FACILITIES & OPPORTUNITIES FOR ALL CPS STUDENTS
AS APPROVED AT THE MARCH 11, 2011 TASK FORCE MEETING

Based on 11 months of public input from a broad array of stakeholders, along with research on national best practices, and analysis of data provided by the Chicago Public Schools (“CPS”), the General Assembly’s Task Force on Chicago Educational Facilities has proposed preliminary recommendations for legislation to reform CPS’ management of and investment in educational facilities, school utilization, and “School Actions”.

The State has an interest in the quality of the teaching and learning environments in our public schools. Illinois public school buildings and grounds need to be healthy and safe; educationally adequate and appropriate; serve as community anchors; and be built, modernized and maintained in an equitable and environmentally and fiscally responsible manner.

Purpose of state legislation is to ensure that the Chicago Public Schools Board:

1. Prepares and updates a 10-year Educational Facility Master Plan (“FMP”) and a 5-year Capital Improvement Plan (“CIP”) that have been reviewed and approved by appropriate governance and administrative units and that have been prepared through a collaborative planning process that engages local schools, parents, and community representatives;
2. Makes adequate facility information public and easily available and provides appropriate oversight of master plan and capital improvement plans and spending.

Recommended Legislative Requirements

1. LONG RANGE EDUCATIONAL FACILITY MASTER PLAN AND 5-YEAR CAPITAL IMPROVEMENT PLAN DEVELOPED WITH PUBLIC INPUT AND PARTICIPATION

CPS shall develop in collaboration with local schools and communities a 10-year comprehensive Facilities Master Plan and 5 year capital improvement plan that ensures CPS’ facilities are educationally appropriate and adequate for all students, and that its capital investment strategy is cost-effective, efficient, transparent, and equitable. The master plan will be based on:

- a. Educational Specification Standards to ensure that facility design, modernization and utilization support the educational vision and academic achievement goals of the school district and the programmatic needs of the school and shared use by the community.
- b. Up-to-date data on students, school facilities, school performance measures and neighborhood indicators
- c. Assessment of educational facility adequacy as measured against Educational Specification Standards that are developed to ensure that facility design, modernization and utilization support the educational vision and academic achievement goals of the school district, the needs of special education students, and access for the community.
- d. Transparent criteria and prioritization process to help communities understand their level of need as compared to other schools, and in relation to all schools’ learning goals (versus those who perform better).

Because funding availability, community populations, and educational programs and needs change, the long-range Plan shall be updated every three years and done from scratch every five years.

The long-range Plan that is submitted to the Board for approval must include an Affidavit of Inter-governmental Coordination signed by other local government entities whose actions and policies may affect the public schools, specifically the City of Chicago, Chicago City Colleges, Chicago Park District, and Chicago Housing Authority. Prior to submitting the long range master plan to the Board of Education, CPS shall hold at least one public hearing on the facility master plan. The draft master plan shall be available for review at least 15 days before the hearing and comment period held open another 15 days after the hearing.

CPS shall prepare a 5-Year Capital Improvement Program and annual capital budget that shall specify school-specific project scope, schedule, and cost and designate the priority ranking of these capital facility projects in alignment with the Educational Facility Master Plan. The 5-Year Capital Program must include capital project and budget history for each school. The 5-Year Capital Program and annual Capital Budget are the means through which the long-range Plan will be implemented.

The long-range Plan and Capital Improvement Program will be developed through a collaborative planning process that engages all key stakeholder groups, with clear requirements for LSC, parent, community and educator participation, and communicates facility needs assessments and planned facility investments to the public.

CPS shall hold annual public hearings on CPS' annual capital budget, and put in place mechanisms to document (and date) schools' reported facility concerns, and ensure that those persons reporting facility concerns receive responses to and follow up on their concerns. These hearings should be scheduled at times and on days that allow working parents, students and other stakeholders to attend; e.g., held at more than one site each year, some in the evening, at sites that are accessible by public transportation, etc.

2. ADEQUATE FACILITY INFORMATION AND PUBLIC OVERSIGHT

CPS shall collect, publicly disclose and utilize the following information and facilities-related data in the preparation of the educational facility master plan and capital plan. It shall be made available on the website of the Chicago Public Schools and as part of the educational facility plans to be distributed to all elected Local School Councils and Local School Advisory Councils (in the case of charter and Renaissance 2010 Schools):

- a. A list of all CPS-owned facilities and facilities leased by CPS, by common street address.
- b. Data on all CPS educational facilities where classroom instruction and/or student, teacher, and family support services and training are provided, including:
 - o Building and site square footage
 - o Age of building and building and grounds assessment
 - o Building capacity and utilization
 - o Description of capital investment by school and building including hard and soft costs by year
 - o Student demographics and risk factors, enrollment, attendance rates, measures of learning and academic success¹
 - o Community demographic data by neighborhood—housing types, rental rates, condo and home sale prices, crime and gang statistics, measures of green and open space
 - o History of utility, maintenance and repair costs from the operating budget
 - o Revenue from disposition of closed schools or use agreements with currently operating schools or buildings

CPS shall publicly disclose on its website and by other means of dissemination its Annual Capital Budget, with detailed information by school; its annual End of Year Capital Spending Reports; and its current 5-Year Capital Improvement Program, with detailed information by school.

¹Race/ethnicity, poverty rate, housing status, and students with special needs, i.e., physical disabilities, mental health, parental status, educational needs, homeless students, students who are young parents, English Language Learners, foster children and youth, LGBTQ students, and students involved in the Juvenile Justice system.

CPS shall provide the public, the Mayor and City Council of Chicago, the Illinois General Assembly, and the Illinois State Board of Education with an End of Year Capital Spending Report that discloses actual spending, and describes how the capital projects advance the master plan goals and objectives.

CPS and the Chicago Public Building Commission shall conduct an annual audit of the process, cost, schedule and quality of capital expenditures. The audit must be started within 60 days of the end of each fiscal year and be completed within 120 days.

TRANPARENCY IN SCHOOL ACTIONS

From time to time, the Chicago Public Schools may need to take actions to close, turn-around, phase out, re-structure, consolidate, or co-locate schools. To assure that students benefit from such changes, and to minimize educational disruptions and instability in schools and communities, CPS must have a transparent, evidence-based, consistently implemented, and fair procedure for determining the need for and nature of a school action.

Requirements

1. In the case of proposed School Actions, including the creation of charter schools, CPS must develop and publicly disseminate an “Educational Impact Statement” (E.I.S.) at least 6 months prior to finalizing any decisions that affect school facilities (i.e., school consolidations, co-locations, conversions to a different grade configuration, community use of schools, demolition, lease to third party, etc.).
2. CPS shall provide the public and school and community stakeholders with the supporting data, evidence, and arguments – pro and con – for the proposed school action(s). This will include true costs of closure, re-opening, “temporary relocation (“swing space”), co-location, and/or grade and programmatic restructuring actions.
3. CPS shall create a fair public hearing, review and enforcement process, utilizing independent Hearing Officers, which holds CPS and the Board of Education accountable for consistent and evidence-based decision making.
4. CPS shall solicit public comment on its Educational Impact Statement at least 3 months prior to making a final decision, to ensure that the impacted school community has the time and opportunity to comment upon the required Educational Impact Statement.
5. In the event that the educators at and fifty-one percent (51%) of parents of students in the affected school demonstrate opposition to a proposed school action, CPS shall provide for an independent arbitration process to resolve the disagreement.
6. CPS must have clear, consistently applied, and limited criteria for school closures in order to protect student, school and community stability.

At least 3 months prior to taking any of the following actions: CPS shall publicly disclose and regularly update on its website, information on each facility which CPS has proposed to sell, lease to a third party, undertake a conversion to non-instructional use by CPS, and/or demolish or otherwise dispose of a CPS facility.

PROTECT AND SUPPORT OUR STUDENTS DURING SCHOOL TRANSITIONS

In the event that CPS undertakes school actions, (i.e., closings, phase-outs, consolidations, co-location, turn-arounds, charter school creation, and/or re-structuring of grade configurations, etc.), CPS must work collaboratively with educators and families of public school students to ensure successful integration of affected students into the new learning environment.

Requirements:

1. CPS shall prepare and implement a Transition Plan to support students in the wake of school actions developed in conjunction with the school and families affected.
2. CPS must identify and commit specific resources for implementation of the Student Transition Plan for a minimum of the full first academic year of the Transition. Through the Transition Plan, CPS will:
 - o Conduct an assessment of student needs with teachers and parents;
 - o Allow choice and access to significantly higher-quality schools (i.e., those schools meeting or exceeding the No Child Left Behind “AYP” or, “Annual Yearly Progress” for the academic year in which the school action is proposed);
 - o Include the provision of transportation; and
 - o If selective enrollment schools are involved, provide that displaced students have access to those selective enrollment school options by allowing such students to apply for admission.

ENSURE SCHOOL COMMUNITIES ARE TREATED FAIRLY

Requirements

1. In the case of shared facilities, equitable facility investments shall be required to all school/instructional units co-located in that facility. Model Best Practice: New York requires that all facility investments of \$5,000 or more must be matched for the other school unit(s) in the shared facility.
2. CPS shall identify in its 5-Year CIP, annual capital budget, and annual End of Year Capital Spending Plan, facility improvements to each school/instructional unit in all of its shared facilities.

PROTECT AND VALUE THE ASSETS OUR SCHOOLS NOW POSSESS

To assure that CPS’ management, utilization, and investment in public educational facilities are cost-effective, it is important that major capital investments be preserved, and that all educational facilities are kept in a state of good repair.

Requirements

1. CPS’ Department of Operations and Maintenance shall be adequately funded through the district’s general operating budget, so as to establish school facility maintenance and repair information systems and “rapid response” procedures.
2. These Maintenance systems will identify and address schools’ urgent facility problems and code violations with immediate attention and timely repairs as needed.
3. The CPS Operations and Maintenance Department shall establish, maintain and update monthly a public record of schools in violation of any city codes with “action” reports as to when violations were cleared.

ACCOUNTABILITY AND OVERSIGHT: VALUE AND PROMOTE TAXPAYERS’ & COMMUNITY PARTICIPATION

Requirements

An Independent Facilities Master Plan Oversight Committee - comprised of no more than 25 members and made up of parents, educators, representation of Local School Councils, community representatives, administrators, and professionals, with two-fifths of the members appointed by the Governor, one-fifth

appointed by the School District, and two-fifths appointed by the Mayor of the City of Chicago, and established to guide the creation and updating of the district's Facility Master Plan - shall also:

- o Consider complaints and concerns of stakeholders regarding its implementation;
- o Help to oversee the preparation of the 5-Year Capital Program, annual capital budget and facility investment prioritization processes;
- o Work with CPS staff to put in place mechanisms that document (and date) schools' reported facility concerns, and ensure that those persons reporting facility concerns receive responses to and follow up on their concerns;
- o Develop and promote a plan for stable and sufficient funding to address unmet facility needs; and
- o Ensure that annual capital spending reports are produced.

CEFTF RECOMMENDATIONS TO THE CHICAGO PUBLIC SCHOOLS REGARDING SOUND POLICIES FOR SCHOOL ACTIONS

TRANSPARENCY

CPS should create a transparent policy-making process and make it available on the CPS website at all times. The policy-making process description should indicate clearly and concretely how stakeholders can be involved.

CPS should create policies which embody and promote the following:

1. Collection and assessment of student academic performance data through the lens of student needs: Safety, inclusiveness, social and practical needs, academic strategies that work, etc.
2. Collaboration, Consultation and Inclusion: CPS should establish a Stakeholder Committee which includes representation of educators, students, parents, Local School Councils, and community to solicit community, parent, student, Local School Council, and educator input during the policy development process. This input should be at the forefront of both the drafting of new policies, policy application and policy revisions. CPS should hold quarterly meetings of this Committee.
3. Clarity and Consistency: The educational rationale for policy creation and revision should be clearly stated and supported with relevant data that is shared and vetted with the public.
4. Accountability and Evaluation:
 - When proposed policies are not in line with educator and community recommendations, the rationale should point to a clear and present need to deviate from those recommendations.
 - CPS should provide the Stakeholder Committee and the public with a clear statement of how particular policies about school facility actions interact with other existing policies, and post such statements on its website in an accessible manner.
 - CPS should provide a clear statement as to how the new policy came to be proposed and whether a new policy replaces and cancels out a previous policy; or in the case of policy revisions, a clear statement of what has been amended and how the amendment came to be proposed.
 - Publicly disclose involvement of any organizations in the decision-making process (corporate, non-profit, etc.).

COLLABORATIVE, INCLUSIVE DECISION MAKING

By regularly assessing the educational program and related facility needs with all stakeholders-especially students, families & educators-CPS will assure that its facility investments are in alignment with the needs of students and the district's educational vision and goals. The assessment and planning process must first and foremost focus on the needs of the students in the context of their neighborhoods. The facility assessment process will stress the importance of meeting educational specifications standards for all schools district-wide, and the educational specifications for individual school facilities.