



Policy: 3.38

SUBJECT: SCHOOL CLOSURES AND CONSOLIDATIONS

Supersedes: Policy 7.14 (2007)
Effective: September 8, 2008
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Approved by: Detroit Board of Education

1.0 Policy

It is the policy of the Detroit Public Schools to provide students with an educational environment that is conducive to learning. In keeping with this objective, the District will close and consolidate schools in a manner that provides students opportunities for high academic achievement and optimally utilizes school facilities to the maximum extent consistent with existing financial constraints.

2.0 School Closures

2.1 SCHOOL CLOSINGS FOR NON-ACADEMIC REASONS

The Board may close a school for any or all of the following non-academic reasons following an opportunity for public hearing:

- A. Physical Condition of Building.** The physical condition of the school building(s), including the cost to repair safety hazards and make structural changes necessary to ensure compliance with all city, state and federal laws, makes continued operation of the site cost-prohibitive or continued occupancy of the site unsafe or impractical or;
- B. Space Utilization Level.** The space available at a school or schools in close proximity is not being used in the most efficient, cost-effective manner; or
- C. Alternative Use of School Facilities.** The Board may close a school to use its facilities for other programmatic/educational purposes, for support services, to open a new school, or to expand an existing school.

No school will be closed for any of the reasons set forth above if such closing would violate any existing desegregation order in effect at the time of the proposed closing.

2.2 SCHOOL CLOSING FOR ACADEMIC REASONS

The Board may decide to close schools that have failed to make adequate progress pursuant to NCLB or any other state or federal law requiring reconstitution, etc. as a means of correcting performance deficiencies following an opportunity for public hearing. The decision to close a school for academic reasons shall be based on a consideration of the availability of “higher performing schools” in close proximity, as determined by the General Superintendent. In addition, the following academic performance criteria shall be considered:

- A. Whether, pursuant to Section 6316(b)(8)(B) of the No Child Left Behind Act, 20 U.S.C. Sec. 6361, the school has failed to make Adequate Yearly Progress for five (5) consecutive years.

2.3 SCHOOL CLOSINGS DUE TO A NEED FOR CHANGE IN EDUCATIONAL FOCUS

The Board may determine that a school closure is necessary to address the educational needs of students by affecting any of the following changes at the site:

- A. Implementation of new curriculum and/or instructional programs;
- B. Extensive reassignment of school faculty and staff; or
- C. Transformation of educational focus, which may result in significant change in the student population.

The Board will determine the duration of a school’s closure based upon the time needed to implement the changes in educational focus. A school closed pursuant to this Section 2.3 may re-open as an entirely new school.

2.4 PROCESS FOR SCHOOL CLOSINGS

The General Superintendent of the Detroit Public Schools may recommend school closings to the Board for any of the reasons in Sections 2.1 through 2.3 of this Policy. If the General Superintendent proposes to recommend the closing of a school or schools, he or she shall convene a hearing to elicit public comment regarding the proposed action not less than 15 days prior to making a final recommendation to the Board. The General Superintendent or a designee shall issue procedures for the conduct of the public hearings to address proposals to close schools.

Before the public hearing, the General Superintendent or his or her staff will review pupil enrollment data for the current school year and prepare three-year enrollment projections for all schools affected by the proposed action. In addition, before any school closing is proposed, the General Superintendent's staff shall prepare an impact analysis setting forth:

- A. The projected impact (positive and/or negative) and stability of all schools affected by such action (with three-year enrollment projections attached) and on the district's financial condition;
- B. Any projected negative impact on student enrollment; and
- C. Possible alternatives to the proposed action, including maintenance of the status quo, along with the projected impact that each alternative would have on the District's financial condition and stability of each school affected by such action.
- D. The cost and amount of capital improvements made to any school building or facilities under consideration for closure or consolidation.

The enrollment projections, impact analysis and the transcript of the public hearing will be provided to the Board prior to its consideration of a proposed school opening. The Board will review the data and will not approve any action that is inconsistent with the provisions of the plan developed pursuant to the Desegregation Order or any modification of the Desegregation Order.

If, after the public hearing, the General Superintendent determines to recommend the school closing(s) to the Board, he/she or a designee shall prepare a final board report regarding the school closing(s) based on all pertinent information, including relevant information received at the public hearing. The Board report shall be submitted to the Board for final action. The Board shall take final action on any recommended school closings prior to the beginning of the next school year.

After approval of any school closing(s) by the Board, the General Superintendent shall be responsible for the orderly closing of the school(s).

2.5 REASSIGNMENT OF STUDENTS UPON SCHOOL CLOSING

- A. When a school is closed for academic reasons, the students will be reassigned to a higher performing school or to schools with available space that can meet their educational needs (including special education and bilingual education).

- B.** When a school is closed for non-academic reasons or due to a change in educational focus, the students will be reassigned to a school or schools with available space that can meet their educational needs (including special education and bilingual education).
- C.** Students with disabilities at a neighborhood school closed pursuant to this policy will be placed at the closest school to their homes that can implement their Individualized Education Program. Students with disabilities at a non-neighborhood school closed pursuant to this policy will be placed at the neighborhood school or the closest school to their homes that can implement their Individualized Education Program.
- D.** Students may apply for enrollment at a school or schools other than the school to which they are reassigned as provided in paragraphs A-C above, subject to space availability and the admissions criteria of such school(s).
- E.** If a school closing requires that the attendance boundaries of any school receiving students be redrawn, they shall be redrawn pursuant to applicable Board policies.

2.6 **REASSIGNMENT OF APPOINTED TEACHERS ASSIGNED TO CLOSED SCHOOLS**

Teachers at schools that are closed for any reason shall be reassigned in accordance with state and federal law, and in accordance with provisions of the applicable Collective Bargaining Agreement.

2.7 **LSCOS AT CLOSED SCHOOLS**

LSCOs at schools that are closed for any reason shall be dissolved when the school closes.

3. Consolidation of Schools

The Board may decide to consolidate two or more schools by: (1) closing one or more schools and reassigning the students to another school within close proximity, or (2) relocating the students of one school(s) to another school building within close proximity without closing or restructuring either school.

3.1 CONSIDERATIONS FOR CONSOLIDATION

The Board will consider the following factors in any decision to consolidate a school.

- A. Space Utilization Level. The Board will consider whether the space available at a school or schools in close proximity to one another is being used in an efficient, cost-effective manner.
- B. Physical Condition of the Facility. The Board will review the condition of the facility including:
 - 1. the actual physical condition of the school facility, including the cost to repair any safety hazards and make structural changes necessary to ensure compliance with all city, state and federal laws;
 - 2. the extent to which the physical condition of the facility makes continued operation cost-prohibitive; and
 - 3. whether the continued occupancy of the facility is unsafe or impractical.
- C. Potential Alternative Use of School Facility or Site. The Board will consider whether it would be beneficial to use sites designated for consolidation for other programmatic or educational purposes, to open a new school, to expand an existing school or to use the sit for other purposes that are consistent with the goals of the Board.
- D. Availability of Space for Consolidation. The Board will consider whether another school is located within close proximity that has available space, as measured by design capacity. The identification of a school within close proximity includes a review of any natural barriers, safety hazards and the neighborhood conditions.

3.2 PROCESS FOR CONSOLIDATION

- A. The General Superintendent may recommend the consolidation of schools to the Board based upon the considerations in Section 3.1. If the General Superintendent proposes to recommend the consolidation of schools, he or she shall provide advance notice to the public of his or her recommendation and shall convene a hearing to elicit public comment regarding the proposed action not less than 15 days prior to making a final recommendation to the Board. The General Superintendent shall be responsible to oversee

the orderly consolidation of schools for any consolidation that the Board approves.

- B.** To the extent that any consolidation recommended by the General Superintendent requires the closure of a school, the General Superintendent shall follow the procedures set forth in Sections 2.1 – 2.7 above and any guidelines promulgated by the General Superintendent to implement the policy.

3.3 REASSIGNMENT OF TEACHERS AND ADMINISTRATORS

Regularly certified and appointed teachers at closed schools whose entire student population is reassigned to an open school will all be reappointed to the receiving school consistent with DPS staffing formulas. If the Board decides to consolidate a school through the closure of one or more schools, the General Superintendent shall retain the discretion to retain, reassign or terminate the principal and administrative staff pursuant to Board policy, the Michigan School Code and any applicable agreements.

3.4 LOCAL SCHOOL COUNCILS AT CONSOLIDATED SCHOOLS

The Local School Councils of schools closed through consolidation shall be dissolved when the school closes. If either one or more of the Local School Councils in schools approved for consolidation are dissolved, an election may be conducted in a timely manner to establish a new Local School Council that serves the consolidated school.

4. Issuance of Administrative Regulations/Standard Operating Procedures

The General Superintendent shall have the authority to develop administrative regulations and/or standard operating procedures to implement this policy.

Attachments to Policy 3.38: None

See also: None

Legal References: MCLA § 380.401 *et seq.* (**FIRST CLASS SCHOOLS, VOTING, ETC.**)
No Child Left Behind Act, 20 U.S.C. Sec. 6361
Desegregation Orders, Bradley v. Milliken, 433 U.S. 267, 1977

Labor Contract References: None