

Board Policies

7000 Property

ADDRESSING A BUDGET SHORTFALL

po7105

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7105 – ADDRESSING A BUDGET SHORTFALL

A. Statement of Values

The Board of Education recognizes that public schools are open to all children and are vital resources to neighborhoods and communities in the city of Columbus. The Board is committed to providing a world-class public education for *all* students.

The District has a long-standing commitment to ensure non-discrimination and equal educational opportunity for all. Under both Federal and State law, the District is obligated to avoid unlawful discrimination on the basis of race, sex, sexual orientation, religion, color, national origin, age, gender identity or expression, ancestry, familial status, military status, disability, genetic information, or any other legally protected category (collectively, "Protected Classes").

The Board further recognizes that, due to Federal and State per-pupil-expenditure formulas, encouraging new or disconnected families to enroll in the School District is a more viable and long-term solution to a budget shortfall or declining enrollment than reducing the number of public schools available to families. Additionally, peer-reviewed research demonstrates that closing a public school offers no educational benefits and that school closures often have negative academic, behavioral, and other effects for students and families. Additionally, each public school closure contributes to the weakening of public education in Columbus and nationwide. Therefore, the Board considers closing public schools an extreme measure that should only be taken as a last resort due to dire economic circumstances.

B. Additional Definitions¹

1. "Budget shortfall" occurs when overall District expenditures exceed revenues. The Board has sole discretion to determine whether a budget shortfall necessitates additional action to cut expenditures or increase revenues.
2. "Interim Report" is the Report developed pursuant to Board Policy 7105(F).
3. "Community Engagement" is a process that at a minimum requires completion of the steps outlined in Board Policy 7105(G).
4. "Committee Report" is the Report developed pursuant to Board Policy 7105(H).
5. "School closure" is the permanent closure of a District-operated school. "School closure" does not include an instance in which a school's building or facility is in an unusable condition that necessitates the closure of the building to be replaced with a new, renovated, or existing facility for the same school serving the same population of students.
6. "Superintendent's Plan for School Closure" is the Superintendent's Plan for School Closure pursuant to Board Policy 7105(I).
7. "High School Feeder Pattern" means the geographical area that feeds into a zoned high school, which includes elementary and middle schools that feed into the same high school.
8. "Region" refers to the District's six geographical regions.
9. "Community school" means public schools created by Ohio law; independent of any school district; and are part of the state's education program. The term "community schools" is used in Ohio law to refer to what are commonly referred to as "charter schools."

¹ Definitions not already included in Board Policy 100. Unless otherwise noted, terms in this policy are consistent with definitions set forth in Board Policy 100.

C. Policy Overview

In carrying out its fiscal auditing and planning duties as articulated in Board Policies series 6000, the Board may investigate the extent of any estimated budget shortfall in its five-year projection. The Board may determine, by a majority vote of the Full Board, that the budget shortfall is severe enough to warrant the creation of a Committee to further investigate what caused the budget shortfall; inform and engage students, families, District staff, and other community members; and recommend appropriate action to decrease expenditures, increase revenues, or otherwise address the budget shortfall.

No earlier than 60 days after the Board approves the formation of the Committee, the Superintendent shall nominate individuals to serve on the Committee in accordance with Board Policy 7105(E). Each nominee must be approved by a majority vote of the Full Board.

The Committee shall develop and present to the public an Interim Report, then conduct Community Engagement, and then develop a Committee Report. If the Committee Report includes a school closure recommendation, the Superintendent must develop and present a Superintendent's Plan for School Closure.

The Board shall not vote on whether to approve or disapprove a school closure until at least 90 days after the Superintendent has presented the Superintendent's Plan for School Closure at a public Board meeting and made the contents of the Superintendent's Plan for School Closure widely available to the public.

If the Board votes to disapprove a school closure, the Board must reinstate procedures consistent with Board Policy 7105 before it may consider closing the same school again.

D. Procedures

A majority vote of the Full Board in favor of forming the Committee triggers the following procedures, which must occur sequentially. No step may begin before the prior step is completed:

1. Consistent with Board Policy 7105(E), the Superintendent nominates individuals to serve on the Committee and presents the nominations to the Board at a public meeting.
2. The Board shall vote to approve or deny the appointment of each member of the Committee pursuant to Board Policy 7105(E).
3. The Committee shall develop and present an Interim Report to the Board at a public meeting pursuant to Board Policy 7105(F).
4. The Committee shall conduct Community Engagement and present a summary of the findings to the Board at a public meeting pursuant to Board Policy 7105(G).
5. The Committee shall develop a Committee Report documenting the Committee's process, analysis, and recommendations for addressing the budget shortfall. Although the Committee Report need not include a recommendation for school closure, any such recommendation must be consistent with Board Policy 7105(H)(8)–(9).
6. The Committee shall present the Committee Report pursuant to 7105(H) and, if applicable, each of the recommendations in the Committee Report to the Board at a public meeting.
7. The Board shall vote on whether to approve or disapprove the Committee Report in accordance with the requirements set forth in Board Policy 7105(H), provided that:
 - a. If any recommendation in the Committee Report includes a recommendation for school closure, the Superintendent shall subsequently create and publish a Superintendent's Plan for School Closure. Pursuant to 7105(I), the Superintendent shall present the Superintendent's Plan for School Closure to the Board at a subsequent public meeting no earlier than 60 days after the public presentation of the Committee Report.
 - b. The Board shall not vote to approve a school closure until at least 90 days after the Superintendent presents the Superintendent's Plan for School Closure at a public meeting or the Superintendent makes the contents of the Superintendent's Plan for School Closure available to the public, whichever date is later.

E. Formation of the Committee

96 Upon a majority vote of the Full Board to form a Committee, the Superintendent shall conduct the requisite
97 search and nominate members of the Committee to be approved by Full Board vote.

98 a. Required Committee members. The Committee shall be comprised of:

99 i. At least one representative (i.e., student, parent, legal guardian, staff member,
100 or administrator) from each:

- 101 1. Region; and
- 102 2. High school feeder pattern in which the high school is eligible for
103 federal Title I funds.

104 ii. Of the representatives described in 7105(E)(a)(i), at least:

- 105 1. Two students;
- 106 2. Two parents or legal guardians;
- 107 3. Two school staff members (e.g., teachers, counselors, administrative
108 and janitorial support); and
- 109 4. Two community organizers.

110 iii. No more than 50% of the members of the Committee may be District
111 Administrators, District Supervisors, individuals who contract the District for
112 services, or representatives or employees of an entity contracted by the
113 District for services.

114 b. Permissible Committee members. The Committee may include up to five (5) additional
115 individuals who do not represent a particular high school feeder pattern if the individual is
116 an expert in:

- 117 i. educational policy,
- 118 ii. the history of education in Columbus, or
- 119 iii. a population of students who require additional services from the District (e.g.
120 students with disabilities, students experiencing homelessness, English learner
121 students, system impacted youth).

122 c. Prohibited Committee members. The following individuals are prohibited from being
123 nominated to or serving on the Committee:

- 124 i. Any current or former donor, administrator, staff member, or trustee of a
125 community school or a private K-12 school; or
- 126 ii. Any real estate developer, representative of real estate developers, or person
127 who would profit from the sale or redevelopment of any land used to operate a
128 District school.

129 The Superintendent's nomination for each member of the Committee is subject to approval by a majority
130 vote of the Full Board.

131 **F. Interim Report:**

132 Once approved by the Board, the Committee shall develop an Interim Report. The Interim Report shall:

- 133 1. Review the most recent audit conducted in accordance with Board Policy 6830 and the five-year
134 projection conducted in accordance with Board Policy 6231 to verify whether the district faces a
135 budget shortfall that necessitates increased revenues or decreased expenditures;
- 136 2. Analyze the extent, severity of, and any reason for the budget shortfall; and
- 137 3. Develop multiple preliminary proposals to address the budget shortfall, including one or more
138 proposals to increase enrollment in the District.
139

140 The Committee shall present the Interim Report to the Board at a public meeting. The Committee shall
141 make the Interim Report available online to the public at least one week prior to the public meeting.

142 **G. Community Engagement**

143 Upon approval of the Interim Report by a majority vote of the Full Board, the Committee shall conduct
144 community engagement by:

1. Soliciting from members of the public:
 - a. Comments on each preliminary proposal in the Interim Report;
 - b. Which programs or expenditures the District should prioritize or deprioritize to address the budget shortfall; and
 - c. Suggestions of how the District can increase student enrollment; and
2. Using the following methods to solicit the information in paragraph (G)(1):
 - a. An online feedback form;
 - b. A minimum of two community town halls at a school in each high school feeder pattern, at least one of which begins after 6pm in the evening;
 - c. Opportunity to comment at no fewer than two school board meetings; and
 - d. At least five virtual town halls dedicated to the topic of addressing budget shortfalls.
3. Widely publicizing each of the methods in paragraph (G)(2) at least two weeks in advance of the opportunity through multiple means, including but not limited to:
 - a. Direct phone calls;
 - b. Text messages;
 - c. Emails;
 - d. Flyers;
 - e. Mail sent to students and parents or guardians;
 - f. Social media posts;
 - g. Updates to the District website; and
 - h. Updates to the website of each District school.
4. Ensuring that any public-facing communication
 - a. Is available in English, Spanish, French, Somali, Arabic, Nepali, and other languages as needed to communicate with all families; and
 - b. Uses plain language. For example, if the Interim Report includes a preliminary proposal for school closure, public-facing communications must clearly state that the Committee is considering a school closure and name any school that is being considered for closure. Using misleading or vague terms such as "facilities survey" or "resource access" instead of school closure is not permissible.

H. Committee Report

Upon completion of Community Engagement outlined in Board Policy 7105(G), the Committee shall develop and submit a Committee Report to the Board, make the Committee Report available to the public, and share the Committee Report with all families in the District.

1. The Committee Report shall include:
 - a. A comprehensive analysis of and responses to comments gathered during Community Engagement;
 - b. Two or more final recommendations to address the budget shortfall; and,
 - c. If applicable, document compliance with 7105(H)(8)(a-q).
2. The Committee shall present the findings and content of the Committee Report, including the results of Community Engagement, to the Board of Education at a Public Meeting. The Committee shall make the Committee Report available online to the public at least one week prior to the public meeting.
3. Members of the Board shall have the right to ask questions during the presentation and to ask further questions in writing following the presentation.
4. The Committee shall make the Committee Report public through the Board website at least one week prior to the Public Meeting at which the Committee Report will be presented.
5. At the Public Meeting at which the Committee Report presented, a minimum of 10 spots shall be reserved for public comment on the topic of the Committee Report. Members of the public may

- 197 submit comments on the Committee Report up to 30 days following the Public Meeting at which
198 the Committee Report is presented.
- 199 6. The Committee shall:
- 200 a. respond in writing to each comment raised at the public meeting or submitted in writing
201 within 30 days of the public meeting; and
- 202 b. make all responses to each comment available on the on the appropriate District app, on
203 the District website, and at the District office.
- 204 7. It is within the Committee's discretion whether to recommend a school closure or school
205 closures in the Committee Report. The Board shall not vote on whether to approve the
206 Committee Report until:
- 207 a. 14 days after responses to comments raised at the public meeting or submitted in writing
208 have been made available on the District app, on the District website, and at the District
209 office; and
- 210 b. Completion of the Superintendent's Plan for School Closure outlined in Board Policy 7105(I),
211 if the Committee Report includes a recommendation for school closure.

212

213 **8. Mandatory Considerations for a Recommendation of School Closure**

214 If the Committee Report includes a recommendation for school closure, the Committee Report
215 must explain in writing each of the following impacts that would likely result from a school
216 closure and how any purported benefit justifies the associated educational, quality-of-life, and
217 similar costs to students and families in the District.

- 218 a. educational program (i.e., efficacy of educational program at each school, accommodation
219 of the planned educational program in schools not recommended for closure)
- 220
- 221 b. safety and access (i.e., student safety and ease of access to any school recommended for
222 closure and to each school where students would be reassigned; distance, time and cost of
223 transporting students)
- 224
- 225 c. relocation (i.e., number of students whose school assignment would change; capacity and
226 projected enrollment at the receiving school, including projected enrollment loss within the
227 District that would result from school closure)
- 228
- 229 d. non-discrimination (i.e., ensuring that no protected class of students is disproportionately
230 harmed by the recommended school closure)
- 231
- 232 e. diversity (i.e., impact on enrollment by socioeconomic status, race, and ethnicity in the
233 schools district-wide; impact on schools serving disproportionate shares of students living in
234 poverty, students with disabilities, students experiencing homelessness, English Language
235 Learners ("ELLs"))
- 236
- 237 f. accessibility for students and staff with disabilities (i.e., present or potential ability of the
238 school(s) recommended for closure to accommodate disabled persons)
- 239
- 240 g. space to accommodate community/school collaborations and other district initiatives
- 241
- 242 h. location and site characteristics (i.e. the importance of the school for neighborhood vitality
243 and delivering services to each school community)
- 244
- 245 i. ability to maintain feeder patterns from elementary school to middle school to high school
246 to assure K-12 continuity
- 247
- 248 j. class size (i.e., whether existing and future class sizes meet the educational needs of
249 students, whether the class sizes comply with any applicable legal limits on class size, and

whether a school closure may put the District at risk of legal liability for violating applicable class size limits mandated by union contracts or local, State, or Federal law)

- k. other factors and considerations raised by constituents during Community Engagement and recommended by the Board
- l. budget (i.e., whether and how the school closure would resolve the budget shortfall, including added transportation costs, maintenance of old facilities, and attrition that may result from each school closure, particularly in a neighborhood where a community school or multiple community schools may be closer geographically than the District school at which families would be re-assigned)
- m. academic outcomes (i.e., as school closures are demonstrated to have a negative impact on students, particularly low-income students, an assessment of which students will most likely be negatively impacted by a school closure and a detailed plan that includes cost estimates for providing the additional resources and supports those students would require if they experienced a school closure)
- n. addressing any enrollment declines (i.e., whether the District has created and implemented a strategic plan for enrollment growth in the District to address and reverse enrollment declines)
- o. required sales or leases (i.e., whether the District would be mandated under state law to sell or lease a closed school to a community school or other entity, which would be inconsistent with harm minimization requirements of Board Policy 7105(I)(1)(h), and the additional financial burden that would impose on the District's budget)
- p. available alternatives (i.e., whether the Committee has carefully considered all other available cost-saving measures that does not include school closure)
- q. student enrollment trends (i.e., current enrollment, projected assigned population, anticipated residential growth, and anticipated impact of plan to attract families to the District)

9. Prohibited Considerations for a Recommendation of School Closure

The Committee shall NOT consider any of the following factors, which are unrelated to the quality of education and wellbeing for students, families, and communities:

- a. school-wide enrollment (i.e., space for the efficient, effective and educationally sound organization of the total enrollment, current school utilization rates)
- b. age and condition (i.e., operation and maintenance costs, transportation costs, cost of closing facility, energy consumption and costs, cost to renovate). However, consistent with Board Policy 7105(B)(5), nothing in this section precludes the District from replacing a school building or facility that is in an unusable condition with a new, renovated or existing facility for the same school serving the same population of students.
- c. future use (i.e., marketability, conversion to another use, sale, or use as an alternative school)

I. Superintendent's Plan for School Closure

If the Committee Report includes a recommendation for school closure, the Superintendent shall subsequently create and present a Superintendent's Plan for School Closure to the Board at a public meeting no earlier than 60 days after the public presentation of the Committee Report. The Superintendent shall make the Superintendent's Plan for School Closure available online to the public at least one week prior to the public presentation.

The Superintendent's Plan for School Closure shall include:

1. A robust analysis of the costs and savings that would result from each proposed school closure, including projected District enrollment that accounts for the impact of a school closure on enrollment;
2. The impact that the proposed school closure would have on the District's ability to attract and retain youth and families;
3. Demographic trends and forecasts as developed by an independent, unbiased, and credentialed demographer, including projected decreases in enrollment that may result from the proposed school closure;
4. Inaccessible routes and street crossings that pose a safety risk to pedestrians and motorists between schools within the region, including whether the proposed school closure would worsen accessibility or create or exacerbate such a safety risk;
5. The condition of the facilities and major building equipment that would be affected by the proposed school closure and the potential impact of losing access to those facilities and equipment;
6. The location of any center-based program or unique programming and staffing available to any student with an Individualized Education Plan or 504 plan at each school within the region and the impact that a school closure would have on the provision of these federally-mandated services;
7. The location of any ELL program within the region and the impact that a school closure would have on the provision of federally-mandated services to ELL students;
8. Status of district-provided transportation at each school within the region and the additional transportation costs that would result from a school closure.
9. Risk assessment of whether the District would be required to sell or lease the school buildings proposed for closure to a community school and the resulting fiscal impact;
10. Any reduction in force, reconfiguration of staff, and the economic impact of job losses on the Columbus region;
11. The potential academic and socioemotional impact to children, particularly low-income children, who attend the school(s) proposed for closure;
12. Any risk to the overall viability of the District associated with the school closure;
13. Reason for declining to pursue an alternative proposal to school closure; and
14. A plan to minimize the harmful impacts of the proposed school closure that, at a minimum, outlines how the District will:
 - a. Provide remedial academic support and counseling to all students enrolled at each school proposed for closure;
 - b. Ensure that resources for all students are allocated based on student need;
 - c. Ensure students, parents, and guardians at each school proposed for closure are informed about and supported in pursuing the enrollment options available to them;
 - d. Ensure students impacted by each school proposed for closure shall have priority enrollment into all district-managed lottery schools and a guaranteed seat at their boundary/zone school;
 - e. Ensure all staff at each school proposed for closure are informed and understand available employment opportunities and guarantees in collaboration with employee unions;
 - f. Provide job search services and prioritized interviewing opportunities at schools identified by employees impacted by proposed school closure;
 - g. Ensure that each community that would be impacted by a school closure can decide the future use of the school building; and
 - h. Ensure that the school will not be used as a community school, private school, or for housing that would be inaccessible to the school community.

351 The Board shall not vote on whether to approve a school closure until 90 days after the publication of the
352 Superintendent's Plan for School Closure or the presentation of the Superintendent's Plan for School Closure
353 to the Board at a public meeting, whichever is later. If the Board does not vote on the Superintendent's Plan
354 for School Closure within 365 days of its publication or presentation at the public Board meeting, the
355 Superintendent shall update the Superintendent's Plan for School Closure. The Board shall not vote on
356 whether to approve a school closure until 90 days after the publication of the updated Superintendent's Plan
357 for School Closure or presentation of the updated Superintendent's Plan for School Closure to the Board at a
358 public meeting, whichever is later. If the Board votes to disapprove a school closure, the Board must
359 reinitiate procedures consistent with Board Policy 7105 before it may consider closing the same school
360 again.

361 Effective TBD