



# **Village Board Testimony**

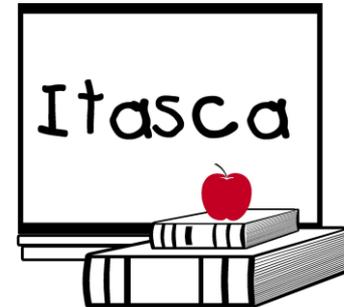
## **860 W. Irving Park Road Proposal**

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Jennifer Smith, District 10 Legal Counsel, Franczek P.C.

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# District 10 Overview



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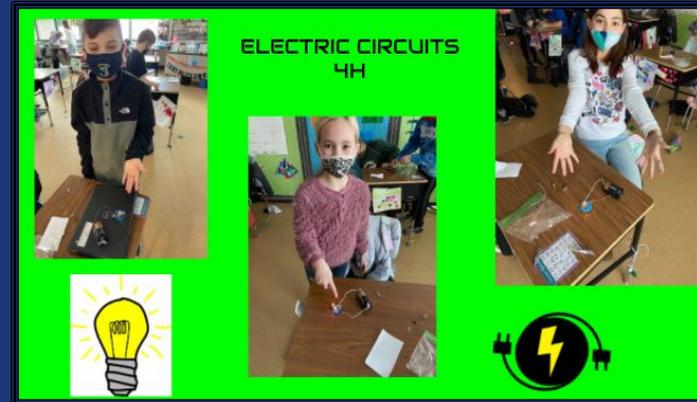
# District 10 Overview

- District 10 serves approximately 1,000 students in grades Pre-K through 8th grade
- Three Grade Center Schools:
  - Raymond Benson Primary (Pre-K-2)
  - Elmer H. Franzen Intermediate (3-5)
  - F.E. Peacock Middle (6-8)
- North DuPage Special Education Cooperative (NDSEC)
- Lake Park High School (District 108)



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# District 10 Goals



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## District 10 Goals

- Academic Excellence
- Fiscal Responsibility
- Community Relationships
- Student Safety and Citizenship
- Professional Learning
- Capital Development



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# District 10 Finances





# District Finances: Fiscal Year 2020, ISBE School Report Card

- Spending Per Student: \$11,888
- Average total cost to educate a special education student - \$27,945.56
- FY20, **92% of district revenues are from local funding sources**
- Among Lowest Tax Rates in DuPage County
- ISBE Evidence Based Funding Adequacy Classification
  - Tier 3, 96% of Adequacy
  - Local resources cover 96% of the cost to educate students per ISBE formula
- **Board of Education Value:** Our decisions today are guided by the best interest of both current and future students

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# District 10 Commitment to Disability



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# Commitment to Disability and Diversity

- District Culture is inclusiveness, respect and acceptance
- Student with Disability, Students with Special Needs or Diverse Learners
- All students means, all students: Inclusive of Everyone, English Learner, Ethnicity, Economics
- Disability: Learning, Physical, Cognitive, Emotional-Behavioral, Health
- 12.8% of Itasca Students Eligible for IEP
- NDSEC audit
- [NDSEC letter on ISBE findings](#)



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# Economic Impact & Safety Concerns



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# Economic Impact

- Pre-K and Child Find
- Educational Costs Pre-K-8
- Students Age 18-22



# Pre-K

- The petitioner initially included Pre-K eligible children in their proposal. The petitioner communication acknowledged this as a cost and resubmitted their proposal removing Pre-K services.
- Subsequently, the petitioner indicated a request for that program could occur in the future
- This would be additional economic impact to District 10



# Pre-K and Child Find

- Child Find Law
  - Affirmative, ongoing obligation 34 CFR 300.11(a)(1)(i)
  - Must include highly mobile children
- Average cost (NDSEC and D10 costs to add)
  - Child Find Evaluation - \$1,500-\$5,000
  - Itinerant Services - \$1,000 or more
  - District Pre-K services - \$25,000
  - NDSEC services - \$25,000 or more





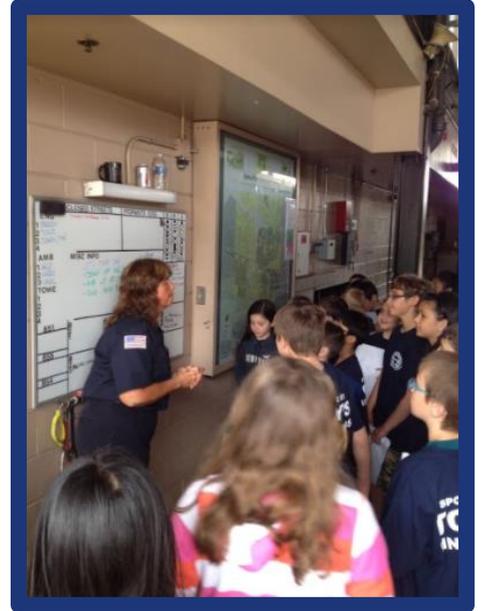
## Students Aged 18 to 22 possible additional costs

- IDEA school district funding of transition services for students with disabilities age 18-22
  - Includes vocational education, integrated employment, continuing and adult education, adult services, adult living, or community participation support 34 CFR 300.43
  - Based on individual needs including instruction, related services, community experiences, development of employment and other post-school adult living objectives, acquisition of daily living skills
- LPHS and NDSEC

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# Safety

- Safety is a core focus and a District Goal
- We work to establish student trust with Fire and Police
- Is response time to a critical event or ongoing collaboration impacted for:
  - Police
  - Fire and Paramedics



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# Relevant Findings Against The Public Interest





## Findings Against The Public Interest

1. Haymarket Residents and Children of Haymarket Residents will Have the Right to Enroll in the Local School Districts
2. The Cost of Educating Haymarket Residents and Their Children is Substantial
3. There is No Additional Funding for the Additional Students From Haymarket
4. Haymarket Places an Undue Burden on Police and Fire Services
5. Haymarket has not Acted as a Trustworthy Community Partner in Interactions with the School District
6. This proposal is against the Public Interest and General Welfare to Accomodate an Unproven Community Partner



# Haymarket Residents and Children of Haymarket Residents will Have the Right to Enroll in the Local School Districts

1. Preschool Services Haymarket has indicated it could seek to locate a mother and child program at the Itasca site in the future that would house 3-6 year old children with their mothers. Parents residing at Haymarket have a right to enroll their children in the local school district if the student resides with the parent (105 ILCS 5/10-20.12b) or the child is a student with disabilities and does not reside with the parent (105 ILCS 5/14-1.11). Although they withdrew this program from their proposal as they acknowledged there could be cost to the school district, they have also indicated this program could be offered in the future.
2. K-12 Special Education Regardless of where a student is residing, Haymarket residents are entitled to enroll their school-aged students with disabilities in the local school district (105 ILCS 5/14-1.11).
3. Homeless Enrollment Rights Students who qualify as homeless have the right to immediate enrollment (Education for Homeless Children Act, McKinney-Vento Homeless Education Assistance Act).
4. 18-22 Transition Program Young adults who reside at Haymarket who are not high school graduates and qualify for special education are entitled to enroll in the local school district for transition services.



# The Cost of Educating Haymarket Residents Children is Substantial

- Child Find \$1,500-\$5,000
- General Education \$9,311
- Special Education Average Cost Is \$27,945
- Transition Services \$25,000-\$50,000
- There is No Additional Funding for the Additional Students From Haymarket



# Haymarket Places an Undue Burden on Police and Fire Services

- Police and Fire Response Time to Our Schools may be Impacted
- Police and Fire Educational Services may be Impacted

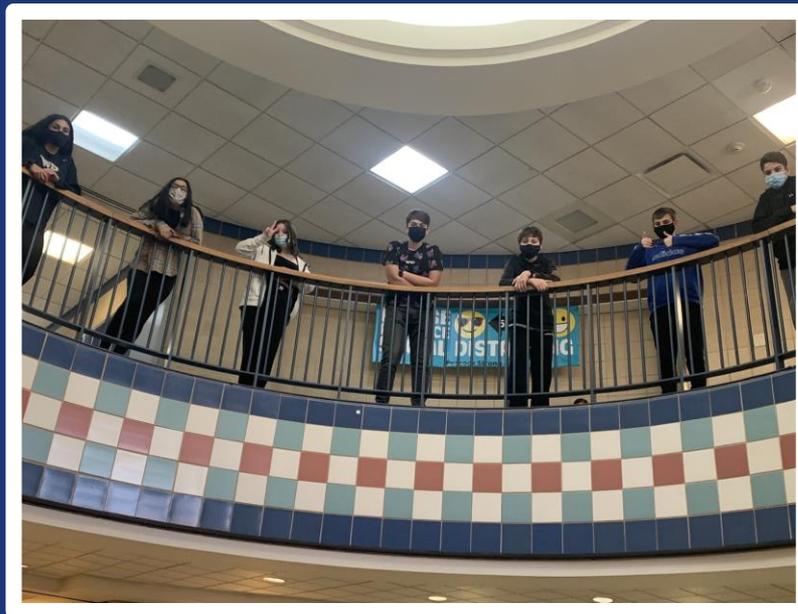


# Haymarket has not Acted as a Trustworthy Community Partner in Interactions with the School District

- The School District has sought information that hasn't been provided by Haymarket
- Haymarket has disparaged the School District and school community through accusations of fear rather than acting in concern for students and their parents
- The School District is not against drug treatment but has rather acted to responsibly plan for any possible services and economic impact

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# Conclusion





# Conclusion

- District Goals: Academic Excellence, Safety, Financial Responsibility, Civic, Professional and Capital Development
- We are inclusive and welcoming of all students
- Significant Economic Impact on School District is anticipated with
  - Possible Pre-K Services and Special Education Services
  - Residency may be established in different circumstances for educational services
- Possible Safety Concerns with Response Time
- The magnitude of the proposal is significant and potentially economically impactful
- The petitioner's commitment to open communication and collaboration has been questionable
- This economic burden is potentially adverse and is primarily carried by local property taxes
- This proposal is against the Public Interest and General Welfare to Accomodate an Unproven Community Partner



# Addendums - Documents

- [District Goals and Mission](#)
- [NDSEC Letter on ISBE District Evaluation](#)
- [Haymarket Tax Exempt](#)
- [Joint Objection to Exemption Application Haymarket DuPage LLC](#)



# Addendums

- District and Haymarket Communications
  - [Letter to Ice Miller dated dated October 25, 2019](#)
  - [Response Letter from Daspin Aument LLP dated November 20, 2020](#)
  - [Letter to Daspin Aument LLP dated December 17, 2020](#)
  - [August 10, 2021 letter](#)