

LSC Election 2020

Community Feedback & Recommendations

Prepared by Raise Your Hand for
Illinois Public Education & Chicago
Lawyers' Committee for Civil Rights



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Introduction/Summary

CPS Office of Local School Relations (OLSCR) 2020 Election Guide: *"The mission of the Board of Education – as it relates to the LSC electoral process is to uphold the letter and intent of the School Reform Act. That important responsibility includes conducting fair citywide elections, providing consistent procedures that foster public trust, and promoting broad-based candidate and voter participation through the city."*

We commend and congratulate every candidate who dared to step up and run for LSC during a global health pandemic with devastating effects across Chicago. This year's rise in interest came amid this summer's SRO votes. Shout out to all of the first-timers who were recently elected. There is so much work to do before our schools are equipped and ready to safely welcome our children back into the building. **It is a disappointment that the district did not meet this moment with the level of seriousness, integrity and transparency LSC elections deserve.**

RYH conducted a week-long survey: **the word confusing was mentioned 32 times.** That is a reflection of the severe lack of clear and consistent communication and guidance throughout the election process. The lack of training, scant staffing and failures to follow CPS policy caused great stress and anxiety across the city. This was avoidable; thousands of stakeholders attempted and failed many times to offer support and recommendations to the CPS Office of LSC Relations.

To the Board members who are passionate about the democracy LSCs provide for our city; your leadership is needed at this moment. Despite the challenges of COVID-19, there was an unnecessary burden put on candidates, parents, students and schools. The lack of attention to details has hurt the trust and faith in this democratic process and in the CPS Office of LSC Relations. When forced to grade the district's ability to deliver proper, legal attention and oversight to a public election...The People grade you a D+.

Parents across the district consistently said that with proper and adequate oversight, clear communication and consistent guidance/training, multiple avenues for voting are necessary to welcome full access to the ballot box. OLSR must adopt LSC Elections policies and practices that clearly detail ethical obligations in accordance to the laws which govern the process. **We urge CPS to adopt the community-informed recommendations and best practices found in our report for the next LSC Election in 2022 and beyond.**

- New Communication Plan and Procedures
- Democratize LSC: Create a More Transparent LSC District
- Overhaul and Expand Access to All Voting Methods
- Increase Transparency and Trust with Ballots
- Expand Election Judge Recruitment, Training, Assignments
- Adhere to FOIA/OMA issues as outlined in Illinois law and school code
- Increase Oversight and Training

Who We Are

[Raise Your Hand for Illinois Public Education](#) (“RYH”) is a grassroots citywide parent organization that informs, engages and organizes parents around systemic issues in education, including LSCs. This year, RYH held over 45 LSC workshops around elections, effective LSC practices, and the SRO vote. Throughout the election cycle, RYH has consistently advocated for improvements with CPS. RYH also is part of the LSCs.4.ALL coalition, a community and labor coalition that focuses on creating equitable LSC policies and effective LSC members.

[Chicago Lawyers' Committee for Civil Rights](#) is a non-profit, non-partisan organization of civil rights lawyers and advocates working to secure racial equity and economic opportunity for all since 1969. Local School Council Elections relate to two of our primary organizational priorities: education equity and voting rights. Chicago Lawyers' Committee's education equity work protects and promotes access to education by addressing the individual and systemic barriers that disproportionately impact historically disadvantaged communities. In voting rights, Chicago Lawyers' Committee works to eliminate barriers to voting and civic participation, especially in communities of color and low-income communities, to ensure that each citizen is able to cast a ballot and make their voice heard. Chicago Lawyers' Committee uses a community lawyering approach - that is, we collaborate with community leaders, advocacy organizations, and attorneys to craft and implement community-based solutions and policy reform.

Methodology

[Survey \(12/5-12/12, Spanish and English\)](#)

We received 219 responses from 162 different schools (>30% of CPS with LSCs). Out of the responses, there were 82 parent candidates (at 57 schools), 47 community candidates (at 42 schools), 22 teacher candidates, 3 non teaching candidates and 1 student candidate. We also received feedback from 172 voters at 102 different schools. Respondents were asked to rank how supportive and effective the district was with a scale of 1 (no support) to 5 (excellent support) on a number of topics such as candidate forum or mail in voting. They were also asked to provide qualitative feedback in the forms of the good, the bad, the ugly and recommendations. Respondents gave the district an overall grade for the LSC election process (calculated by averaging the responses (A=95, B=85, C=75, D=65, F=55). On average, respondents gave CPS a C- (69.7%) with the majority of responses (76 respondents) giving the district a “D”. CPS LSC received 7 “A”s, 34 “B”s, 60 “C”s, 76 “D”s, and 45 “F”s. When asked to rank the support and effectiveness of CPS District on 12 topics (ranging from candidate forum to poll watching to general communication), the two most frequent responses were “1” (no support) or “2”. The highest average was 2.6 for the nomination process.

[Chicago Lawyers' Committee Hotline](#)

Chicago Lawyers' Committee set up a free, non-partisan voter protection hotline for the LSC elections this year. We also trained non-partisan poll watchers to help respond to on-the-ground election issues. Leading up to and after the LSC elections, hotline volunteers (primarily Chicago Lawyers' Committee staff) fielded calls, texts and emails from voters, candidates and polls watchers. We received 63 total contacts to the hotline on and after the election days, including about 50 contacts on November 18 and 19 and a number of questions on December 1 about how ballots would be processed and counted. In all, voters contacted our hotline about elections at 31 different schools, including serious issues -- like misprinted ballots, electioneering, or high percentages of ballots being rejected -- occurring at several of these schools.

Post Election Debrief (12/5)

73 LSC members, candidates and supporters met to debrief the LSC election process. We heard from parents, the Chicago Teachers Union's LSC person, and about the Chicago Lawyers' Committee LSC hotline experience. The debrief was organized into 4 sections of discussion: the good, the bad, the ugly and recommendations.

Before Election Day

Advocacy Efforts

In the 6+ months between the postponement of the spring 2020 elections and the November election dates, Chicago Lawyers' Committee, Raise Your Hand, and other community partners (including the LSCs.4.All coalition) advocated for CPS to improve voter access and safety measures. CPS has a constitutional obligation to hold free and equal LSC elections, but the absence of public information about election processes threatened to undermine public trust and candidate and voter participation. In [multiple letters to CPS](#) in October and early November, we urged CPS to take needed measures to ensure safe and equitable access for parent and community voting during the pandemic, including:

- Expand public communications & transparency about the election process
- Adopt a more realistic timeline for mail-in ballots, consistent with other IL elections
- Give clear instructions & assurances of security for dropped-off mail-in ballots
- Offer eligible voters a way to request mail-in ballots, including community voters and parents who did not receive mail-in ballots
- Provide meaningful opportunities to distribute candidate information
- Create clearer procedures for accepting & processing ballots (including ways to verify ballot acceptance)

Many of these measures are standard procedures for other Illinois elections. And CPS agreed to make some positive changes, such as extending the deadline for receipt of mail-in ballots. But many issues we identified in our letter-writing efforts went unaddressed. This oversight resulted in distrust, confusion and low participation.

Communication to Candidates

Stakeholders felt that there were numerous simple ways that the district could have supported candidates as things continually changed in response to COVID-19.

The Basics

- The OLSCR website was not updated with clear information and election timeline. Official CPS guidance & documents (eg. election guide & timeline) were not current or updated to reflect new dates and/or procedures due to COVID.
- Schools failed to keep stakeholders and voters aware of relevant elections data. Use of website, email, robocall and other channels were not equally used.

Updates

- CPS failed to keep candidates briefed on current changes in a timely fashion. Many candidates learned updates via social media.
- At least twice, inconsistent and erroneous data was released to candidates by CPS.
 - *"Everything was so confusing and I really wish there had been planning involved as soon as the initial decision to postpone elections was made. It seemed like things were changing on the fly, as people were told one thing and then got angry about it"*

Support (rated 2.2/5 on survey)

- Little communication and/or delayed responses to stakeholders; namely parents, community and current LSC members across the days leading up to voting days.
 - *"None of my emails were responded to and my facilitators voicemail was full and not accepting calls for 2 entire weeks!"*
 - *"My LSC facilitator's voicemail has been full for weeks."*
- Lack of education: many first-time candidates felt unsupported and confused.

Candidate Awareness: Forum and Literature Distribution

Schools were not set up to succeed; many stakeholders felt that it was too hard to find information on candidates. This area felt particularly inequitable as those that were more well resourced were able to provide more access to democracy.

- Inconsistent public candidate forums across the city (rated 2.45 out of 5 in survey). Many school forums were never added to school websites or shared with parents.
 - CPS miscommunication caused schools to hastily host forums within 2 days, giving little warning. Frustrated, some withdrew their candidacy.
 - Some school administrators made up rules as they went along.
- CPS delayed notifying the public of the candidate literature deadline.
 - When it was finally advertised; candidates had only 48-hours notification.
- Consistently, across schools, finding info on candidates was difficult (rated 2.17/5).

Communication to The Public (rated 2.2 out of 5)

- Lacked promotion and awareness via citywide, district wide channels.
 - *"As a community member who pays attention I saw almost NO publicity at all about the LSC elections."*
 - *"I heard nothing about LSC's from the city of Chicago, my Alderman or local media-all information about candidates and voting processes."*
- Schools failed to keep stakeholders and voters aware of relevant elections info.
 - Use of website, email, robocall and other channels were not equally used.

The Good

- All residents could participate in local democracy - *"As an immigrant it was the first time I could vote in an election. I love that there's no citizenship status requirement"*
- Some schools stepped up - *"our school was able to come together to come up with solutions in house because of the lack of support from the district."* and *"our school admin promoted LSC election date, candidate forum date and link to candidate letters on its school website or through a weekly newsletter."*
- *"It's over."*

Election Day

Mail In Ballots (rated 2.3 out of 5 on survey)

One of the big alarms we raised was CPS' lack of due process to notify and give voters an opportunity to respond if their mail-in ballot faced rejection for a name mismatch. Instructions on mail-in ballot envelopes told voters to write a name and address, but did

not say that they needed to exactly match those in CPS' records. But CPS instructed election judges to reject mail-in ballots if the names or addresses on their envelopes did not match their list, and did not issue clear instructions about what to do if names or addresses did not exactly match.

With CPS offering mail-in ballots to certain voters for the first time, there were many contacts from mail-in voters who didn't get clear instructions, didn't receive ballots, or received bad information. Through our hotline, we heard reports of mail-in ballots being rejected for minor compliance issues such as lacking a first name, even where the last name and address on the envelope matched the master list; listing a new address, even where the name matched and where the new address could be found elsewhere in CPS records; or listing the student's name instead of the parent's. Most concerning, CPS failed to provide a way for people to verify whether their ballot was received or counted, and did not offer a due process opportunity for voters to correct or challenge the reason their ballot was rejected.

On Site Voting

Through the hotline, we heard about late-opening polling places, inadequate signage, misprinted ballots, and voters who were improperly turned away by election judges.

- Stakeholders reported inconsistent election judges and coordinator procedures. This included ID/address verification and health procedures - 1 voter went to 4 schools and experienced 4 different health procedures.
- Person tried to vote at 5pm at 2 south side elementary schools and couldn't get in.

Access Issues

Many stakeholders reported issues with language access and curbside voting; both of which are essential to democracy for many populations in CPS at this time.

- *"Curbside voting was a joke - parents who tried to do curbside voting and didn't get anyone and another parent also mentioned curbside did not work, was made to come into the building"* This was repeated multiple times during our post election program.
- Based on the hotline calls, language access issues occurred at many schools that predominantly served students of color and low-income learners.

Voting Intimidation, Suppression and Electioneering

At some polling sites, voters felt intimidated because teachers and school security staff were serving as election judges, a violation of CPS LSC election procedures that led to specific concerns about electioneering and improper handling of ballots. Issues of trust and safety with their vote were expressed in the hotline, survey and post election program.

- Appearance of influence, lack of integrity leading to loss of confidence
 - School admin managing the process by counting, handling ballots
 - Unprofessional conduct or electioneering by school administrators
 - Principal-approved candidates were allowed to electioneer in the school
- Lack of election judge training, acute failure to follow policy and protocols

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- Lack of language translation on ballots and during in-person voting
 - Inconsistent implementation of ID policy and safety protocol guidance across schools
 - Lack of ballot security, curing and verification of received mail-in ballots
 - Schools with ALSCs were not supported throughout the process and voting days
 - Parents at some ALSC schools did not receive mail ballots whatsoever
 - Some schools did not have paper ballots for in-person voting
 - Some schools refused to say how they held elections for parents to vote

Ballots

Ballot instructions should have been more explicit and accurate to the process established during the pandemic. As ballots arrived via drop off or USPS they should have been time stamped by the school office and all of these ballots should have counted. Possible backlash/retaliation was a real concern particularly for parents & teachers who could not really remain anonymous.

- *"I believe the district could have done a better job of clarifying that the name on ballot envelopes was only to authenticate parent affiliation w school but that once verified the ballot itself would be counted separately from the exterior envelope."*
- *"I brought my ballot the day of in an envelope with no address. The poll watcher told me I needed to add the date to the envelope and said nothing about there not being an address. So my vote wasn't counted."*
- Ballots should be sent earlier. Some parents did not receive or received from the wrong school.

Spoiled Ballots

"...130 spoiled ballots. (Heard this from a poll watcher.) Principal sent an email with results but the next day 75 ballots were found w/o post mark (probably dropped off by parents as opposed to using USPS), some other ballots were found w/o envelope, some "spoiled" b/c of the marking used for vote. Worried about the integrity of the election & that so many parent voices were not going to be heard. If we did not address this issue at our school, trust erodes, parents become further disengaged. Candidates contested the election, filed the paperwork." -2020 Parent Candidate

During our post election program, one member reported that the database used to print the envelopes didn't match the database the school was using. As a result, mail-in ballots may have been rejected for a name or address that did not match the school's database, even though the voter listed the exact same information printed on their envelope.

We also heard concerns about election judges discarding ballots from voters who marked their preferences with markings other than an "X" or intersecting lines. This concern is particularly relevant for mail-in ballots being completed at home, without election judges available to instruct voters on this formality. In cases where a voter makes an honest effort to indicate their choice, a voter should not be disenfranchised by having their ballot discarded.

After the Election

In pre-election communications, advocates repeatedly asked CPS for outreach and public communications that would offer clear guidance about election processes and

help to build public trust in a secure election. Many of the issues faced by voters could have been prevented had CPS used its resources to ensure that information pertinent to the election reaches as many voters as possible. For example, CPS agreed to extend the deadline for mail-in ballot submission but did not widely disseminate this information to parents, who received printed ballots with the old deadline. As a result, many parents who were unable to drop off their ballots by election day may have been dissuaded from participating in the election altogether.

Transparency Concerns

Post-election, concerns about a lack of transparency and public communication remain. A significant number of stakeholders intended to file post election challenges; however, many were unaware of the process (rated 2.1/5 on survey). Those that did reported concerns for improper vote counting, valid ballots being spoiled or not counted and lack of fairness and integrity.

CPS did not publicly release guidance about how election judges would match names or addresses on mail-in ballots, leading to widespread confusion and inconsistency in processing these ballots. For example, we have heard reports that election judges at some schools only checked for a name match, while others required that both the name and address match exactly to the CPS-provided list. Even efforts to gather records for transparency purposes have been rebuffed.

Voters have expressed concerns about not knowing whether their ballot was counted, or the number of ballots rejected at their school. Through the Freedom of Information Act (FOIA), Chicago Lawyers' Committee requested public records from CPS about the numbers of ballots that were processed or rejected, but CPS rejected the request on the grounds that these records were not yet finalized -- even though the vote tallies have already been certified by the schools. This lack of transparency creates additional obstacles to building public trust in election processes moving forward.

Fingerprinting

On December 15th, newly elected or re-elected and appointed LSC members were directed to report in-person to fingerprinting sites before January 11, 2021 in order to submit to a fingerprint-based background check. To preserve public safety, CPS should postpone this requirement for LSC members until the pandemic is under control. It is unreasonable to require over 4000 parents and community members to get fingerprinted during the middle of a pandemic, especially as LSC business is currently virtual and CPS is not providing their fingerprinting services ([document of CPS sites in email](#) are for August). CPS has the legal authority to postpone this requirement: Although state law typically requires that these background checks take place upon election or appointment of the LSC member, the state legislature passed a law that allows CPS to "make any necessary modifications" to the 2020 LSC election process to comply with health and safety guidance from the CDC and Department of Public Health. CPS has [not always enforced this requirement](#), which has been subject to widespread criticism by parents and community members that it chills participation by undocumented parents without a tangible safety benefit. CPS should exercise its legal authority and postpone the fingerprinting process until it is safe to do so.

Recommendations and Next Steps

Across the board, there was consensus that expanded access to mail-in, curbside and in-person voting options should remain the norm for future elections. Parents across the district consistently said that with proper and adequate oversight, clear communication and consistent guidance/training, multiple avenues for voting are necessary to welcome full access to the ballot box. We urge CPS to adopt these community-informed recommendations and best practices for the next LSC Election in 2022 and beyond.

- **New Communication Plan and Procedures**
 - a. More accessible, transparent, up to date, clear and consistent communication and outreach to voters and candidates.
 - b. District needs to provide more support to principals and local coordinators
- **Democratize LSC: Create a More Transparent LSC District**
 - a. All available candidate literature and forums are uploaded onto a District run LSC page
 - b. As elected officials, LSC members' contact info (ex. CPS email) needs to be publicly available. Currently only physical addresses are provided.
 - i. This creates stronger collaboration between members and provides a way for the school community to be able to reach their representative.
 - c. Support LSCs with continued virtual meetings (past the pandemic)
 - d. District provides more support with language access (during regular meetings and elections), ballot printing, and outreach
- **Overhaul and Expand Access to All Voting Methods**
 - a. Improve communication to ensure ballot accuracy by clear instructions
 - b. Provide mail-in voters adequate time and opportunity to correct issues
 - c. Work to ensure mail-in ballot access is provided to all eligible voters
 - d. Ensure adequate staffing and training for curbside voting
- **Increase Transparency and Trust with Ballots**
 - a. Improve ballot processing guidance using best practices from other election jurisdictions
 - b. Include ways to verify ballot receipt and/or cure rejected ballots
 - c. Pragmatize the process; reduce the number of spoiled ballots by removing archaic disqualifications such as check marks vs X's.
- **Expand Election Judge Recruitment, Training, Assignments**
 - a. Overhaul the election coordinator and judge training
 - b. Develop clear and consistent training for all election workers
 - c. Consult with Chicago Board of Elections for best practices and training
- **Adhere to FOIA/OMA issues as outlined in Illinois law and school code**
- **Increase Oversight and Training**
 - a. Implement oversight by LSC Advisory Board, CPS and possibly outside entities with experience in election best practices
 - b. Create ways for community-involvement and collaboration in the planning, training and supports needed for fair and safe elections

Reflections from CPS Stakeholders

"Voter suppression at every turn. Even if parent contact info was correct in Aspen, parents in the same household were missing one or both ballots. Suggestions on how to remedy this are ignored by OLSCR. Instructions should have been included in the ballot envelope with an infographic demonstrating how to vote. OLSCR could employ the same efforts utilized to contact families for re-opening and apply them for LSC election awareness. It is clear CPS has no desire to participate willingly in the democratic process."

"All LSC members should be required to have a fundamental understanding of equity and anti-rocism training annually. Equity should be the lens through which all LSC work is done and it should be a required and official committee of EVERY LSC. There needs to be accountability for schools that do not offer sexual health minutes at every grade level, do not provide inclusive curriculum, etc. NO school should have a 1+ rating with this much cultural toxicity and oppression."

"Communication was abysmal. Dates and procedures were constantly changing, we received a flurry of emails with conflicting information, and the LSC website was never up to date. As if they had not seen the implications of the pandemic back in the spring or summer, there was a mad scramble in the fall on the part of OLSCR to figure out how to do mail-in voting. For my daughter's school, both my partner and I received ballots in the mail. For my son's school, only my partner received a ballot."

"This entire LSC Elections is a reflection of leadership. There is no other way to describe the complete letdown from the Office of LSC Relations and district communications. Amid COVID, they had the capability to cure miscommunication, mass confusion and disconnects between schools and stakeholders...yet they failed at every turn. This sort of dysfunction is cause for an internal review of procedures and whether there's efficiency in holding citywide elections."

"Except for a few brief announcements about election nomination and voting day, there wasn't much information shared about the election. There was no education about LSC, who could vote, etc. I didn't see any efforts to encourage community members to vote. There was no information about the need for volunteers to poll watch the polls. Judges didn't seem trained to do their work. I don't think there was curb voting offered."

"The fact of the election was good, but CPS proved incapable of adjusting effectively to the pandemic environment and unresponsive to concerns raised by community members, teachers, and administrators. The result in our school was an election marred by low engagement, misinformation, and lack of transparency regarding impact on numbers of votes cast and counted"

"The election was a mess. We were given very little notice about when the candidates' forum had to take place. my partner did not receive a mail-in ballot. mail-in ballots were rejected if someone didn't write their name on the envelope (thus it was not actually a secret ballot, and principals could easily see who people voted for). The rejection of checkmarked rather than x'd ballots is disenfranchising and ridiculous. cps told the election workers the school staff two different start times, so the poll watchers waited at the school from 5:30-6:30 and thought the school staff were late (and could well have given up and left)."

"Would be nice to have gotten some confirmation of receipt of vote, but I don't have any reason to believe my ballot was not received or not counted."

"Administration counting ballots (teachers wouldn't participate because they felt there was a lack of privacy."

"Barely any communication with CPS regarding the election process; inconsistent voting arrangements (no VBM for community); last minute changing plans with little to no communication (candidate forums)."

"When LSCs first started, over 90 organizations such as Chicago Association of LSCs, PURE and Designs for Change, supported members."

"Since CPS has done the training, its turned into a joke" - 25 yr LSC vet and former trainer