

AUTHORIZE CONTINUED RETENTION OF FREDRICK H. BATES, ESQ.

THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING DECISION:

Continued retention of Fredrick H. Bates, Esq.

DESCRIPTION: The General Counsel has continued the retention of Fredrick H. Bates, Esq., who has served as an independent hearing officer in the proceedings convened pursuant to Section 5/34-8.3(f) of the Illinois School Code and the Board's policy on "Criteria Governing Determination of Educational Crisis" (99-0825-PO3), determination of whether the CEO should declare the Wendell Smith Local School Council in educational crisis. Because of the length of the hearing and the voluminous evidence presented which required review, the original authorization for Mr. Bates' services has been exceeded by \$22,000. In addition, the General Counsel will utilize Mr. Bates' services in future hearings of a more routine nature, convened pursuant to Board Rules 6-28 and 6-29. Accordingly, additional authorization is requested in the amount of \$32,000. As invoices are received, they will be reviewed by the General Counsel and, if satisfactory, processed for payment.

LSC REVIEW: LSC approval is not applicable to this report.

AFFIRMATIVE ACTION STATUS: Mr. Bates is a MBE.

FINANCIAL: Charge \$32,000.00 - Hearing Officer Duties to Law Department - Legal and Supportive Services - Professional Services:
Fiscal Year 2002 Budget Classification0014-210-000-1011-5410

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board Members during the one-year period following expiration or other termination of their terms of office.

Indebtedness - The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, is hereby incorporated into and made a part of the agreement.

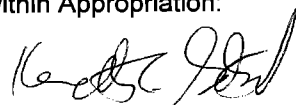
Ethics - The Board's Ethics Code adopted September 27, 1995, (95-0927-RU3), as amended from time to time, is hereby incorporated into and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in subsequent fiscal year budget(s).

Approved,

MARILYN F. JOHNSON
General Counsel

Within Appropriation:


KENNETH C. GOTSCH
Chief Fiscal Officer