

February 25, 2003

AMEND BOARD REPORT 02-1218-PR30
AMEND BOARD REPORT 02-0626-PR57
APPROVE AND RATIFY THE RENEWAL OF THE EXISTING AGREEMENTS
WITH HEARING OFFICERS FOR THE EXPULSION AND PUPIL RESIDENCY HEARINGS

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve and ratify the renewal of the existing agreements with the individual hearing officers listed below to provide hearing officer services to the Office of Schools and Regions at a cost not to exceed ~~\$235,000.00~~ \$284,000.00 in the aggregate. The hearing officers were selected pursuant to an application and interview process and have previously been appointed by the Board as hearing officers. Written renewal agreements for their services are currently being negotiated. No payment shall be made to any hearing officer prior to the execution of such hearing officer's written renewal. The authority granted herein shall automatically rescind in the event a written document is not executed within 60 days of the date of this Board Report.

This Amendment is necessary to (i) extend the term of the agreements with all of the hearing officers identified below at no additional cost to the Board; and (ii) modify the terms of payment for the hearing officers. A written amendment to each hearing officer's agreement is required. The authority granted in this amended Board Report shall automatically rescind in the event a written amendment is not executed within 60 days of the date of this amended Board Report.

This second amended Board Report is necessary to increase the compensation amount for the following hearing officers: David Hampton and Angela Harkless. A written amendment to each of these hearing officer's agreements is required. The authority granted in this second amended Board Report shall automatically rescind in the event a written amendment for David Hampton and Angela Harkless is not executed within 60 days of the date of this amended Board Report.

SPECIFICATION No.: 02-250111

HEARING OFFICERS:

- | | |
|---|---|
| <p>1. Johnnie M. Chen - \$10,000.00
Vendor Number 52150
1131 Lake St., #307
Oak Park, IL 60301</p> | <p>5. Angela Harkless - \$40,000.00
<u>+\$14,000.00 = \$54,000.00</u>
Vendor Number 52056
11546 S. Wentworth Ave, #1
Chicago, IL 60628
Telephone No. (773) 991-9681</p> |
| <p>2. Michael J. Dudek \$ 30,000.00
Vendor #: 30533
5253 West 95th Street
Oak Lawn, Illinois 60453</p> | <p>6. Christina Iturralde - \$25,000.00
Vendor Number 51624
205 W. Randolph
Chicago, IL 60606</p> |
| <p>3. Margaret Connolly Fitzpatrick \$25,000.00
Vendor #: 50687
1436 South Prairie
Chicago, Illinois 60605</p> | <p>7. Luis Padilla - \$40,000.00
Vendor Number 52069
1011 Lake St.
Oak Park, IL 60301
Telephone No. (708) 358-001</p> |
| <p>4. David Hampton-\$40,000.00+<u>\$35,000.00=\$75,000.00</u>
Vendor Number 51374
6105 S. Kimbark, 3N
Chicago, IL 60637
Telephone No. (773) 238-1297</p> | <p>8. Laura C. Zangara \$25,000.00
Vendor Number 10801
7241 West Greenleaf
Chicago, Illinois 60631
(773) 763-8934</p> |

USER: Office of Schools and Regions
125 South Clark
William McGowan
(773) 553-2150

ORIGINAL AGREEMENTS: The original Agreements for the Hearing Officers were awarded as follows:

1. Johnnie M. Chen: The original Agreement was authorized by Board Report 00-0426-AR10 for a period commencing June 19, 2000 and ending December 31, 2000, as extended through June 30, 2001 pursuant to Board Report 00-1220-PR39, as further extended through December 31, 2001 pursuant to Board Report 01-0627-PR64.
2. Michael Dudek: The original Agreement was authorized by Board Report 00-1220-PR41 for a period commencing February 5, 2001 and ending June 30, 2001, as extended through December 31, 2001 pursuant to Board Report 01-0627-PR64.
3. Margaret Fitzpatrick: The original Agreement was authorized by Board Report 00-0322-AR7 for a period commencing May 30, 2000 and ending December 31, 2000, as extended through June 30, 2001 pursuant to Board Report 00-1220-PR44, and as further extended through December 31, 2001 pursuant to Board Report 01-0627-PR64.
4. David Hampton: The original Agreement was authorized by Board Report 99-1027-AR9 for a period commencing September 16, 1999 and ending June 30, 2000, as extended through December 31, 2000 pursuant to Board Report 00-0726-AR7 and as further extended through June 30, 2001 pursuant to Board Report 00-1220-PR42, as extended through December 21, 2001 pursuant to Board Report 01-0627-PR64 as extended through June 30, 2002 pursuant to Board Report 01-1219-PR41.
5. Angela Harkless: The original Agreement was authorized by Board Report 00-1220-PR40 for a period commencing January 4, 2001 and ending June 30, 2001, as extended through December 21, 2001 pursuant to Board Report 01-0627-PR64, as further extended through June 30, 2002 pursuant to Board Report 01-1219-PR41.
6. Christina Iturralde: The original Agreement was authorized by Board Report 99-1027-AR8 for a period commencing September 16, 1999 and ending January 31, 2000, as extended through June 30, 2000 pursuant to Board Report 00-0126-AR10, as further extended through December 31, 2000 pursuant to Board Report 00-0726-AR7, as further extended through June 30, 2001 pursuant to Board Report 00-1220-PR45, and as further extended through December 31, 2001, pursuant to Board Report 01-0627-PR64.
7. Luis Padilla: The original Agreement was authorized by Board Report 00-0322-AR8 for a period commencing May 30, 2000 and ending December 31, 2000, as extended through June 30, 2001 pursuant to Board Report 00-1220-PR43, as extended through December 21, 2001 pursuant to Board Report 01-0627-PR64 as extended through June 30, 2002 pursuant to Board Report 01-1219-PR41.
8. Laura C. Zangara: The original Agreement was authorized by Board Report 01-0627-PR69 for a period commencing on July 1, 2001 ending on December 31, 2001.

RENEWAL TERM: The term of each agreement for Johnnie M. Chen, Michael Dudek, Margaret Fitzpatrick, Christina Iturralde and Laura C. Zangara: shall be renewed for a term commencing January 1, 2002 and ending December 31, 2002, June 30, 2003; and the term of each agreement for David Hampton and Angela Harkless shall be renewed for a term ending June 30, 2003, and Luis Padilla shall be renewed for a term commencing July 1, 2002 to December 31, 2002.

SCOPE OF SERVICES: Each Consultant shall continue to act as a hearing officer for student expulsion hearings, pupil residency hearings, Board Rule 6-28 and 6-29 hearings and chronic truancy hearings.

DELIVERABLES: Each Consultant shall continue to prepare a written summary of the evidence taken at the hearings, together with a recommendation, and forward that summary to the appropriate department.

OUTCOMES: The hearing officer shall render an impartial recommendation to the appropriate Region Education Officer which is submitted to the Chief Education Officer.

COMPENSATION: The hearing officers shall continue to be paid at the hourly rate stated in their individual agreement be paid as follows: a.) \$75.00 per completed hearing and written report, including summary of evidence and recommendation; b.) \$25.00 for every hearing assigned but canceled or postponed and not held on the day scheduled, not to exceed the sum indicated above for each hearing officer. Total compensation hereunder for all Consultants shall not exceed ~~\$235,000.00~~ \$284,000.00.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written renewal agreements. Authorize the President and Secretary to execute the renewal agreements.

AFFIRMATIVE ACTION: Pursuant to Section 6.2 of the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan), the Per Contract and Category Goals method for M/WBE participation will be utilized. Thus, contracts for subsequent vendors from the pool created by this contract will be subject to compliance reviews on a contract-by-contract basis. Aggregated compliance of the vendors in the pool will be reported on a quarterly basis.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: Charge to Office of Schools and Regions: $\$235,000 + \$49,000.00 = \$284,000.00$ Fiscal yr: 2003
Professional and Technical Services
Budget Classification: 0953-210-000-1026-5410

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 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.

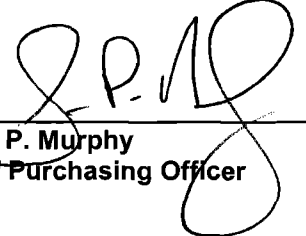
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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


Approved for Consideration:


Sean P. Murphy
Chief Purchasing Officer

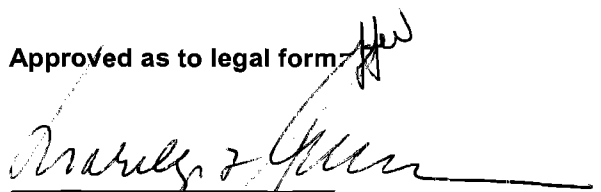
Within Appropriation:


Kenneth C. Gotsch
Chief Fiscal Officer

Approved:


Arne Duncan
Chief Executive Officer

Approved as to legal form:


Marilyn F. Johnson
General Counsel