

March 24, 2004

**REPORT REGARDING EARNESTINE JENKINS, A TENURED TEACHER  
ASSIGNED TO FULTON ELEMENTARY SCHOOL AND HER FAILURE TO REQUEST  
AN ILLINOIS STATE BOARD OF EDUCATION HEARING**

TO THE BOARD OF EDUCATION OF THE CITY OF CHICAGO:

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING ACTION:

That the results of the Board of Education's review of the documentation regarding the charges preferred against Earnestine Jenkins be reported. Accordingly, Earnestine Jenkins should be dismissed/~~retained~~ as a teacher employed by the Board of Education.

**DESCRIPTION:** Pursuant to Section 34-85 of the School Code of Illinois, 105 ILCS 5/34-85, a teacher with contractual continued service status whom the Board seeks to dismiss from employment is entitled to a hearing before an impartial hearing officer appointed by the Illinois State Board of Education if timely requested by the teacher. After the close of the hearing, the hearing officer shall report to the Chief Executive Officer findings of fact and a recommendation as to whether or not the teacher shall be dismissed from the Board of Education's employ. The Board of Education, after receiving the hearing officer's findings of fact and recommendation, shall make a decision as to whether the teacher shall be dismissed/~~retained~~ from the Board of Education's employ.

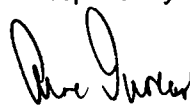
On January 12, 2004, a pre-suspension hearing was held in the Bureau of Labor and Employee Relations, to notify Earnestine Jenkins of the dismissal charges and specifications filed against her. Pursuant to Section 34-85 of the Illinois School Code, Earnestine Jenkins had ten (10) days in which to formerly request a State Board hearing. Earnestine Jenkins failed to request a hearing as allowed under Section 34-85 of the School Code of Illinois, 105 ILCS 5/34-85. Accordingly, Earnestine Jenkins is hereby dismissed/~~retained~~ as a teacher employed by the Board of Education.

**LSC REVIEW:** LSC Review is not applicable to this report.

**AFFIRMATIVE  
ACTION STATUS:** None.

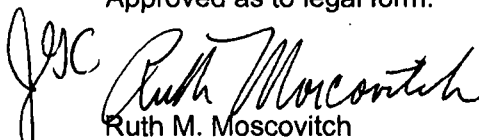
**FINANCIAL:** None.

Respectfully submitted,



Arne Duncan  
Chief Executive Officer

Approved as to legal form:



Ruth M. Moscovitch  
General Counsel