

June 23, 2010

**RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO
REGARDING THE REMOVAL AND REPLACEMENT OF THE PRINCIPAL OF THEODORE HERZL
ELEMENTARY SCHOOL AND THE TERMINATION OF THE PRINCIPAL'S CONTRACT**

WHEREAS, the Illinois School Code grants the Board authority to establish guidelines to determine the factors for placing an attendance center on probation (105 ILCS 5/34-8.3(b));

WHEREAS, pursuant to that authority, the Board adopted the "School Performance, Remediation and Probation Policy for the 2009-2010 School Year," (Board Report 09-0624-POZ) in June 2009;

WHEREAS, pursuant to said policy, Theodore Herzl Elementary School (Herzl) was placed on probation for the 2009-2010 school year with the school having been on probation for the last three (3) years and last five (6) out of six (6) years;

WHEREAS, the Illinois School Code further provides that when a probation school fails to make adequate progress to correct deficiencies within one year, the Chief Executive Officer (CEO), with the approval of the Board and after an opportunity for a hearing, may remove and replace the probation school's principal (105 ILCS 5/34-8.3(d));

WHEREAS, pursuant to Section V of the Board's Uniform Principal's Performance Contract, a principal's contract may be terminated before the expiration of its four-year term based upon the principal's removal pursuant to Section 5/34-8.3(d);

WHEREAS, a hearing was held on June 9, 2010, to consider whether the principal of Herzl, Patricia Surgeon, should be removed due to the school's failure to make adequate progress in correcting its academic deficiencies;

WHEREAS, an independent hearing officer has submitted a written report to the CEO summarizing all relevant evidence offered during the hearing, making findings of fact and recommending the removal of the Herzl Elementary School principal;

WHEREAS, the CEO has reviewed the Hearing Officer's findings of fact and recommendation and has recommended that Patricia Surgeon be removed and replaced as the principal of Theodore Herzl Elementary School and that Patricia Surgeon's four-year principal contract, with an effective date of December 18, 2008, be terminated;

WHEREAS, it is the opinion of the Board of Education of the City of Chicago that it is in the best interests of the Chicago Public Schools to remove and replace Patricia Surgeon as principal of Theodore Herzl Elementary School and to terminate Patricia Surgeon's principal contract;

NOW THEREFORE, be it resolved by the Board of Education of the City of Chicago, as follows:

Section 1: After considering the recommendation of the CEO, as well as the supporting findings of fact and recommendation of the hearing officer, and after a thorough review of the entire record of the principal removal hearing, that the Board of Education of the City of Chicago adopts the findings of the hearing officer and accepts the recommendation of the CEO.

Section 2: That Patricia Surgeon be removed and replaced as principal of Theodore Herzl and her principal's contract be terminated effective June 30, 2010.

Section 3: This Resolution shall take full force and effect upon its adoption.

THEREFORE, this Resolution is hereby adopted by the members of the Board of Education of the City of Chicago on June 23, 2010.