

**APPROVE SETTLEMENT AGREEMENT IN
LEVITT v. CHICAGO BOARD OF EDUCATION, NO. 99 C 7536**

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: On March 9, 2001, the Law Department entered into a settlement agreement with Plaintiffs Adam Levitt and Stephanie Mark, Individually and as Class Representatives, in the lawsuit brought by them against the Board in Levitt v. Chicago Board of Education, No. 99 C 7536 (Northern District of Illinois Federal court). The lawsuit related to a class action claim of violation of Fourth Amendment rights brought on behalf of students at Lincoln Park High School. The settlement agreement provides for completion of affidavits by each member of the plaintiff class concerning certain factual allegations and payment of a specified sum based upon the nature of the search alleged to have been conducted. Aggregate payment to the class is \$116,250 with a recapture clause returning any unclaimed funds to the Board, and payment of \$55,000.00 to class counsel, Gregory M. Kulis.

This report will require an amendment after the expiration of the opt-out period, at which time the parameters of the two classes and the number of claimants in each class are determined and approved by the Court.

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

FINANCIAL: Charge \$171,250.00 to Law Department
Budget Classification 0963-215-000-7062-5490.

AUTHORIZATION: Authorize the General Counsel to execute the Settlement Agreement, and all ancillary documents related thereto.

GENERAL CONDITIONS:

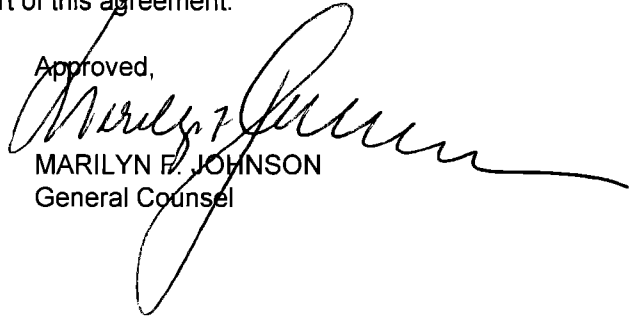
Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel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

Conflicts - The agreement is not 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 part of this agreement.

Ethics - The Board's Ethics Code adopted September 27, 1995 (95-0926-RU3), as amended from time to time, is hereby incorporated into and made part of this agreement.

Approved,



MARILYN F. JOHNSON
General Counsel

Within Appropriation:



KENNETH C. GOTSCH
Chief Fiscal Officer