

AUTHORIZE RETENTION OF FREDRICK H. BATES, ESQ.

THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING DECISION:

Retention of Fredrick H. Bates, Esq.

DESCRIPTION: Authorization is sought for the retention of the services of Mr. Bates as an independent hearing officer. Mr. Bates shall conduct a hearing which the Board of Education is authorized to convene pursuant to Section 5/34-8.3(f) of the Illinois School Code, 105 ILCS 5/34-8.3(f), and the Board's Policy on the "Criteria Governing Determination of Educational Crisis," 99-0825-PO3. Section 5/34-8.3(f) authorizes the Board to take immediate corrective action, including the actions specified in Section 5/34-8.3, without first placing a school on remediation or probation, when, among other things, the General Superintendent deems that the school is in educational crisis. Policy 99-0825-PO3 authorizes the General Superintendent to call a public hearing to consider whether the school shall be placed in educational crisis. Authorization in the amount of \$15,000 is requested. 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: None.

FINANCIAL: Charge \$15,000.00 - 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.

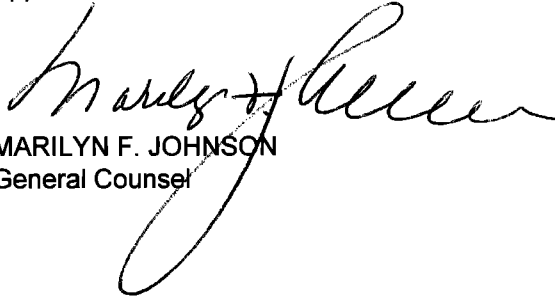
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board Members during the one-year period following expiration or other termination of their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

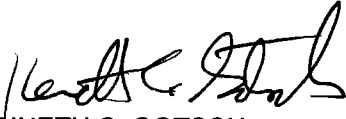
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in subsequent fiscal year budget(s).

Approved,



MARILYN F. JOHNSON
General Counsel

Within Appropriation:



KENNETH C. GOTSCH
Chief Fiscal Officer