

December 19, 2001

01-1219-RS23

**RESOLUTION DECLARING CERTAIN "SPECIAL NEEDS" AREAS
FOR THE 2001-2002 SCHOOL YEAR
PURSUANT TO THE CHICAGO BOARD OF EDUCATION'S RESIDENCY POLICY**

WHEREAS, the Chicago Board of Education ("Board") has the power to require its employees to be residents of the City of Chicago pursuant to Section 34-83.1 of the Illinois School Code (105 ILCS 5/34-1, et. seq.); and

WHEREAS, the Board has the power under Section 34-18(31) of the Illinois School Code to promulgate rules establishing procedures regarding the residence of its employees; and

WHEREAS, the Board has the power under Section 34-19 of the Illinois School Code to delegate to the general superintendent or to the attorney the authorities granted to the Board in the School Code provided such delegation and appropriate oversight procedures are made pursuant to board by-laws, rules, regulations, adopted pursuant to Section 34-19 of the Illinois School Code; and

WHEREAS, the Board, pursuant to the above articulated powers, promulgated its Residency Policy for All Employees of the Board of Education ("Residency Policy") on August 22, 2001; and

WHEREAS, the Residency Policy provides that all employees hired on or after November 20, 1996 will be required to be actual residents of the City of Chicago within six months from the day their employment begins. The one exception to this residency requirement will be for employees working in assessed *special needs* areas; and

WHEREAS, the Residency Policy provides that the Board may determine what positions, if any, constitute "special needs" areas, such that employees working in such areas may request exemptions from the Residency Policy for that given school year; and

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CHICAGO BOARD OF EDUCATION, as follows:

1. Applicants who wish to begin their employment with the Board may seek a modification of the Residency Policy if they are qualified and intend to work in one of the following job classifications that have been deemed a “special need” area, pursuant to the Residency Policy, for the 2001-2002 school year:
 - a. *Special education teachers.* This determination is made based on the fact that currently there are 382 special education teacher vacancies of which 76% have remained vacant for four (4) months or longer; and
 - b. *Mathematics teachers.* This determination is made based on the fact that currently there are 24 mathematics teacher vacancies of which 46% have remained vacant for four (4) months or longer; and
 - c. *Science teachers.* This determination is made based on the fact that currently there are 15 science teacher vacancies of which 60% have remained vacant for four (4) months or longer; and
 - d. *Librarians.* This determination is made based on the fact that currently there are 42 librarian vacancies of which 60% have remained vacant for four (4) months or longer; and
 - e. *Social workers.* This determination is made based on the fact that currently there are 11 social worker vacancies. The recommended ratio is one (1) social worker per 800 to 1000 students. Currently, the Chicago Public Schools has one (1) social worker per 1300 students;
 - f. *Counselors.* This determination is made based on the fact that currently there are 13 counselor vacancies. The recommended ratio is one (1) counselor per 350 elementary students, and one (1) counselor per 360 high school students. Currently, the Chicago Public Schools has one (1) counselors per 800 elementary students, and one (1) counselor per 360 high school students; and
 - g. *Speech pathologist.* This determination is made based on the fact that currently there are 9 speech pathologist vacancies. The recommended ratio is one (1) speech pathologist per 45 students. Currently, the Chicago Public Schools has one (1) speech pathologists per 70 students.
2. Applicants who qualify to work in a “special need” area must affirmatively apply for a one school year exemption of the Residency Policy by completing a supplemental form that will include the following information THAT:
 - a. The Board’s Residency Policy mandates residence within the City of Chicago;

- b. The applicant's request is only for a temporary modification of the Residency Policy that is valid for only one school year;
 - c. That the Board may change its assessment as to what job categories qualify as "special need" areas based upon a yearly determination of teaching positions that are in the most need within the Chicago Public Schools, or may determine that there are no positions that be deemed "special need" areas for a given school year;
 - d. In exchange for granting an employee a one school year exemption from the Residency Policy, the Board has the complete right and discretion to assign the employee to any school or program having a vacancy in the "special need" area;
 - e. The applicant forgoes the right to transfer to another school during the school year in which he or she is granted the one school year exemption from the Residency Policy; and
 - f. As any exemption to the Residency Policy is valid for only one school year, an applicant for such an exemption must request the exemption each year.
3. The findings that the job classifications, set forth in paragraph one, are a "special need" area are strictly a determination for the 2001-2002 school year. Accordingly, job classifications deemed "special need" for the 2001-2002 school year have no right nor entitlement to be exempted from the Board's Residency Policy in subsequent years.
 4. Even though the above-captioned job classifications have been found to be "special need" areas, applicants are encouraged to establish and/or maintain residence in the City of Chicago.
 5. The definitions set forth in paragraph one -- regarding the determination that a certain job classification is a "special need" area -- are subject to change from year to year.
 6. The Board shall determine no later than May of each year which job classifications, if any, shall be classified as "special need" for the upcoming school year.
 7. This Resolution shall be effective upon adoption, and shall replace all prior resolutions or other Board actions that may be construed as conflicting with any provision set forth herein.