

January 23, 2002

AUTHORIZATION TO RETAIN THE SERVICES OF GORDON FOSTER, PH. D., TO CONDUCT A HISTORICAL REVIEW OF THE DISTRICT'S FACULTY AND TO OFFER AN EXPERT OPINION OF COMPLIANCE UNDER THE DESEGREGATION CONSENT DECREE

THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:

Retention of the expert services of Gordon Foster, Ph.D.

DESCRIPTION: The Board authorized a focused analysis of the district's progress in achieving the goals of the federal desegregation consent decree to which it has been subject since 1980. To that end, the law department seeks to retain several individuals to serve as experts in various education-related disciplines. Those individuals will collect and examine the available data relevant to specific programs goals under the decree, including student and faculty assignments; discipline issues; funding obligations; compensatory education programs; bilingual education programs; transportation; and facility maintenance and construction. Following the experts' review, we anticipate that each will generate a summary report assessing historical achievements and, correspondingly, identifying and making recommendations with respect to any areas wherein we need improvement. The Board will then use that information to coordinate a viable future plan of action regarding the consent decree.

Dr. Gordon Foster comes highly recommended as a nationally recognized expert in the area of public education issues generally, and specifically with respect to faculty and staff desegregation issues. As his attached resume indicates, he is a professor emeritus at the University of Miami and served as the Director of the Miami University Desegregation Assistance Center for many years. Well published in the area of educational desegregation issues, Dr. Foster has led the work under numerous federal and state grants, fellowships and committees relative to educational desegregation issues. He has provided expert/consultant services in school desegregation cases across the nation, which are far too numerous to list here but are detailed on his attached resume.

With respect to the present project, Dr. Foster will conduct a detailed, school-by-school assessment of our faculty (including central office administrators). In addition to reviewing the multitude of faculty and staffing materials maintained by the district, Dr. Gordon will interview faculty administrators, including human resource department executives and staff, to gain further insight into the district's staffing. Dr. Foster ultimately will provide detailed analyses and opinions regarding the district's compliance with the consent decree faculty and staff goals, presently and historically, and offer recommendations for the future. We expect that a draft report will issue in April of 2002.

As detailed in attached proposed budget prepared by Dr. Foster, the projected cost for his services will approximate \$50,000.00. That cost breaks down to an estimated consultant time of approximately 4 months work, including travel. Dr. Foster requests payment in two installments. We have requested that he submit hourly billing statements to the law department on a monthly basis.

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

AFFIRMATIVE ACTION STATUS: Not applicable.

FINANCIAL: Charge \$50,000.00 to Law Department - Legal and Supportive Services - Professional Services: Budget Classification Fiscal Year 2002 0014-210-000-1011-5410

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.

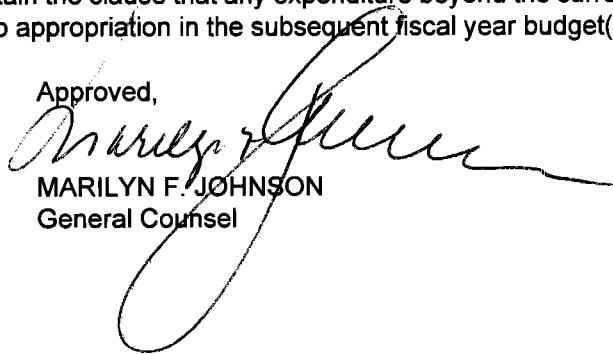
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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

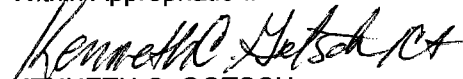
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved,



MARILYN F. JOHNSON
General Counsel

Within Appropriation:



KENNETH C. GOTSCH
Chief Fiscal Officer