

July 24, 2002

**REPORT REGARDING MARIA NOYOLA, A TENURED TEACHER
ASSIGNED TO EBERHART SCHOOL, AND HER FAILURE TO REQUEST
AN ILLINOIS STATE BOARD OF EDUCATION HEARING**

TO THE BOARD OF EDUCATION OF THE CITY OF CHICAGO:

THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING ACTION:

That the results of the Board of Education's review of the documentation regarding the charges preferred against Maria Noyola be reported. Accordingly, Maria Noyola should be dismissed/~~retained~~ as a teacher employed by the Board of Education.

DESCRIPTION: Pursuant to Section 34-85 of the School Code of Illinois, 105 ILCS 5/34-85, a teacher with contractual continued service status whom the Board seeks to dismiss from employment is entitled to a hearing before an impartial hearing officer appointed by the Illinois State Board of Education if timely requested by the teacher. After the close of the hearing, the hearing officer shall report to the Chief Executive Officer findings of fact and a recommendation as to whether or not the teacher shall be dismissed from the Board of Education's employ. The Board of Education, after receiving the hearing officer's findings of fact and recommendation, shall make a decision as to whether the teacher shall be dismissed/~~retained~~ from the Board of Education's employ.

On May 16, 2002, a pre-suspension hearing was held in the Bureau of Labor and Employee Relations, to notify Maria Noyola of the dismissal charges and specifications filed against her. Maria Noyola failed to be present for this hearing. Pursuant to Section 34-85 of the Illinois School Code, Maria Noyola has ten (10) days in which to formerly request a State Board hearing. Maria Noyola failed to request a hearing as allowed under Section 34-85 of the School Code of Illinois, 105 ILCS 5/34-85. Accordingly, Maria Noyola is hereby dismissed/~~retained~~ as a teacher employed by the Board of Education.

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

AFFIRMATIVE
ACTION STATUS: None.

FINANCIAL: None.

Respectfully submitted,

Arne Duncan
by *MPAD*

Arne Duncan
Chief Executive Officer

Approved as to legal form:

Marilyn F. Johnson
Marilyn F. Johnson
General Counsel