

**REPORT OF THE RESULTS OF THE BOARD OF EDUCATION'S REVIEW OF
THE FINDINGS OF FACT AND RECOMMENDATION OF THE
HEARING OFFICER REGARDING THE CHARGES PREFERRED AGAINST
DONALD RAINEY, A TEACHER ASSIGNED TO BARTON ELEMENTARY SCHOOL**

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 findings of fact and recommendation of the Hearing Officer regarding the charges preferred against Donald Rainey be reported. Accordingly, Donald Rainey 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. 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 June 29, 2002, Sol Elkin, a hearing officer appointed by the Illinois State Board of Education, issued his report and recommendation that Donald Rainey should be retained by the Board of Education. Thereafter, the Board of Education reviewed the transcript of proceedings and post-hearing briefs, along with the recommendation of the hearing officer, and statements from the parties, and determined that it would ~~accept the hearing officer's findings of fact and recommendation~~/reject the hearing officer's findings of fact and recommendation. Accordingly, Donald Rainey 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
Arne Duncan *by PAT*
Chief Executive Officer

Approved as to legal form:

Marilyn F. Johnson
Marilyn F. Johnson
General Counsel