

**REPORT REGARDING MARIO DE LA HAYE, A TENURED TEACHER  
ASSIGNED TO MARQUETTE SCHOOL AND HIS 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 Mario De La Haye be reported. Accordingly, Mario De La Haye 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 February 24, 2003, a pre-suspension hearing was held in the Bureau of Labor and Employee Relations, to notify Mario De La Haye of the dismissal charges and specifications filed against him. Mario De La Haye failed to be present for this hearing. Pursuant to Section 34-85 of the Illinois School Code, Mario De La Haye has ten (10) days in which to formerly request a State Board hearing. Mario De La Haye failed to request a hearing as allowed under Section 34-85 of the School Code of Illinois, 105 ILCS 5/34-85. Accordingly, Mario De La Haye 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.

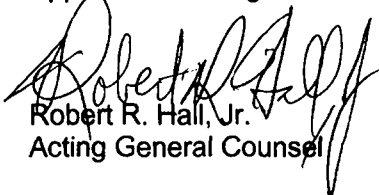
**FINANCIAL:** None.

Respectfully submitted,



Arne Duncan  
Chief Executive Officer

Approved as to legal form:



Robert R. Hall, Jr.  
Acting General Counsel