

**APPROVE ENTERING INTO AGREEMENTS WITH HEARING OFFICERS
FOR EXPULSION, TRUANCY, TUITION RESIDENCY, AND
BOARD RULE 6-28, 6-29, AND 6-30 HEARINGS**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into agreements with the individual hearing officers listed below to provide hearing officer services to the Office of Schools and Regions and the Law Department at a cost not to exceed \$215,000.00 in the aggregate. The hearing officers were selected on a non-competitive basis pursuant to an application and interview process and have previously served the Board as hearing officers. Written agreements for their services are currently being negotiated. No payment shall be made to any hearing officer prior to the execution of such hearing officer's written agreement. The authority granted herein shall automatically rescind as to each hearing officer in the event a written agreement is not executed within 60 days of the date of this Board Report. Information pertinent to these agreements is listed below.

SPECIFICATION No.: 03-250132

HEARING OFFICERS:

- | | |
|---|---|
| <p>1. Michael J. Dudek
Vendor Number 30533
5253 West 95th Street
Oak Lawn, Illinois 60453
(708) 424-6100</p> | <p>5. Christina Iturralde
Vendor Number 51624
205 W. Randolph
Chicago, IL 60606
(773) 254-4208</p> |
| <p>2. Margaret Connolly Fitzpatrick
Vendor Number 50687
3824 North Keeler
Chicago, Illinois 60641
(312) 953-6547</p> | <p>6. Luis Padilla
Vendor Number 52069
1011 Lake St.
Oak Park, IL 60301
(708) 358-001</p> |
| <p>3. David Hampton
Vendor Number 51374
6105 S. Kimbark, 3N
Chicago, IL 60637
(773) 238-1297</p> | <p>7. Laura C. Zangara
Vendor Number 10801
7241 West Greenleaf
Chicago, Illinois 60631
(773) 763-8934</p> |
| <p>4. Angela Harkless
Vendor Number 52056
11546 S. Wentworth Ave, #1
Chicago, IL 60628
(773) 991-9681</p> | <p>8. Dwight Beck
Vendor Number 36593
1501 E. 13th Place
Ford Heights, Illinois 60411
(708) 758-4725</p> |

USER: Law Department
125 South Clark
Ruth M. Moscovitch
(773) 553-1700

Office of Schools and Regions
125 South Clark
William McGowan
(773) 553-2150

TERM: The term of each agreement shall commence July 1, 2003 and shall end June 30, 2004.

EARLY TERMINATION RIGHT: The agreements may be terminated by the Board upon 15 calendar days notice of default to the hearing officers, provided that the hearing officers do not cure during such 15 day period.

SCOPE OF SERVICES: Each hearing officer shall act as a hearing officer for student expulsion hearings, truancy hearings, or tuition residency hearings, as assigned by the General Counsel or her designee.

DELIVERABLES: Each hearing officer shall prepare a written summary of the evidence taken at the hearings, together with a recommendation, and forward that summary to the appropriate department.

OUTCOMES: The hearing officers shall render impartial recommendations to the Chief Education Officer or her designee.

COMPENSATION: For expulsion and truancy hearings, the hearing officers shall be paid as follows: a) \$75.00 per completed hearing and submission of a written report, including a summary of the evidence and a recommendation; and b) \$25.00 for every hearing assigned but canceled or postponed and not held on the day scheduled. For tuition residency and Board Rule 6-28, 6-29 and 6-30 hearings, the hearing officers shall be paid at the rate of \$30.00 per hour. No hearing officer shall be compensated more than \$60,000 during the term of this contract. Total compensation payable to all hearing officers shall not exceed \$215,000.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreements. Authorize the President and Secretary to execute the agreements. Authorize the General Counsel to execute any and all ancillary documents required to administer or effectuate these agreements.

AFFIRMATIVE ACTION: Pursuant to Section 6.2 of the Revised Remedial Plan for Minority and Women Business Enterprise Contract Participation (M/WBE Plan), the Per Contract and Category Goals method for M/WBE participation will be utilized. Aggregated compliance of the vendors in the pool will be reported on a monthly basis. The M/WBE participation goals for this contract include: 35% total MBE, 22% total African American, 10% total Hispanic, 2% total Asian and 5% total WBE.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: Charge to Office of Schools and Regions: \$165,000 Fiscal yr: 2004
Professional and Technical Services - Expulsions
Budget Classification: 0953-210-000-1026-5410

Charge to Law Department: \$10,000 Fiscal yr. 2004
Professional and Technical Services – Pupil Residency and 6-28, 6-29, and 6-30 Hearings
Budget Classification: 0014-210-000-1011-5410

Charge to Law Department: \$40,000 Fiscal yr. 2004
Professional and Technical Services – Truancy
Budget Classification: 0014-210-000-3052-5410

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 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.

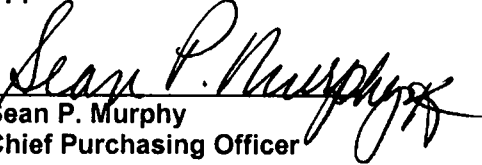
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their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


Sean P. Murphy
Chief Purchasing Officer


Approved:


Arne Duncan *(BY PAM)*
Chief Executive Officer

Within Appropriation: *BS*


Peggy A. Davis
Chief of Staff

Approved as to legal form: *HW*


Ruth M. Moscovitch
General Counsel