

AUTHORIZE RETENTION OF MICHAEL J. HERNANDEZ, ESQ., OF THE FIRM FRANZCEK SULLIVAN, FREDRICK H. BATES, ESQ., AND RICHARD TRAVIS, ESQ.

THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING DECISION:

Retain Michael J. Hernandez, Esq., of the firm Franczek Sullivan, Fredrick H. Bates, Esq., and Richard Travis, Esq., to serve as independent hearing officers for local school council pre-election challenge hearings.

DESCRIPTION: Retain Michael J. Hernandez, Fredrick H. Bates and Richard Travis to serve as independent hearing officers for local school council pre-election challenge hearings. Mr. Hernandez is of the firm Franczek Sullivan. Authorization is requested in the amount of \$30,000. As invoices are received, they shall be reviewed by the General Counsel and, if satisfactory, processed for payment.

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

AFFIRMATIVE ACTION STATUS: Affirmative action status is not applicable to this report.

FINANCIAL: Charge \$30,000.00 to Law Department-Legal and Supportive Services – Professional Services:
Fiscal Year 2004 Budget Classification.....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 subsequent fiscal year budget(s).

Approved,

RUTH M. MOSCOVITCH
General Counsel

Within Appropriation:

JOHN MAIORCA
Chief Financial Officer