

**RESOLUTION AUTHORIZING THE HONORABLE TERMINATION  
OF REGULARLY CERTIFIED AND APPOINTED TEACHERS**

**WHEREAS**, the Chicago Board of Education ("Board") has the power under Section 34-8.1 of the Illinois School Code (105 1LCS 5/34-1, *et. seq.*) to layoff employees; and

**WHEREAS**, the Board has the power under Section 34-18(31) of the Illinois School Code to promulgate rules establishing procedures governing the layoff or reduction in force of employees; and

**WHEREAS**, the Board has the power under Section 34-19 of the Illinois School Code to delegate to the Chief Executive Officer or to the General Counsel the authorities granted to the Board provided that such delegation and appropriate oversight procedures are made pursuant to Board by-laws, rules, regulations, adopted pursuant to Section 34-19 of the Illinois School Code; and

**WHEREAS**, the Board, pursuant to the above articulated powers, promulgated its Policy Regarding Reassignment and Layoff of Regularly Appointed and Certified Teachers ("Reassignment Policy") on July 23, 1997; and

**WHEREAS**, the Reassignment Policy provides that teachers honorably terminated under its provisions, who are rehired in a permanent teaching position within two school years after their honorable termination, shall have their tenure and prior seniority restored as of the date of rehire; and

**WHEREAS**, the employee(s) identified on Attachment A were removed from the attendance center to which they were assigned pursuant to Section 2 of Board Policy 97-0723-PO2, and each employee received a notice of removal; and

**WHEREAS**, all of the identified employees failed to secure a permanent appointment within at least 10 school months after they received their notice of removal and were thereafter served with at least 14 days notice that they would be honorably terminated from service.

**NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CHICAGO BOARD OF EDUCATION** as follows:

1. That the employee(s) listed on Attachment A are honorably terminated from service effective April 28, 2004, pursuant to the Board's Reassignment Policy.
2. That this formal Board action shall not constitute a waiver of its legal arguments in connection with pending litigation captioned Maurice Land, et al., v. Board of Education of the City of Chicago, No. 03-CH-3477.
3. That those employee(s) listed on Attachment A who are rehired to a permanent teaching position on or before April 28, 2006, shall have their tenure restored, if tenured at the time of their honorable termination, and have their full seniority restored as of the date of their rehire, without any further formal Board action.
4. That this Resolution shall be effective upon adoption, and shall replace all prior resolutions or other Board actions that are in conflict herewith.

FINAL

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04-0428-RS9

**ATTACHMENT A**

**REASSIGNED TEACHERS SCHEDULED FOR HONORABLE TERMINATION  
APRIL 28, 2004**

**LAST NAME**

**FIRST NAME**

Baker  
Moore

Queen  
Elaine