

**APPROVE TERMINATION OF KEITH FOLEY'S UNIFORM PRINCIPAL'S CONTRACT (BOARD REPORT #03-0924-EX18), RESCISSION OF KEITH FOLEY'S NOTICE OF INTENT TO RETIRE AND RESIGNATION PURSUANT TO BOARD RULE 4-16(b), AND RATIFY EMPLOYMENT AGREEMENT WITH KEITH FOLEY**

**THE CHIEF EXECUTIVE OFFICER RECOMMENDS THE FOLLOWING:**

That the Board of Education approve the termination of Keith Foley's ("Foley") Uniform Principal's Contract (Board Report # 03-0924-EX18 effective December 19, 2003 to December 18, 2007) effective August 1, 2006, ratify any actions taken by Foley or at his direction by the administration of Lane Tech High School from August 1 to August 23, 2006, approve the rescission of Foley's Notice of Intent to Retire and Resignation pursuant to Board Rule 4-16(b), and ratify a four (4) year employment agreement with Foley as a High School Principal Development Officer effective August 1, 2006.

Foley is eligible to rescind his notice of intent to retire inasmuch as 1) Foley has received a firm offer to fill a vacant position for which a Type 75 administrative certificate is a required or desired qualification for a period after his effective date of his resignation or retirement; 2) Foley has requested to rescind his resignation or notice of intent to retire before the effective date of the resignation or notice of intent to retire; 3) Foley has a record of performance with the Board that, in the judgment of the Board's Chief Executive Officer, demonstrates that he is uniquely qualified to fill the position offered to him; and 4) Foley and the Board further agree that in satisfaction of Board Rule 4-16(b)(iv) and (b)(v), Foley shall repay to the Board all monies paid to him in connection with his enrollment in the Board's Pension Enhancement Program (PEP), the Board shall credit Foley's sick day bank, and that an appropriate credit, if any, shall be sought from the Teachers' Pension Fund based upon pension contributions made in connection to Foley's enrollment in the PEP.

A written employment agreement is currently being negotiated with Foley.

The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

**EMPLOYEE:** Keith Foley  
906 South Mitchell  
Arlington Heights, IL 60005  
(773) 407-6879

**USER:** Office of High School Programs  
125 South Clark Street, 12<sup>th</sup> Floor  
Donald R. Pittman  
(773) 553-3540

**TERM:** The term of this agreement shall commence on August 1, 2006 and shall end on June 30, 2010.

**SCOPE OF SERVICES:** Effective August 1, 2006, Foley shall become a High School Principal Development Officer and shall be assigned to the Office of High School Programs on a year-to-year basis to mentor a contract, interim or acting principal at an assigned high school(s). Foley shall be assigned as a High School Principal Development Officer at Marshall High School for the period of August 1, 2006 to June 30, 2007. The Chief Officer of High School Programs shall assign Foley to a school(s) in each successive year of this contract.

**DELIVERABLES:** Improved instructional and administrative leadership at assigned high schools.

**OUTCOMES:** Employee's services will result in improved instructional leadership at assigned high schools.

**COMPENSATION:** Employee shall be paid a base salary equivalent to \$137,724.08 annually. Each year his base salary shall increase such that it is the equivalent of grade A70, Step 8 administrative salary. Employee shall also be paid an incentive salary of \$10,000.00 during the period of August 1, 2006 to June 30, 2007, and may be paid an incentive salary of \$8,000.00 yearly for each subsequent year of the Agreement if the assigned school(s) meet(s) identified goals relating to student attendance, reading PSAE scores, student gains increases, and freshmen on academic track.

**AUTHORIZATION:** Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the agreement. Authorize the Chief Officer of High School Programs to execute all ancillary documents required to administer or effectuate this agreement.

**AFFIRMATIVE ACTION:** Not applicable

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

**FINANCIAL:**

Charge to Office of High School Programs: \$137,724.08 plus benefits Fiscal Year: 2007  
Budget Classification: 11325-115-51100-212001-000000 Source of Funds: General Fund  
Requisition Number: Position Number Pending

**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 June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

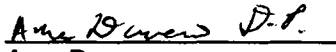
Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

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).

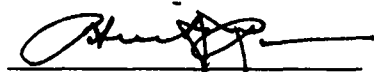
**Within appropriation:**

**Respectfully submitted:**

  
John Maiorca  
Chief Financial Officer

  
Arne Duncan  
Chief Executive Officer

**Approved as to legal form:**

  
Patrick J. Rocks  
General Counsel