

AUTHORIZE ADDITIONAL EXPENDITURE OF FUNDS FOR COURT APPOINTED MONITOR IN THE MATTER OF COREY H. v. BOARD OF EDUCATION OF THE CITY OF CHICAGO, et al., CASE NO. 92 C 3409

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize funds to pay for the court appointed monitor, Kathleen Yannias, and her assistants Bonita Chapman, Jan Hicks, Candace Anderson and Cynthia Turner in the matter of Corey H. v. Board of Education of the city of Chicago, et al., Case No. 92 C 3409 in the amount of \$485,050.00 for fiscal year 2008.

DESCRIPTION: Pursuant to Board Report 97-0924-AR3, the Board agreed to enter into a settlement agreement to resolve this matter. Pursuant to Court order dated January 16, 1998, the Honorable Joseph Schneider was appointed Court Monitor to oversee compliance by the Board during the pendency of the Settlement Agreement. Judge Schneider retired and Kathleen Yannias was also appointed as Court Monitor effective January 1, 2004. Pursuant to the Settlement Agreement, the Chicago Board of Education's original portion of the budget for the monitor was \$170,000 annually. By Court order, the Chicago Board's portion of the Monitor's expenses has been increased to \$242,525.00 annually. We request authorization to accept monies in the amount of \$242,525.00 from the Illinois State Board of Education to pay the expenses of the monitor and assistants.

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

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge \$485,050.00 to Office of Specialized Services Professional Services:
Budget Classification Fiscal Year 2008.....0966-220-*435-7727-5410 FY08
Charge \$242,525.00 to Office of Specialized Services – Federal Special Education IDEA Programs – Professional Services:
Budget Classification Fiscal Year 2008.....0966-210-*000-7727-5410 FY08
Charge \$242,525.00 to Office of Specialized Services – General Education Fund
*Project Number Subject to Change in subsequent fiscal years

GENERAL CONDITIONS:

Inspector General – Each party to the agreement shall knowledge, 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.

Conflict – 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 June 23, 2004 (04-0626-PO4), 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).

Respectfully Submitted:

Approved:

Barbara Eason-Watkins

Barbara Eason-Watkins
Chief Education Officer *HW*

Arne Duncan

Arne Duncan
Chief Executive Officer

Within Appropriation:

Approved as to legal form:

Pedro Martinez

Pedro Martinez
Chief Financial Officer

Patrick J. Rocks

Patrick J. Rocks
General Counsel *PR*