

**APPROVE PAYMENT OF PROPOSED SETTLEMENT WITH MARK MOSKOWITZ**

**THE GENERAL COUNSEL REPORTS THE FOLLOWING PROPOSED SETTLEMENT:**

**DESCRIPTION:** Pursuant to the settlement agreement tentatively reached in Case No. 05 C 7172 Mark Moskowitz v. the Board of Education of the City of Chicago, Arne Duncan and Michael Scott and the companion Illinois State Board of Education dismissal proceeding against Moskowitz, the parties have reached a settlement, subject to Board approval, disposing of all Mark Moskowitz's claims, attorneys' fees and costs associated with underlying proceedings. The General Counsel recommends approval of the settlement, which calls for the payment of ninety thousand dollars (\$90,000.00) in salary for all of Mark Moskowitz's claims, including attorneys' fees and costs.

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

**AFFIRMATIVE ACTION STATUS:** Affirmative Action review is not applicable to this report.

**FINANCIAL:** Charge \$90,000.00 as described above to Law Department  
Budget Classification Fiscal Year 2012.....12470-115-54530-231122-000000

**AUTHORIZATION:** Authorize the General Counsel to execute the Settlement Agreement and all ancillary documents related thereto.

**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 member 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 May 25, 2011 (11-0525-PO2), 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).

Approved,



PATRICK J. ROCKS  
General Counsel

Within Appropriation:



DAVID WATKINS  
Chief Financial Officer