

RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO REGARDING THE SETTLEMENT OF CHICAGO TEACHERS UNION GRIEVANCE NUMBER 10-08-140, BROUGHT ON BEHALF OF ANDRE COPELAND, TENURED TEACHER, ASSIGNED TO AVALON PARK ELEMENTARY SCHOOL

WHEREAS, in March 2010, the Chicago Teachers Union (“CTU”) filed Grievance No.10-03-185 (“Grievance One”) on behalf of Andre Copeland (“Copeland”), a tenured teacher assigned to Avalon Park Elementary School, alleging, among other things, that former Avalon Park Principal, Shontae Higginbottom (“Higginbottom”), issued Copeland an “unsatisfactory” efficiency rating (during the 2009-2010 school year) in retaliation for his having engaged in concerted activity;

WHEREAS, Arbitrator Steven Briggs (“Arbitrator Briggs”) ruled that Higginbottom had, in fact, given Copeland the “unsatisfactory” rating because Copeland had filed multiple grievances against her during the 2009-2010 school year;

WHEREAS, Arbitrator Briggs ordered the Board “to rescind the ‘unsatisfactory’ rating and expunge all reference to that rating from [Copeland’s] official file(s),” and the Board has implemented that arbitration Award;

WHEREAS, approximately four months after the CTU filed Grievance One, Copeland was laid off, out of order of seniority, because of his “unsatisfactory” rating and as part of the massive economic layoffs in 2010;

WHEREAS, the CTU then filed Grievance No. 10-08-140 (“Grievance Two”), challenging the legality of Copeland’s layoff;

WHEREAS, there is no dispute that Copeland would not have been laid off in 2010, but for his “unsatisfactory” rating, and that Arbitrator Briggs’s Award erases that rating, leaving Copeland with a “no rating” for the 2009-2010 school year; and

WHEREAS, the Board and Copeland executed a settlement and general release agreement in December 2012, in which Copeland agreed to withdraw Grievance Two and grant the Board a general release in exchange for reinstatement back pay

WHEREAS, the Board reinstated Copeland to Avalon Park on July 1, 2012, in order to cut off his back pay damages.

NOW THEREFORE, be it resolved by the Board of Education of the City of Chicago, as follows:

Section 1: Andre Copeland is hereby granted full back pay in the amount of \$171,837.34, minus any and all interim earnings.

Section 3: This Resolution shall take full force and effect upon its adoption.

THEREFORE, this Resolution is hereby adopted by the members of the Board of Education of the City of Chicago on January 23, 2013.