

April 26, 2017

**AMEND BOARD REPORT 16-0224-AR8
APPROVE SETTLEMENT RECOMMENDATION IN BENUZZI v. BOARD OF EDUCATION
(CASE NO. 09 C 3510)**

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: Law Department attorneys have tentatively reached a settlement, subject to Board approval, in connection with a lawsuit filed in the United States District Court for the Northern District of Illinois by the United States on behalf of Jessica Benuzzi, former building engineer at Pershing West Magnet School. The settlement would dispose of all claims and costs associated with the underlying lawsuit. The General Counsel recommends approval of the settlement, total award of \$212,500.00, which calls for the payment of compensatory damages in the amount of ~~one hundred fifty nine thousand, three hundred twenty five dollars and zero cents (\$159,325.00)~~ and pensionable back pay, less legally required deductions, in the amount of ~~fifty three thousand, one hundred twenty five dollars and zero cents (\$53,175.00)~~.

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

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

FINANCIAL: Charge a total of \$212,500.00 as described above to the Law Department.
Budget Classification Fiscal year 2017.....12470-115-54530-231122-000000

~~Charge pensionable payments not to exceed \$53,125.00 as described above to Law Department. Budget Classification Fiscal Year 2016.....12470-115-54530-231122-000000~~

~~Charge compensatory damages not to exceed \$159,325.00 as described above to Law Department. Budget Classification Fiscal Year 2016~~

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 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 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,

RONALD L. MARMOR
General Counsel 