

December 16, 2020

**AUTHORIZE RETENTION OF THE LAW FIRM  
SCHARF BANKS MARMOR LLC**

**THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:**

Retention of the law firm Scharf Banks Marmor LLC .

**DESCRIPTION:** The General Counsel has retained the law firm Scharf Banks Marmor LLC to provide independent counsel to agents (including employees and former employees) of the Board for whom the Board has statutory obligation to provide counsel but for whom in-house counsel is unavailable due to a real or perceived and potential conflicts of interest in the matter of *Doe I and Doe II v. Chicago Board of Education, et al.*, Case No. 20-CV-06486. The General Counsel also seeks authorization to retain the firm in such other matters as determined by the General Counsel. Authorization is requested in the amount of \$50,000 for the firm’s services. As invoices are received, they will be reviewed by the General Counsel and, if satisfactory, processed for payment.

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

**AFFIRMATIVE ACTION STATUS:** This firm is a WBE.

**FINANCIAL:** Charge \$50,000.00 to Law Department - Professional Services:  
Budget Classification Fiscal Year 2021.....10210-115

**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,

DocuSigned by:

*Joseph T. Moriarty*

JOSEPH T. MORIARTY  
General Counsel