

**RESOLUTION DECLARING CERTAIN "SPECIAL NEEDS" AREAS
FOR THE 2004-2005 SCHOOLYEAR
PURSUANT TO THE CHICAGO BOARD OF EDUCATION'S RESIDENCY POLICY**

WHEREAS, the Chicago Board of Education ("Board") has the power to require its employees to be residents of the City of Chicago pursuant to Section 34-83.1 of the Illinois School Code (105 ILCS 5/34-8-3.1 2004); and

WHEREAS, the Board has the power under Section 34-18(31) of the Illinois School Code to promulgate rules establishing procedures regarding the residence of its employees; and

WHEREAS, the Board, pursuant to the above articulated powers, promulgated its Residency Policy for its employees ("Residency Policy") on August 22, 2001; and

WHEREAS, the Residency Policy provides that all employees hired on or after November 20, 1996 will be required to be actual residents of the City of Chicago within six months from the day their employment begins. The one exception to this residency requirement will be for employees working in assessed *special needs* areas; and

WHEREAS, the Residency Policy provides that the Board may determine what positions, if any, constitute "special needs" areas, such that the employees working in such areas may request exemptions from the Residency Policy for that given school year; and

WHEREAS, a "special needs" exemption from the Residency Policy shall be for the 2004-2005 school year only.

NOW THEREFORE, BE IT HEREBY RESOLVED BY THE CHICAGO BOARD OF EDUCATION, as follows:

1. Applicants who wish to begin their employment with the Board may seek a modification of the Residency Policy if they are qualified and intend to work in one of the following job classifications that have been deemed a "special needs" area, pursuant to the Residency Policy, for the 2004-2005 school year:
 - a. Special education teachers. This determination is made based on the fact that in August 2003, 493 special education vacancies existed, and as of April 2004, 319.8 special education teacher vacancies existed,
 - b. Mathematics teachers. This determination is made based on the fact that in August 2003, 194.5 mathematics vacancies existed, and as of April 2004, 71.5 mathematic teacher vacancies existed.

- c. Science Teachers. This determination is made based on the fact that in August 2003, 68 science vacancies existed, and as of April 2004, 55.4 science teacher vacancies existed.
 - d. Librarians. This determination is made based on the fact that in August 2003, 144 library vacancies existed, and as of April 2004, 88.5 library vacancies existed.
 - e. School Psychologists. This determination is made based on the fact that in August 2003, 6 school psychologist vacancies existed, and as of April 2004, 16 school psychologist vacancies existed, and it is anticipated that an additional 25 psychologists will be required based on expected attrition.
 - f. Guidance Counselors. This determination is made based on the fact that in August 2003, 110 guidance counselor vacancies existed, and as of April 2004, 80.6 guidance counselor vacancies existed, and it is anticipated that an additional 37 guidance counselors will be required based on expected attrition.
 - g. Speech pathologists. This determination is made based on the fact that in August 2003, 15 speech pathologist vacancies existed, and as of April 2004, 9 speech pathologist vacancies existed, and it is anticipated that an additional 70 speech pathologists will be required based on expected attrition and new agreements with respect to case load requirements.
 - h. School Nurses. This determination is made based on the fact that in August 2003, 8 school nurse vacancies existed, and as of April 2004, 14 school nurse vacancies existed, and, it is anticipated that an additional 32 nurses will be required based on expected attrition.
 - i. Reading Teachers. This determination is made based on the fact that in August 2003, 114.5 reading vacancies existed, and as of April 2004, 51.7 reading vacancies existed. In addition, CPS has announced a special initiative that will result in the creation of 286 new Reading positions for those schools that are on probation.
 - j. Bilingual Teachers. This determination is made based on the fact that in August 2003, 104.5 bilingual vacancies existed, and as of April 2004, 73.5 bilingual teacher vacancies existed. In addition, there are 100 bilingual teachers with expiring bilingual (Type 29) certificates,
 - k. Physical Education Teachers. This determination is made based on the fact that in August 2003, 137 physical education vacancies existed and as of April 2004, 95.5 physical education vacancies existed.
2. Applicants who qualify to work in a "special needs" area must affirmatively apply for one school year exemption of the Residency Policy by completing a supplemental form that will include the following information THAT:
- a. The applicant's request is only for a temporary modification of the Residency Policy valid for the 2004-2005 school year.
 - b. The Board may change its assessment as to what job categories qualify as "special needs" areas based upon a yearly determination of teaching positions that are in the most need.
 - c. In exchange for granting an employee a one school year exemption from the Residency Policy, the Board has the complete right and discretion to assign the employee to any school or program having a vacancy in the "special needs" areas.

- d. The applicant forgoes the right to transfer to another school during the school year in which he or she is granted the one school year exemption from the Residency Policy.
 - e. Any exemption to the Residency Policy is valid for only one school year therefore an applicant for such an exemption must request the exemption each year.
3. The findings that the job classifications, set forth in paragraph one, are "special needs" will be for the 2004-2005 school year only. Accordingly, job classifications deemed "special needs" for the 2004-2005 school year have no right nor entitlement to be exempted from the Board's Residency Policy in subsequent years.
 4. Even though the above-captioned job classifications have been found to be "special needs" areas, applicants are encouraged to establish and/or maintain residence in the City of Chicago.
 5. The definitions set forth in paragraph one – regarding the determination that a certain job classification is a "special needs" area – are subject to change from year to year.
 6. The Board shall determine in May of each year which job classifications, if any, shall be classified as "special needs" for the upcoming school year.
 7. This resolution shall be effective upon adoption, and shall replace all prior resolutions or other Board actions that may be construed as conflicting with any provision set forth herein.