

**RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO
DECLARING CERTAIN ACTS OF MISCONDUCT BY EMPLOYEES TO BE PARTICULARLY
EGREGIOUS WARRANTING SEVERE DISCIPLINARY ACTION**

WHEREAS, the Chicago Board of Education ("Board") is vested with the authority to establish terms and conditions of employment and to establish procedures to discipline its employees that engage in acts of misconduct pursuant to Sections 34-8.1, 34-16, 34-17, 34-18, and 34-85 of the Illinois School Code (105 ILCS 5/34-1, et. seq.); and

WHEREAS, the Board adopted a new Employee Discipline and Due Process Policy ("Policy") this 28th day of July, 2004, that sets forth specific procedures to discipline employees that engage in acts of misconduct; and

WHEREAS, all employees of the Board shall be covered by the new Policy, and shall be given adequate notice as to the contents of the Policy; and

WHEREAS, this Policy sets forth specific acts of misconduct, and identifies recommended disciplinary options for employees that engage in such acts of misconduct; and

WHEREAS, while the Board embraces the concept of progressive and corrective discipline, certain acts of employee misconduct warrant the severest penalties due to the psychological or physical harm or injury caused to students, or where the misconduct severely disrupts the orderly educational process in a Chicago Public School; and

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

1. The Board deems that certain acts of employee misconduct are irremediable and warrant discharge of any employee who engaged in such conduct immediately and without further warning and said acts of misconduct are set forth in Sections 4 and 5 of the Policy's Acts of Misconduct Section.
2. Without limiting the types of misconduct that may lead to immediate discharge as set forth in Sections 4 and 5 of the Policy's Acts of Misconduct Section, the Board deems it in the best interest of its students and employees to further emphasize that the following acts of misconduct are prohibited and shall be presumed, absent mitigating factors, to be irremediable and shall justify immediate discharge of employees:
 - a. Sexual misconduct involving a student in violation of Section 4-7 or 5-10 of the Employee Discipline and Due Process Policy's Acts of Misconduct Section.
 - b. Degrading or hateful language or epithets used in the presence of students in violation of Sections 4-2 or 5-16 of the Policy's Acts of Misconduct Section.
 - c. Corporal punishment that results in the deliberate use of physical force with a student in violation of Section 4-25 of the Policy's Acts of Misconduct Section.
3. This Resolution shall be distributed to all employees of the Chicago Public Schools and their collective bargaining representatives and shall be deemed adequate forewarning of the types of misconduct that shall lead to immediate discharge.
4. This Resolution shall be effective upon adoption and shall supercede all prior resolutions or other Board actions that may be construed as in conflict with its terms.