

September 22, 2004

AMEND BOARD REPORT 04-0728-AR9
AUTHORIZE ADDITIONAL EXPENDITURE OF FUNDS FOR
COURT APPOINTED MONITOR IN THE MATTER OF
COREY H. v. BOARD OF EDUCATION OF THE CITY OF CHICAGO, et al.,
CASE NO. 92 C 3409

THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:

To authorize funds to pay for the court appointed monitor, Kathleen Yannias, and her assistants Rodney Estvan, Bonita Chapman, and Jan Hicks and to add Jan Harris as an additional assistant to the monitor, in the matter of Corey H. v. Board of Education of the City of Chicago, et al., Case No. 92 C 3409 in the amount of ~~\$304,525.00~~ \$547,050.00 for fiscal year 2005.

DESCRIPTION: Pursuant to Board Report 97-0924-AR3, the Board agreed to enter into a settlement agreement to resolve this matter. Pursuant to Court order dated January 16, 1998, the Honorable Joseph Schneider was appointed Court Monitor to oversee compliance by the Board during the pendency of the Settlement Agreement. Judge Schneider retired and Kathleen Yannias was appointed as Court Monitor effective January 1, 2004. Pursuant to the Settlement Agreement, the Chicago Board of Education's portion of the budget for the monitor is \$170,000 annually, of which \$62,000.00 is needed to fund activities for 2003-04 school year. By Court order, the Chicago Board's portion of the Monitor's expenses has been increased to \$242,525.00 for the 2004-05 school year. We request authorization to accept monies in the amount of \$242,525.00 from the Illinois State Board of Education to pay the expenses of the monitor and assistants.

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

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge ~~\$62,000.00~~ \$304,525.00 to Law Department - General Education Fund
Professional Services:
Budget Classification Fiscal Year 2005..... 0014-210-000-1011-5410
Charge \$242,525.00 to Law Department - Federal Special Education IDEA Programs -
Professional Services:
Budget Classification Fiscal Year 2005 0014-220-771-1011-5410

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge, 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 July 26, 1995, (95-0726-EX3), as amended from time to time, is hereby incorporated into and made a part of the agreement.


Ethics - The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, is hereby 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,


RUTH M. MOSCOVITCH
General Counsel

Within Appropriation:


JOHN MAIORCA
Chief Financial Officer