

August 24, 2005

05-0824-RU2

**RESCIND BOARD RULE 2-19 ANNUAL ADOPTION OF RULES AND  
RESCIND BOARD RULE 2-27 DELEGATION OF BOARD AUTHORITY  
AND ADOPT NEW BOARD RULES 2-19 AND 2-27**

**THE GENERAL COUNSEL RECOMMENDS:**

That the Chicago Board of Education ("Board") rescind Board Rule 2-19 regarding the annual adoption of Board Rules which was previously suspended on July 26, 1995 and also rescind Board Rule 2-27 regarding the delegation of Board authority and adopt new Board Rules 2-19 and 2-27.

**TEXT:**

**Sec. 2-19. Annual Adoption of Rules.** The Board of Education shall re-adopt these Board Rules, and any amendments, modifications, repealers, or suspension thereto, by a majority vote of the full membership of the Board at its first regular meeting after the start of each fiscal year. If the Board fails to readopt these Board Rules as set forth in this Rule, the existing Rules shall continue in full force and effect.

**Sec. 2-27. Delegation of Board Authority.**

a. *Manner and Effect of Delegation of Authority.* With the exception of those powers and authority exclusively reserved to the Board by the Illinois School Code, as it exists now, or as it may be hereafter amended, the Board may delegate its authority by Board Rule, Board Policy, Board Resolution, Board Report or other Board action. Where the Board has delegated authority to an Officer or his/her designee, that Officer or his/her designee may take all actions consistent with the delegation without further Board action or authority and the action shall be binding upon the Board at the time the Officer acts.

b. *Authority Not Specifically Delegated.* The Board reserves to itself all authority and power it has not specifically delegated to another under these Rules, in a Board policy, resolution or report or by other Board action.

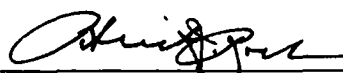
c. *Authority over Departments and Delegated Authority.* The Chief Executive Officer, the Chief Operating Officer, the Chief Education Officer, the Chief Purchasing Officer, the Chief Financial Officer and the General Counsel, have the authority to supervise their respective Departments, including all employees within their departments, and to take all actions delegated to them by Board Rule, Policy, Resolution, Board Report or other Board action. Said Officers may delegate their authority to employees within their Departments, including any authority delegated to them by the Board.

d. *Delegation of Authority to Act.* The Board hereby delegates the following specific authority to the following Officers or their respective designees with respect to making and executing certain agreements, which authority may be exercised without prior Board action or approval. All authority exercised by the Officers pursuant to this Rule shall be reported to the Board on a monthly basis. All of the actions/purchases authorized and taken below shall only be for matters that are presented timely to such officer for future action/purchase. Any and all requests for ratification of an action/purchase already taken which are required to have prior Board approval and/or approval from the respective officers, shall be submitted to the Board for approval or denial, regardless of the dollar amount.

1. The Chief Executive Officer has the authority to authorize and execute any and all intergovernmental agreements and other miscellaneous types of agreement that have no financial impact on the Board, subject to approval as to legal form by the General Counsel.

2. The Chief Operating Officer has the authority to authorize and execute any and all real property leases/licenses where the Board is the landlord/licensor, with a term less than ten (10) years, regardless of the dollar amount, subject to approval as to legal form by the General Counsel (except for leases/licenses at 125 S. Clark Street, Chicago, Illinois, which require prior Board approval); and has the authority to authorize and execute all real property leases/licenses where the Board is the tenant/licensee, the term is less than ten (10) years, and the dollar amount for the term of the lease/license is \$75,000 or under, subject to approval as to legal form by the General Counsel.
3. The Chief Education Officer has the authority to authorize and execute any and all educational and/or programmatic agreements, including payment of tuition, that have a financial impact on the Board between \$25,001 and \$75,000, subject to approval as to legal form by the General Counsel.
4. The Chief Financial Officer has the authority to accept any and all grants, donations and gifts of any dollar amount; to refund any unspent dollars from grants, donations or gifts; and to execute any and all grant, donation or gift acceptance agreements required by any grantor, donor or giftor, subject to approval as to legal form by the General Counsel. For grants, gifts and donations and refunds of same, the Chief Financial Officer shall report to the Board on a monthly basis all grants, gifts and donations received in excess of \$50,000, and all refunds of unspent grants, gifts or donations in excess of \$5,000.
5. The Chief Purchasing Officer has the authority, subject to approval as to legal form by the General Counsel, to authorize and execute any and all of the following purchasing agreements, provided such purchases are made in accordance with the Board Rules set forth in Chapter V:
  - a) Non-biddable Items (as defined in Section 5-4) that cost between \$25,001 and \$75,000;
  - b) Options to renew and/or mutually-agreed-to renewals of Non-biddable Items that cost between \$25,001 and \$75,000;
  - c) Amendments to Contracts of any dollar amount for Non-biddable Items, which amendments have no additional financial implications; and
  - d) Amendments to Contracts for Non-biddable Items initially costing \$75,000 and under, which amendments do not increase the total obligation to more than \$75,000.
6. The General Counsel has the authority to authorize and execute any and all agreements and documents regarding the following:
  - a. access and right of entry to property which may include indemnification;
  - b. indemnification related to agreements for the purchase, sale, use, occupancy, license or lease of real estate;
  - c. zoning, taxes and other governmental petitions and requests; and,
  - d. other legal matters having no direct financial impact on the Board.

Respectfully Submitted: 

  
Patrick J. Rocks  
General Counsel