

**AMEND BOARD RULE 4-16  
RESIGNATIONS AND RETIREMENT**

**THE GENERAL COUNSEL RECOMMENDS THE FOLLOWING:**

That the Board of Education of the City of Chicago amend Board Rule 4-16 to allow the Board, upon recommendation of the Chief Executive Officer, to permit employees to rescind resignations or notices of intent to retire under certain circumstances.

**TEXT:**

**Sec. 4-16. Resignations and Retirement.**

- a. Except as provided in subparagraph b of this Rule, employees' Resignations and notices of intent to retire shall be deemed are irrevocable upon receipt by the Department of Human Resources.
- b. Upon recommendation of the Chief Executive Officer, the Board may permit an employee who submitted a resignation or who has submitted a notice of intent to retire to rescind the resignation or notice of intent to retire provided that all of the following conditions are met:
  - i. The employee has received a firm offer to fill a vacant position for which a Type 75 administrative certificate is a required or desired qualification for a period after his/her effective date of resignation or retirement;
  - ii. The employee makes a request to rescind the resignation or notice of intent to retire before the effective date of the resignation or notice of intent to retire;
  - iii. The employee has a record of performance with the Board that, in the judgment of the Chief Executive Officer, demonstrates that he or she is uniquely qualified to fill the position offered to him/her;
  - iv. In cases where the employee has participated in any Board-sponsored retirement incentive program, including but not limited to the Pension Enhancement Program or an Early Retirement Option, the employee agrees to repay to the Board all monies paid by the Board to the employee; and
  - v. In cases where the employee has submitted an application for retirement or other benefits from a Pension Fund to which the Board makes contributions, the Pension Fund makes no objection to rescission of the employee's application for retirement or other benefits and agrees to a refund or credit to the Board for the Board's employer "pick-up" of employee pension contributions in connection with the advance payout of sick leave under Pension Enhancement Program or other similar programs.

Respectfully Submitted: 




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**Patrick Rocks  
General Counsel**