

AUTHORIZE PAYMENT OF ATTORNEY'S FEES IN THE MATTER OF BOARD OF EDUCATION OF THE CITY OF CHICAGO v. ILLINOIS STATE BOARD OF EDUCATION, ET. AL

THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:

To authorize funds to pay attorney's fees in the amount of \$165,042.44 to the law firm of Children's Law Group for costs associated with litigating Board of Education of the City of Chicago v. Illinois State Board of Education and Joanne and Mitchell Schmidt, parents and next friends of Max S., a minor.

DESCRIPTION: Plaintiff filed a complaint in the Northern District of Illinois requesting attorneys' fees following a special education due process hearing. The Court ruled in favor of plaintiffs and entered judgment against the Board.

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

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge \$165,042.44 to Law Department - Litigated Tort Claims
Budget Classification Fiscal Year 2007.....0963-215-000-7062-5490

GENERAL CONDITIONS:

Inspector General - Each party to the agreement shall acknowledge, in accordance with 105 ILCS 5/24-13.1, 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 restrict 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 incorporate din to 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,


PATRICK J. ROCKS
General Counsel

Within Appropriation:


JOHN MAIORCA
Chief Financial Officer