

RESCIND BOARD REPORT 07-0228-AR7 AND ADOPT NEW BOARD REPORT TO APPROVE SETTLEMENT RECOMMENDATION IN LAWSUIT WITH TENURED TEACHER, CAROL NOEL

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: Law Department attorneys have reached a settlement, subject to Board approval, to pay Carol Noel back-pay in the amount of \$81,178.06 (which is pensionable). The agreement is in settlement of a federal lawsuit (Case No. 06 C 5522), one EEOC charge, (440-2006-09713), one IDHR charge, (2007 CN 1429), and a pending Teacher Dismissal proceeding, involving Noel, who was removed from her position as a tenured teacher at James Thorp elementary school. Ms. Noel will submit her resignation and provide the Board a release and dismissal of all claims in consideration of the settlement. This Board report will also rescind Board Report 07-0228-AR7.

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

AFFIRMATIVE ACTION STATUS: Affirmative Action review is not applicable to this report.

FINANCIAL: Charge \$81,178.06 to Law Department
Budget Classification Fiscal Year 2008 12470-210-54530-231112-000000

AUTHORIZATION: Authorize the General Counsel to execute the Settlement Agreement(s), and all ancillary documents related thereto.

GENERAL CONDITIONS:

Inspector General – Each party to the agreement shall acknowledge that, 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 member during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board’s Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time, shall be incorporated into and made a part of the agreement.

Ethics – The Board’s Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

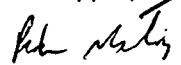
Contingent Liability – The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved,



PATRICK J. ROCKS
General Counsel

Within Appropriation:


PEDRO MARTINEZ
Chief Financial Officer