

September 24, 2008

AUTHORIZE PAYMENT OF ATTORNEY'S FEES IN THE MATTER OF JOVAN H. v. BOARD OF EDUCATION OF THE CITY OF CHICAGO

THE GENERAL COUNSEL REPORTS THE FOLLOWING DECISION:

To authorize funds to pay attorney's fees in the amount of \$89,000.00 to the law firm of Mauk & O'Connor for costs associated with litigating Jovan H. v. Board of Education of the City of Chicago.

DESCRIPTION: Parents requested a special education due process hearing and they prevailed. Pursuant to the Individuals with Disabilities Education Act (IDEA), parents requested payment of reasonable attorney's fees and costs as prevailing parties.

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

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge \$89,000.00 to Law Department - Litigated Tort Claims
Budget Classification Fiscal year 2009.....12470-210-54530-231112-000000-2009

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.

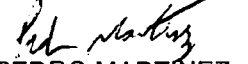
Ethics – The Board's Ethics Code adopted June 23, 2004 (04-0623-PO4), as amended from time to time, shall be incorporated into and made a part of the agreement.

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 MARTÍNEZ
Chief Financial Officer