

March 28, 2012

**RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO  
REGARDING THE DISMISSAL OF PAUL KAIN, TENURED TEACHER,  
ASSIGNED TO SCAMMON ELEMENTARY SCHOOL**

**WHEREAS**, pursuant to Section 34-85 of the Illinois School Code, 105 ICS 5/34-85, a hearing was conducted before an impartial hearing officer, Brian Clauss, appointed by the Illinois State Board of Education; and

**WHEREAS**, after the conclusion of the dismissal hearing that was afforded to Paul Kain, the Hearing Officer made written findings of fact and conclusions of law, and recommended the reinstatement of Paul Kain; and

**WHEREAS**, the Board of Education of the City of Chicago has reviewed the post-hearing briefs and hearing transcript and exhibits ("record"), along with the findings of fact, conclusions of law, and recommendation of Hearing Officer Clauss regarding the dismissal charges preferred against Paul Kain; and

**WHEREAS**, the parties were given an opportunity to submit exceptions and a memorandum of law in support of or in opposition to the Board's adoption of Hearing Officer Clauss's recommendation; and

**WHEREAS**, it is the opinion of the Board of Education of the City of Chicago that Paul Kain should be reinstated;

**NOW THEREFORE**, be it resolved by the Board of Education of the City of Chicago, as follows:

**Section 1:** After considering the Hearing Officer's findings of fact, conclusions of law and recommendation, (b) the record of the dismissal hearing, and (c) the exceptions and memoranda of law submitted by the Petitioner and Respondent, the Board of Education of the City of Chicago adopts the recommendation of the Hearing Officer.

**Section 2:** Paul Kain is hereby reinstated to his former teaching position at Scammon Elementary School, effective April 9, 2012.

**Section 3:** The Board authorizes the Chief Talent Officer and the General Counsel to determine the amount of back pay to be paid to Paul Kain, less any interim earnings, and to certify that amount to the Chief Financial Officer for payment.

**Section 4:** This Resolution shall take full force and effect upon its adoption.

**THEREFORE**, this Resolution is hereby adopted by the members of the Board of Education of the City of Chicago on March 28, 2012.