

**RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO REGARDING  
THE DISMISSAL OF LINDA RULE, TENURED TEACHER, ASSIGNED TO DAVID KOHN  
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, Anne L. Weiland, appointed by the Illinois State Board of Education; and

**WHEREAS**, after the dismissal hearing afforded to Ms. Rule, the Hearing Officer made written findings of fact and recommended the discharge of Ms. Rule; and the Board considered the findings and adopted the recommendation to discharge Ms. Rule on May 27, 2009.

**WHEREAS**, Ms. Rule obtained administrative review of the Board's decision by Judge Mary Anne Mason, of the Cook County Circuit Court, and Judge Mason ruled that due process had been denied regarding the charges pertaining to one student, so that Judge Mason stated that the charges relating to actions against both students were not clearly separated, and she reversed the Board's order of discharge;

**WHEREAS**, the Board of Education of the City of Chicago appealed Judge Mason's order to the Illinois Appellate Court, and the Appellate Court affirmed Judge Mason's order in part and remanded the case in part to the Board for a determination whether the Board's discharge of Ms. Rule would stand on the basis of the admissible evidence upheld by the Appellate Court;

**WHEREAS**, the Board of Education of the City of Chicago has reviewed the post-hearing briefs, hearing transcript and exhibits, along with the findings of Hearing Officer Weiland, the decision and order of Judge Mason, the Order of the Illinois Appellate Court; and

**WHEREAS**, the Board recognized the Hearing Officer's findings, and the Appellate Court's holding that the evidence was sufficient to support the findings with respect to Ms. Rule's actions toward one student and other allowed evidence of misconduct; and

**WHEREAS**, the Board has established a long-standing record of interpreting its policy that acts of abuse are irremediable *per se*;

**WHEREAS**, it is the opinion of the Board of Education of the City of Chicago that Linda Rule should be terminated from the Board effective August 22, 2012;

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

**Section 1:** After considering (a) the Hearing Officer's findings of fact, conclusions of law and recommendation, (b) the record of the dismissal hearing, and (c) any exceptions and memoranda of law submitted by the parties, the Board of Education of the City of Chicago accepts the findings and recommendation of the Hearing Officer;

**Section 2:** The Board of Education reaffirms its order dismissing Linda Rule from her employment with the Board of Education of the City of Chicago effective May 27, 2009, for the reasons stated here and in a separate Supplemental Opinion and Order adopted as part of this Resolution.

**Section 3:** 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 August 22, 2012.