

April 23, 2014

APPROVE SETTLEMENT OF TENURED TEACHER GLORIA HOLMES-RICE V. BOARD OF EDUCATION OF THE CITY OF CHICAGO

THE GENERAL COUNSEL REPORTS THE FOLLOWING PROPOSED SETTLEMENT:

DESCRIPTION: The parties to Gloria Holmes-Rice v. Board of Education of the City of Chicago reached a settlement agreement after an Illinois State Board of Education Hearing Officer issued a Decision and Order recommending the Board reinstate Holmes-Rice and issue her back pay. The CEO moved for dismissal against Holmes-Rice for violating the terms of her Warning Resolution and for corporal punishment of two students when she allegedly pushed a seven year-old female student into a desk and pulled a chair out from underneath a seven year-old male student causing him to fall to the floor.

The settlement agreement entered into between the parties requires a pensionable back pay amount of \$105,000.00 less legally required deductions, and a lump sum payment of \$25,000.00 as non-pensionable money to compensate Holmes-Rice for "observable personal physical injuries or physical sickness." For this consideration, Holmes-Rice will resign from her employment with the Board effective May 1, 2014, and will allow a "Do Not Hire" to be placed on her record. With this settlement, all litigation between the parties will come to an end. Each party will bear their own attorneys' fees, costs and expenses.

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

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

FINANCIAL: Charge a pensionable payment not in excess of \$105,000.00
as described above to..... 12470-115-51130-119004-000000

Charge a non-pensionable payment not in excess of \$25,000
As described above to..... 12470-115-51130-119004-000000

AUTHORIZATION: Authorize the General Counsel to execute the Settlement Agreement 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.

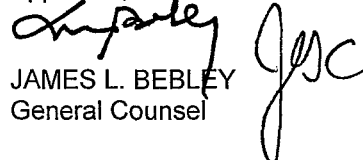
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to former Board members during the one year period following expiration or other termination of their 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 May 25, 2011 (11-0525-PO2), 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,


JAMES L. BEBLEY
General Counsel