

December 17, 2014

**RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO REGARDING
THE DISMISSAL OF MARLENE RIVERA, TENURED TEACHER, ASSIGNED TO
CARL VON LINNE ELEMENTARY SCHOOL**

WHEREAS, pursuant to Section 34-85 of the Illinois School Code, 105 ILCS 5/34-85, a hearing was conducted before an impartial hearing officer, Ann S. Kenis, certified by the Illinois State Board of Education; and

WHEREAS, after the conclusion of the dismissal hearing afforded to Marlene Rivera, the Hearing Officer made written findings of fact and conclusions of law, and recommended the reinstatement of Ms. Rivera; 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 Kenis regarding the dismissal charges preferred against Marlene Rivera; and

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

WHEREAS, the Board of Education of the City of Chicago accepts in part and rejects in part the factual findings and conclusions of the hearing officer, concludes that the record establishes facts that constitute cause for dismissal of Ms. Rivera, and the Board makes additional findings and conclusions as set forth in a separate Opinion and Order adopted as part of this Resolution.

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) post-hearing arguments, exceptions, memoranda or letter submitted by the parties, the Board of Education of the City of Chicago accepts in part and rejects in part the Hearing Officer's findings of fact and legal conclusions. Specifically, the Board concludes that the record establishes facts that constitute cause for dismissal of Ms. Rivera.

Section 2: Marlene Rivera is hereby dismissed from her employment with the Board of Education of the City of Chicago effective December 17, 2014.

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 December 17, 2014.