

January 24, 2018

**RESOLUTION SEEKING A MODIFICATION OF THE MANDATES OF 105 ILCS 5/34-21.3
PURSUANT TO 105 ILCS 5/2-3.25g**

WHEREAS, Section 5/34-21.3 of the Illinois School Code prohibits the employment of a Board member within one year of the termination of his/her Board membership;

WHEREAS, Section 5/2-3.25g of the Illinois School Code allows the Illinois State Board of Education to modify provisions of the School Code upon application made by a school district after 14-days' notice and a public hearing;

WHEREAS, the Board of Education of the City of Chicago ("Board") gave notice to the public on its public website and in a newspaper of general circulation and to state legislators and its employees' collective bargaining agents via electronic and regular mail, that it had scheduled a 10:30 a.m., January 24, 2018 public hearing on the question of whether to seek a modification of 105 ILCS 5/21.3 to enable it to employ former Board member Arnaldo Rivera ("Rivera") within thirty (30) calendar days of termination of his Board membership;

WHEREAS, the Board conducted a public hearing on January 24, 2018 and received testimony regarding Rivera's unique combination of experience and expertise with and relating to the Board of Education of the City of Chicago, including experience as a Chicago Public Schools' teacher, budget director, Local School Council member and public policy officer and as the City of Chicago's Deputy Chief of Staff for Education;

WHEREAS, the modification of the Illinois School Code provision referenced herein will stimulate innovation and improve student performance;

WHEREAS, the Board deems it in the Board of Education of the City of Chicago's best interest to hire former Board member, Arnaldo Rivera, within thirty (30) calendar days of the termination of his Board membership;

WHEREAS, the Board deems it in the Board of Education of the City of Chicago's best interest to seek a modification of 105 ILCS 5/34-21.3 to enable it employ Rivera thirty (30) calendar days after the termination of his Board membership;

NOW THEREFORE, after due notice and public hearing, the BOARD resolves that:

1. The Board of Education of the City of Chicago requests that the Illinois State Board of Education modify 105 ILCS 5/34-21.3 as follows:

For a period of ~~one year~~ thirty (30) calendar days from and after the expiration or other termination of his or her term of office as a member of the board: ~~(i)~~ the former board member shall not be eligible for employment nor be employed by the board, a local school council, an attendance center, or any other subdivision or agent of the board or the school district governed by the board, and for a period of one year ~~(ii)~~ neither the board nor the chief purchasing officer shall let or delegate authority to let any contract for services, employment, or other work to the former board member or to any corporation, partnership, association, sole proprietorship, or other entity other than publicly traded companies from which the former board member receives an annual income, dividends, or other compensation in excess of \$1,500. Any contract that is entered into by or under a delegation of authority from the board or the chief purchasing officer shall contain a provision stating that the contract is not legally binding on the board if entered into in violation of the provisions of this paragraph.

2. The Board requests that the requested modification remain in effect for a period of two school years, for the 2017-18 and 2018-19 school years.
3. The Chief Executive Officer and her designees are authorized to do all things necessary and required by law, rule or regulation, including, but not limited to complete and submit an application for modification to the Illinois State Board of Education, in order to obtain the Illinois State Board of Education's approval of the requested modification.