

November 28, 2001

**APPROVE SETTLEMENT AGREEMENT IN
CHICAGO SCHOOL REFORM BOARD OF TRUSTEES, et al. v. MARTIN,**

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: On November 12, 2001, the Law Department entered into a settlement agreement with

the Board of Trustees of the Chicago School Reform Board of Trustees (the Board) and the Chicago Community Academy (the Academy) was void as violative of the School Code (105 ILCS 5/1-1 *et seq.*) and Martin's related counterclaim for breach of contract.

The Board alleged that the contract violated the School Code, *inter alia*, because (1) the Gale Local School Council (LSC) meeting during which Martin was selected principal did not occur within 90 days of the resignation of the previous principal (see 105 ILCS 34-2.3); (2) the publicized agenda for the LSC meeting at issue did not include the selection of a principal as is required under the Open Meetings Act; (3) Martin received only six council votes rather than the required supermajority of seven votes (see 105 ILCS 34-2.2); and (4) the LSC failed to submit three candidates' names to the Board CEO within 90 days of the

resignation of the previous principal. The Board also alleged that the contract violated the School Code because it provided for the payment of a settlement amount to Martin in the event the contract was found to be unenforceable.