

October 20, 2016

APPROVE PAYMENT OF PROPOSED SETTLEMENT REGARDING ETHAN C.

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: Subject to Board approval, the Board and minor Ethan C.'s parents (Merari C. and Victor C.) individually and as next friend of Ethan C. have entered into a settlement agreement for the payment of one hundred sixteen thousand dollars (\$116,000.00) for all of Ethan C. and his parents' claims for attorney fees and costs associated with the underlying special education due process hearing. The General Counsel has approved the settlement agreement and the proposed payment of one hundred sixteen thousand dollars (\$116,000.00) for all of Ethan C. and his parents' claims for attorney fees and costs.

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

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge \$116,000.00 as described above to the Law Department.

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 ninety-day period following expiration or termination of their terms of office.

Indebtedness – The Board's Indebtedness Policy adopted June 26, 1996 (06-0626-BOB) 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-BOB) 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 sums paid by the Board within one year is deemed a contingent liability, subject to audit opinion in the subsequent fiscal year.

APPROVED,

RONALD L. MARMOR
General Counsel