

October 25, 2023

**APPROVE PAYMENT OF PROPOSED SETTLEMENT REGARDING
MELISSA BERGNER ON BEHALF OF J.P. v. BOARD, CASE NO. 19 L 006492**

THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:

DESCRIPTION: Subject to Board approval, the Board and Plaintiff, Melissa Bergner on behalf of her son, J.P. (“Bergner”), have reached a settlement disposing of all claims against the Board in Case No. 19 L 006492, filed on November 12, 2015, and refiled on June 12, 2019, in the Circuit Court of Cook County. The General Counsel recommends approval of the settlement, which includes the payment of six hundred thousand dollars (\$600,000.00) to Bergner and her attorney, Nolan Law Group, to resolve all of Bergner’s claims for alleged damages, attorneys' fees and costs against the Board. The Board’s total payout will not exceed \$600,000.00.

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

AFFIRMATIVE ACTION STATUS: None.

FINANCIAL: Charge a total of \$600,000.00 as described above to the Law Department.
Budget Classification Fiscal year 2024.....12460-210

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,

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Ruchi Verma
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RUCHI VERMA
General Counsel

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