

CHAPTER III ADMINISTRATIVE ORGANIZATION

Sec. 3-1. Chief Executive Officer. The Chief Executive Officer shall have all the duties and powers authorized by the Illinois School Code and all such additional duties and powers as may be granted by the Board of Education.

Sec. 3-2. Law Department. The General Counsel shall have charge and control, subject to the approval of the Board of Education, of the Law Department and of all litigation, legal questions, and such other legal matters as may be referred to the department by the Board of Education or by the Chief Executive Officer. The General Counsel shall have authority to issue legal opinions, to bring actions on behalf of the Board, to take any actions required by law and to settle any matter before the Law Department, including, but not limited to, federal and state court cases, administrative enforcement agency cases, workers' compensation claims, employment issues, and contract disputes, for a sum up to and including \$50,000, without Board approval. The General Counsel shall report any settlements in excess of \$10,000 to the Board in an appropriate manner on a monthly basis. The General Counsel shall also review all contracts, bonds, and leases subject to the exceptions noted in Section 7-15 herein.

Assistants and Deputies General Counsel shall work under the direction and supervision of the General Counsel and are expressly prohibited from performing legal work for or undertaking legal representation of any person or entity other than the Board of Education. Violation of the prohibition against outside practice by an Assistant or Deputy General Counsel shall constitute cause for immediate dismissal from employment.

Sec. 3-3. Retention of Outside Legal Counsel. The retention of outside legal counsel is reserved to the Board. Subject to approval by the Board, the General Counsel may retain outside legal counsel to appear in legal proceedings on his/her behalf or to provide other legal services to the Board. The General Counsel is also authorized to retain hearing officers, arbitrators, mediators, expert consultants and witnesses and court reporters and to authorize payment of fees, expenses and costs related to those retentions. Any actions taken pursuant to this section shall be reported to the Board on a monthly basis.

Sec. 3-4. Payment of Judgments and Awards. The General Counsel is authorized to approve payment of any judgments, awards, fines or penalties rendered against or imposed upon the Board when, in the opinion of the General Counsel, no further proceedings are justified. The General Counsel shall report payment of any judgments, awards, fines or penalties in excess of \$10,000 to the Board on a monthly basis.

Sec. 3-5. Attorney's Appearance in Legal Proceedings. The General Counsel shall appear for and protect the rights and interests of the Board of Education in all cases, suits, and proceedings brought by or against the Board of Education. The General Counsel also shall take all actions necessary to fulfill the Board's obligations pursuant to Section 105 ILCS 5/34-18.1 of the School Code. If a current or former member, officer or employee of the Board is required to appear in any matter or defend against or respond to any claim, in their individual or official capacity, the General Counsel may elect to represent such person, appoint outside counsel to represent such person or approve reimbursement of reasonable legal expenses and costs provided that the person was acting in the scope of the person's office or employment during the events giving rise to the matter or claim. No Board funds shall be expended for payment of legal services rendered on behalf of any person in the event the person is identified as the target of a criminal investigation or upon the charge of such person by criminal complaint, information or indictment in criminal proceedings. Upon the conclusion of the criminal investigation or proceedings in which the person was a target or defendant, however, such person may request reimbursement of reasonable legal expenses and costs if such person has not been charged or has been acquitted or found not guilty or if all charges against such person in the action have been dismissed. All requests for reimbursement are subject to approval of the General Counsel and the Board.

Sec. 3-6. Workers' Compensation - Authority to Make Statutory Payments. The Chief Financial Officer or his designee shall have authority, in proper cases under the Workers' Compensation Act and Occupational Diseases Act as determined with advice of the General Counsel, to issue requisitions directing the payment of temporary total disability and statutory losses including statutory permanent total disability benefits to Board of Education employees who have sustained accidental injuries or incurred occupational diseases, and of medical and hospital expenses in such cases, without the adoption of Board Reports. Settlements of any Workers' Compensation claims shall be in accordance with Board Rule 3-2.

Sec. 3-7. Administrative Organizational Units. The Board of Education shall establish such administrative organization units as it may deem necessary or appropriate to ensure the effective and efficient operation of the system and determine the duties and functions of each. Chiefs, officers and the heads of departments shall be appointed by the Board in accordance with Chapter IV of these Rules.

Sec. 3-8. Inspector General. The Inspector General, who is appointed by the Mayor of the City of Chicago, shall investigate allegations of fraud, waste and mismanagement as well as any other matters which shall be designated by the Board, and make recommendations to the Board about the investigations. Prior to the beginning of each fiscal year, the Board shall determine the budget allocation for operation of the Office of the Inspector General.

Sec. 3-9. Internal Audits.

a. The Chief Executive Officer is responsible for ensuring that internal audits are conducted and for the ongoing improvement of the internal audit process.

b. The Chief Executive Officer's responsibilities shall include, but not be limited to (i) developing an annual internal audit plan for purposes of providing objective analyses, appraisal and evaluation of risks associated with fiscal and programmatic activities of the school district, (ii) determining that the school district is effectively allocating resources on programs, external activities, partnerships and consultants; (iii) ensuring the integrity of the financial reporting system and the efficacy of internal financial controls established to minimize waste and mismanagement; and (iv) recommending policies and systematic improvements regarding internal controls based upon audit analyses and findings.

c. The Chief Executive Officer will review the annual internal audit plan with the Inspector General to obtain recommendations for additional areas of audit and to avoid any audit duplication of any area or department designated for review in the annual internal audit plan.

d. The Chief Executive Officer shall report quarterly to the Board on the status of the internal audit process.

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