FORMAL REQUEST FOR INDEPENDENT INVESTIGATION

Chicago Public Schools — Chicago Board of Education

Jessica Biggs / Dr. Macquline King — DNH Removal, Conflict of Interest, Self-Dealing, and Governance Concerns

Prepared for filing by a named complainant

Complainant:	Andre Smith
Address:	6032 S. Wabash
City / State	Chicago, Illinois 60637
Telephone:	773-668-9210
Email:	andre.smith1968@gmail.com
Date Filed:	09/01/2026
Signature:	Andre Smith

Nature of filing: This packet requests fact-finding. It does not assert as established fact that a quid pro quo, bribery, or criminal offense occurred. The requested agencies should determine the facts, applicable law, and appropriate disposition.

Primary jurisdiction: Chicago Public Schools / Chicago Board of Education. State-level referral is included because the CPS Board's own Bylaw 1-4 expressly contemplates referral to the Cook County State's Attorney and Illinois Attorney General if the Board determines specified misconduct occurred.

MASTER COMPLAINT / REQUEST FOR INVESTIGATION

To: Chicago Public Schools Office of Inspector General; CPS Ethics Advisor; President and Secretary, Chicago Board of Education

Copies / referral request: Cook County State's Attorney; Illinois Attorney General — Public Integrity

Re: Jessica Biggs and Dr. Macquline King — investigation of DNH-removal process, potential conflict of interest, self-dealing, recusal/disclosure issues, and integrity of the superintendent selection process

Date: August 31, 2026

I. REQUEST

The complainant respectfully requests a formal, independent investigation into the circumstances surrounding former CPS principal and current/elected Chicago Board of Education member Jessica Biggs's petition to remove her personal "Do Not Hire" (DNH) designation, the subsequent approval of complete DNH removal, and the relationship between that personal employment benefit and Ms. Biggs's official role in the CPS superintendent/CEO selection and transition process involving Dr. Macquline King.

This complaint is deliberately framed as a request for fact-finding, not a conclusion that a quid pro quo, bribery, or criminal offense occurred. The public record presents circumstances that warrant investigation into whether official position, access, influence, or authority was used to obtain a personal benefit, whether required disclosure or recusal occurred, whether the DNH process was applied consistently, and whether the integrity of the CEO-selection process was compromised.

II. DOCUMENTED FACTS REQUIRING REVIEW

• Federal court records establish that CPS terminated Jessica Biggs in June 2018 and designated her DNH after an OIG investigation concerning attendance practices and student transportation policy. The Seventh Circuit affirmed the district court's judgment for CPS in Biggs v. Chicago Board of Education, No. 22-2031 (7th Cir. 2023).

• The source packet supplied with this filing contains the underlying OIG-related material, prior DNH decisions, the 2025 DNH petition and approval materials, DNH guidelines, and CPS administrative-hearing material. Those materials are incorporated as Exhibits A–E.

• The source packet states that Biggs submitted a July 28, 2025 DNH petition and that complete removal was approved August 18, 2025. It further states that the same outside attorney who issued a detailed October 21, 2024 denial later issued the August 18, 2025 approval. The investigators should verify these dates and the complete administrative record directly from CPS.

• CPS publicly documented that Jessica Biggs served as Board Member and Transition Team Chair when Dr. King was appointed Interim Superintendent/CEO in June 2025. Biggs's own public statement to ABC7 in April 2026 was that she had "led on our superintendent search process."

• WBEZ reported in May 2026 that Biggs had been placed on the DNH list, later sought removal, and that newly hired CEO/Superintendent Macquline King allowed her to be removed after an outside attorney reviewed the case. The report described the outside review as an effort to avoid a conflict of interest.

• ABC7 reported in April 2026 that Biggs said outside counsel had determined her DNH designation should be removed and that she no longer had such a designation.

• CPS's published DNH procedures state that eligibility for rehire is a Board hiring standard and that DNH removal petitions are reviewed under the district's procedures. The current CPS administrative-hearings page also identifies a DNH Removal Petition Committee process.

III. ETHICS AND GOVERNANCE QUESTIONS

• Whether Biggs's use of her elected Board status and leadership in the superintendent search constituted an attempt to use official position to influence a Board decision or action in a matter in which she had an interest distinguishable from the general public.

• Whether Biggs disclosed her DNH petition and personal interest to the Board President, Ethics Advisor, fellow Board members, the search/transition committee, search firm, or other decision-makers.

• Whether Biggs was required to recuse herself from any matter involving King while her personal DNH matter was pending or while King's permanent appointment was under consideration.

• Whether King or anyone acting for King participated personally, directly, or indirectly in the DNH decision, and what authority or delegation was used.

• Whether the DNH removal process followed the written rules and whether similarly situated former employees received comparable treatment.

• Whether the same outside attorney's reversal from a detailed 2024 denial to a complete 2025 removal was based on documented new evidence, changed circumstances, legal analysis, or instructions from CPS leadership.

• Whether Board resources, staff, email, telephones, meetings, or confidential information were used in pursuing Biggs's personal DNH petition.

• Whether the facts, if proven, implicate the CPS Code of Ethics, Board Bylaw 1-4, fiduciary obligations, 720 ILCS 5/33-3, or another applicable law or rule.

IV. GOVERNING AUTHORITIES

CPS Code of Ethics. The Code applies to Board Members and states that no Official or Employee may make, participate in making, or attempt to use their position to influence a Board decision or action when they have an economic interest or other interest distinguishable from that of the general public. It also imposes a fiduciary duty to the Board and taxpayers and requires Board Members to conduct conflict checks.

Board Bylaw 1-4. The Board Member oath requires members to avoid conflicts and the appearance of impropriety and not use Board membership for personal gain or publicity. Section IV includes "Self Dealing" where, with intent to obtain a personal advantage, a member performs an act in excess of lawful authority. The same Bylaw provides a mechanism for Board referral to the Cook County State's Attorney and Illinois Attorney General where the Board determines specified misconduct occurred.

720 ILCS 5/33-3(a)(3). Illinois's official-misconduct statute potentially becomes relevant if a public officer, acting in an official capacity and with intent to obtain a personal advantage, performs an act in excess of lawful authority. This complaint does not assert that the statutory elements are established; it requests investigation of facts that could bear on those elements.

V. SPECIFIC RECORDS TO PRESERVE AND OBTAIN

• All DNH petition materials, routing records, committee records, recommendations, approvals, denials, and decision memoranda concerning Biggs from 2023 through present.

• The July 28, 2025 petition and all attachments; the October 21, 2024 denial; and the August 18, 2025 approval.

• All communications between Biggs, King, King's staff, Board leadership, the Law Department, Ethics Office, Administrative Hearings, Talent/HR, outside counsel, and the superintendent search firm concerning either DNH or King's appointment.

• Calendars, meeting notices, agendas, minutes, notes, call logs, emails, text messages and other official-business communications, subject to applicable law and privilege.

• Any ethics advice, disclosure, recusal, conflict-check, or written determination involving Biggs, King, the DNH petition, or the superintendent search.

• The complete search/transition committee records showing Biggs's role, the committee's membership, interviews, evaluations, recommendations, and communications regarding King.

• The written basis for the August 18, 2025 DNH reversal, including any outside-counsel memorandum or recommendation, subject to lawful privilege review.

• Comparable DNH petitions and outcomes sufficient to determine whether Biggs received treatment materially different from similarly situated former CPS employees.

VI. REQUESTED ACTION

• Open a formal investigation and assign it to personnel independent of anyone who participated in the DNH decision or superintendent selection.

• Preserve all potentially relevant records immediately.

• Interview Biggs, King, the outside attorney who handled the DNH petition, Administrative Hearings/DNH personnel, Board leadership, Ethics personnel, and relevant search/transition committee participants.

• Determine the exact authority under which the DNH removal was approved and identify every person who recommended, reviewed, authorized, or implemented the decision.

• Determine whether Biggs disclosed her personal interest and whether she recused herself from any King-related matter where recusal was required or prudent.

• Compare the Biggs DNH process with similarly situated cases.

• Issue written findings, to the extent permitted by law, and refer any substantiated criminal or other legal violations to the appropriate prosecutorial or regulatory authority.

• If the Board determines that Bylaw 1-4 Section IV applies, consider the referral mechanisms expressly provided by that Bylaw.

VII. NO PREJUDGMENT / GOOD-FAITH SUBMISSION

The complainant does not ask the investigating bodies to assume that any improper agreement existed. The request is that the agencies determine what occurred, who made the decisions, what communications took place, whether the governing rules were followed, and whether the public received the level of independence and integrity required of Chicago Public Schools officials.

The complainant requests written confirmation of receipt and, to the extent permitted by law, notice of referral or final disposition.

Respectfully submitted,

Complainant: Andre Smith

Address: 6032 S. Wabash, Chicago, Illinois 60637

Telephone / Email: 773-668-9210 / andre.smith1968@gmail.com

Signature: Andre Smith

Date: September 1, 2026

EXHIBIT INDEX

Exhibit	Description
A	CPS OIG investigation material concerning Burke Elementary / Biggs (from original user-supplied filing packet).
B	Prior DNH / rehire determination material (from original filing packet).
C	Biggs DNH petition and related 2024 denial / 2025 approval materials, including outside-counsel correspondence (from original filing packet).
D	CPS CEO Guidelines concerning DNH / eligibility for rehire (from original filing packet).
E	CPS Administrative Hearings / DNH removal procedures (from original filing packet).
F	ABC7 Chicago — April 6, 2026 report, including Biggs's statement about leading the superintendent search and statement concerning DNH r
G	WBEZ — May 22, 2026 candidate report describing Biggs's DNH history, King's role, and outside-counsel review.
H	CPS — June 11, 2025 official announcement identifying Biggs as Board Member and Transition Team Chair and documenting King's appoin
I	CPS Code of Ethics — Section 503.1, including conflict-of-interest, fiduciary-duty, and Board-member provisions.
J	CPS Board Bylaw 1-4 — Board Member Expectations, Oath, conflict/appearance-of-impropriety language, Self Dealing, and referral provisio
K	CPS Administrative Hearings — current DNH procedures page, including DNH removal process and July 31, 2026 guideline update notice.
L	Seventh Circuit — Biggs v. Chicago Board of Education, No. 22-2031 (Sept. 18, 2023), official opinion source and key excerpt.
M	N.D. Illinois — Biggs v. Chicago Board of Education, No. 18-cv-6183, Document 126 (May 19, 2022), key excerpt and source.

CHICAGO PUBLIC SCHOOLS OFFICE OF INSPECTOR GENERAL

567 W. Lake Street, Suite 1120, Chicago, IL 60661

inspectorgeneral@cpsoig.org

Re: Jessica Biggs / Macquline King — DNH removal and superintendent-selection conflict investigation

Enclosed is a master complaint with supporting exhibits. The complainant requests an independent factual investigation and does not ask the recipient to assume that a quid pro quo or criminal offense occurred.

Requested action: Request: Open an independent investigation; preserve records; interview relevant witnesses; and make any appropriate referrals.

Please confirm receipt and, if your office lacks jurisdiction over any portion, refer the matter to the agency with appropriate jurisdiction and notify the complainant of that referral to the extent permitted by law.

Respectfully,

_____

Complainant Name

Address / Telephone / Email

Andre Smith

6032 S. Wabash, Chicago, Illinois 60637

773-668-9210 / andre.smith1968@gmail.com

CHICAGO PUBLIC SCHOOLS ETHICS OFFICE / ETHICS ADVISOR

1 N. Dearborn Street, Suite 900, Chicago, IL 60602

ethicsinquiries@cps.edu

Re: Jessica Biggs / Macquline King — DNH removal and superintendent-selection conflict investigation

Enclosed is a master complaint with supporting exhibits. The complainant requests an independent factual investigation and does not ask the recipient to assume that a quid pro quo or criminal offense occurred.

Requested action: Request: Review potential Code of Ethics violations, including conflict of interest, fiduciary duty, recusal/disclosure, and use of Board position for personal gain.

Please confirm receipt and, if your office lacks jurisdiction over any portion, refer the matter to the agency with appropriate jurisdiction and notify the complainant of that referral to the extent permitted by law.

Respectfully,

_____

Complainant Name

Address / Telephone / Email

Andre Smith

6032 S. Wabash, Chicago, Illinois 60637

773-668-9210 / andre.smith1968@gmail.com

CHICAGO BOARD OF EDUCATION — PRESIDENT / SECRETARY

Chicago Board of Education, Chicago Public Schools

Board Secretary / official Board correspondence channel

Re: Jessica Biggs / Macquline King — DNH removal and superintendent-selection conflict investigation

Enclosed is a master complaint with supporting exhibits. The complainant requests an independent factual investigation and does not ask the recipient to assume that a quid pro quo or criminal offense occurred.

Requested action: Request: Place the complaint before the appropriate Board authority and, if substantiated, consider the referral/removal mechanisms in Bylaw 1-4, Section IV.

Please confirm receipt and, if your office lacks jurisdiction over any portion, refer the matter to the agency with appropriate jurisdiction and notify the complainant of that referral to the extent permitted by law.

Respectfully,

_____

Complainant Name

Address / Telephone / Email

Andre Smith

6032 S. Wabash, Chicago, Illinois 60637

773-668-9210 / andre.smith1968@gmail.com

COOK COUNTY STATE'S ATTORNEY

50 W. Washington Street, Chicago, IL 60602

statesattorney@cookcountysao.org

Re: Jessica Biggs / Macquline King — DNH removal and superintendent-selection conflict investigation

Enclosed is a master complaint with supporting exhibits. The complainant requests an independent factual investigation and does not ask the recipient to assume that a quid pro quo or criminal offense occurred.

Requested action: Request: Review as a referral concerning potential official misconduct/public integrity if the investigation establishes evidence within prosecutorial jurisdiction.

Please confirm receipt and, if your office lacks jurisdiction over any portion, refer the matter to the agency with appropriate jurisdiction and notify the complainant of that referral to the extent permitted by law.

Respectfully,

_____

Complainant Name

Address / Telephone / Email

Andre Smith

6032 S. Wabash, Chicago, Illinois 60637

773-668-9210 / andre.smith1968@gmail.com

ILLINOIS ATTORNEY GENERAL — PUBLIC INTEGRITY

115 S. LaSalle Street, Chicago, IL 60603

Official Public Integrity / Honest & Open Government channel

Re: Jessica Biggs / Macquline King — DNH removal and superintendent-selection conflict investigation

Enclosed is a master complaint with supporting exhibits. The complainant requests an independent factual investigation and does not ask the recipient to assume that a quid pro quo or criminal offense occurred.

Requested action: Request: Review or accept referral concerning potential public corruption, official misconduct, or other unlawful conduct, or refer to the proper authority.

Please confirm receipt and, if your office lacks jurisdiction over any portion, refer the matter to the agency with appropriate jurisdiction and notify the complainant of that referral to the extent permitted by law.

Respectfully,

_____

Complainant Name

Address / Telephone / Email

Andre Smith

6032 S. Wabash, Chicago, Illinois 60637

773-668-9210 / andre.smith1968@gmail.com

EXHIBIT F

ABC7 CHICAGO — APRIL 6, 2026

Source: "Voters to select Chicago Public Schools board, including CPS board president, on Chicago Election Day 2026."

Relevance: ABC7 reported that Jessica Biggs was running for CPS Board President and quoted her describing her role in the superintendent search. The article also reported her statement that outside counsel determined her DNH designation should be removed.

Key statement reported by ABC7: "I've led on our superintendent search process."

DNH statement reported by ABC7: Biggs said outside counsel had determined that her DNH designation should be removed and that she did not have such a designation.

URL: https://abc7chicago.com/post/voters-select-chicago-public-schools-board-including-cps-president-election-day-2026/18849215/

This exhibit is a source citation and limited excerpt, not a reproduction of the copyrighted article. Investigators should obtain and preserve the original article and any broadcast/video version.

EXHIBIT G

WBEZ CHICAGO — MAY 22, 2026

Source: "Here's who's running for Chicago's first-ever elected school board president."

Relevance: WBEZ reported that Biggs had been fired from Burke after the OIG findings, placed on the DNH list, and later removed after she sought removal. The report stated that newly hired CEO/Superintendent Macquline King allowed the removal and that an outside attorney reviewed the matter to avoid a conflict of interest.

URL: https://www.wbez.org/education/2026/05/22/meet-the-candidates-for-chicagos-first-ever-elected-school-board-president

Investigators should obtain the original article and any underlying CPS documents referenced by the reporting, including the outside-counsel review and approval record.

EXHIBIT H

CHICAGO PUBLIC SCHOOLS — JUNE 11, 2025 OFFICIAL RELEASE

Source: Chicago Board of Education announcement appointing Dr. Macquline King as Interim Superintendent/CEO.

Relevance: The CPS release identifies Jessica Biggs as a Board Member and Transition Team Chair and quotes her discussing the Board's work with Dr. King. It establishes an official, contemporaneous record of Biggs's governance role in the transition involving King.

URL: https://www.cps.edu/press-releases/2025/june/the-chicago-board-of-education-appoints-dr.-macquline-king-as-interim-superintendentceo/

Related CPS leadership notice: https://www.cps.edu/media/community-updates/2025/june/leadership

EXHIBIT I

CPS CODE OF ETHICS — SECTION 503.1

Source: Chicago Public Schools, Code of Ethics, Board Report 23-0824-PO2.

The Code applies to Board Members and establishes a conflict-of-interest standard prohibiting an Official or Employee from making, participating in, or attempting to use their position to influence a Board decision or action where the person has an economic interest or another interest distinguishable from that of the general public. The Code also states that Officials and Employees owe a fiduciary duty to the Board and taxpayers and requires Board Members to conduct monthly conflict checks.

URL: https://www.cps.edu/sites/cps-policy-rules/policies/500/503/503-1/

Investigative issue: determine whether Biggs's personal DNH petition and her official role in the superintendent-selection process created an interest requiring disclosure, recusal, or other ethics safeguards.

EXHIBIT J

CPS BOARD BYLAW 1-4 — BOARD MEMBER EXPECTATIONS

Source: Chicago Public Schools, Board Bylaw 1-4.

The Board Member oath requires members to avoid conflicts of interest and the appearance of impropriety and not use Board membership for personal gain or publicity. The Bylaw also provides that an individual Board Member has no legal authority acting alone and includes "Self Dealing" as conduct involving intent to obtain a personal advantage coupled with an act in excess of lawful authority.

Section IV further provides a Board process for removal/referral when specified misconduct is determined, including referral to the Cook County State's Attorney and Illinois Attorney General; the Bylaw requires a two-thirds Board vote for such a resolution.

URL: https://www.cps.edu/sites/cps-policy-rules/bylaws/chapter-1/1-4/

EXHIBIT K

CPS DNH REMOVAL PROCEDURES — CURRENT ADMINISTRATIVE HEARINGS PAGE

Source: Chicago Public Schools Office of Administrative Hearings — Administrative Hearings / "Do Not Hire."

The current CPS page states that eligibility for rehire is a hiring standard established by the Board and describes a DNH-removal petition process. It identifies the Office of Administrative Hearings and DNH Removal Petition Committee as participants in reviewing removal requests and states that a final decision is provided in writing.

The page also states that the current CEO Guidelines were amended July 31, 2026. Because Biggs's removal occurred in 2025, investigators should obtain the exact DNH rules and delegation in effect when her petition was decided, rather than applying the current rules retroactively.

URL: https://www.cps.edu/about/policies/administrative-hearings/

EXHIBIT L

SEVENTH CIRCUIT — BIGGS v. CHICAGO BOARD OF EDUCATION

Case: No. 22-2031, decided September 18, 2023; appeal from N.D. Illinois No. 1:18-cv-6183.

The Seventh Circuit opinion states that Biggs was fired after a publicly disclosed investigation found CPS policy violations and that, in June 2018, the Board fired her and designated her DNH. The appellate court affirmed the district court's summary judgment for CPS in Biggs's §1983 occupational-liberty case.

Official source: https://www.govinfo.gov/content/pkg/USCOURTS-ca7-22-02031/pdf/USCOURTS-ca7-22-02031-0.pdf

This exhibit is included to establish the existence and outcome of the federal litigation; it does not ask the investigating agencies to relitigate that case.

EXHIBIT M

N.D. ILLINOIS — BIGGS v. CHICAGO BOARD OF EDUCATION

Case: No. 1:18-cv-06183, Document 126, Memorandum Opinion and Order, May 19, 2022.

The district court record states that CPS terminated Biggs on June 29, 2018 and deemed her DNH. It describes the DNH designation as a designation on an employee's electronic file that prevented rehire within CPS. The opinion also discusses the underlying OIG investigation and the public disclosure of the termination reasons.

Source: https://law.justia.com/cases/federal/district-courts/illinois/ilndce/1%3A2018cv06183/356390/126/

The original user-supplied filing packet contains additional underlying records and correspondence; those original materials are retained after this front section as Exhibits A–E.

SOURCE AND FILING NOTES

• CPS Ethics: ethicsinquiries@cps.edu; CPS states that community members may report suspected Code of Ethics violations and that reports may be reviewed by the Ethics Committee or referred to OIG.

• CPS OIG: 567 W. Lake Street, Suite 1120, Chicago, IL 60661; 773-534-9400; inspectorgeneral@cpsoig.org.

• Cook County State's Attorney: the Investigations Bureau states that its investigators handle specialized crimes including official misconduct, public integrity, and election fraud.

• Illinois Attorney General: the Public Integrity Bureau states that it investigates/prosecutes a range of public-corruption matters, including official misconduct involving public officials and employees.

• Illinois State Board of Elections is not included as a primary recipient because this complaint presently concerns governance/ethics and DNH administration, not a specific Election Code or campaign-finance violation. If evidence of such a violation emerges, a separate election-law complaint should be prepared using the applicable ISBE procedure.

• Washington, D.C. agencies are not included as filing recipients because the present facts do not identify a D.C. government operation, D.C. employee, or D.C. governmental act. The D.C. OIG states its complaint jurisdiction concerns District government operations and District employees.

This packet should be served separately to each primary/secondary recipient, with the same master complaint and exhibit set. Do not send original documents; retain the master copy and proof of delivery.

This document is a prepared investigative complaint, not legal advice and not a finding of misconduct. Counsel should review before filing if the complainant wants a lawyer to certify the legal theories or make any additional criminal allegations.

Attachments / Exhibits

Exhibit	Description	Source File
Exhibit A	CPS Office of Inspector General Summary Report, OIG 17-00393 (May 14, 2018)	Biggs__Jessica_OIG_17-00393_Redacted(20260831-015738).pdf
Exhibit B	Biggs DNH file, including prior DNH-removal correspondence	Biggs_Jessica_DNH_file_Redacted.pdf
Exhibit C	Biggs DNH removal file, including October 21, 2024 denial, July 2025 petition/support, and August 18, 2025 approval	Biggs_Jessica_DNH_lifted_file_Redacted(20260831-015812).pdf
Exhibit D	Chief Executive Officer Guidelines for Designating Separated Employees as Ineligible for Rehire, amended May 21, 2021	dnh-guidelines-052021.pdf
Exhibit E	CPS Administrative Hearings - published DNH Removal Request Procedures	Administrative Hearings _ Chicago Public Schools.pdf

Legal authorities referenced: 720 ILCS 5/33-3; Chicago Board of Education Bylaw 1-4 (Board Member Expectations, including Board Member Oath and Self Dealing); Chicago Board of Education Code of Ethics, Board Report 23-0824-PO2 (Section 503.1); CPS CEO Guidelines for DNH removal (May 21, 2021).

Additional public records referenced: Chicago Board of Education June 11, 2025 roll-call tally on King's interim appointment; Chicago Tribune reporting dated August 30, 2025; Chicago Tribune op-ed by Jessica Biggs and Che Smith dated February 13, 2026.

Exhibit A

CPS Office of Inspector General Summary Report
OIG 17-00393 - May 14, 2018

Office of
Inspector General
Chicago Board of Education
Nicholas Schuler, Inspector General

SUMMARY REPORT

OIG 17-00393

May 14, 2018

NFS

SUBJECTS

1. Jessica Biggs
   Interim Principal
   Edmund Burke Elementary School
   Employee ID [redacted]
2. Tenesha Hatter
   Assistant Principal
   Edmund Burke Elementary School
   Employee ID [redacted]
3. Tamika Gipson
   School Community Representative
   Edmond Burke Elementary School
   Employee ID [redacted]

CASE INITIATION

The Office of Inspector General initiated this investigation after it had received a complaint, alleging that Jessica Biggs, the interim principal of Edmund Burke Elementary School, instructed the school's attendance clerk to mark students present who were, in fact, not in school. The complaint also claimed that Burke Elementary administrators asked school employees to transport students to and from school in their personal vehicles.

FINDINGS

1. Since the 2014-15 school year, Jessica Biggs, the interim principal of Edmund Burke Elementary School, and Tenesha Hatter, the school's assistant principal, instructed school attendance clerks, including Tamika Gipson, to mark students who arrived late to school as tardy, regardless of when they arrived at school. In doing so, Biggs and Hatter ignored that CPS's tardy and absent classifications are based on the amount of instructional time that students receive during the school day. Biggs specifically told the OIG that she does not draw a distinction between marking a student tardy or absent for a half day. Similarly, Hatter told the OIG that, if a student would arrive as late as

2:00 p.m., the student would be marked as tardy, even though the school day ends at 2:30 p.m. Gipson stated that she merely followed Biggs's and Hatter's directions when entering attendance, and did not make determinations as to whether students were tardy or absent.

2. Biggs's and Hatter's improper reliance on the tardy attendance code has likely impacted Burke Elementary School's attendance rate since the 2014-15 school year. According to CPS's Office of Student Support and Engagement, a tardy classification does not negatively affect a school's attendance numbers because it is not considered to be a student absence. Burke Elementary School's use of the tardy code in each year since 2014-15 far outpaces both the Network and district-wide averages for the same year, thereby suggesting that the school had often marked students as tardy when they should have been marked as absent. In each year since 2014-15, Burke Elementary School used the tardy attendance code more than twice its Network average. Similarly, for each of the past four semesters, Burke Elementary used the tardy attendance code more than four times the district average. Given the size of these discrepancies, it is clear that the impact on Burke Elementary School's attendance was not *de minimis*, and almost certainly substantial.

3. Nevertheless, the OIG is unable to quantify with certainty how much Burke Elementary School's attendance was impacted. The informal method by which Burke Elementary misclassified students as tardy left no formal audit trail or other paper trail that would accurately reflect the number of instances when students were improperly classified as tardy. As a result, the OIG cannot calculate with certainty the number of present codes that were improperly credited to Burke Elementary by marking students as tardy when they should have been marked as absent.

4. As part of an apparent initiative to ensure that truant students attend school, Biggs and Hatter regularly instructed several Burke Elementary School employees — again, including Gipson — to transport students to school in their personal vehicles after the school day had already begun. However, Biggs or Hatter did not (a) obtain parents' written consent to allow school personnel to transport their children; (b) verify that the employees had valid driver's licenses and appropriate automobile insurance; or (c) place the employees' driver's license information and proof of insurance on file. As a result, Biggs and Hatter violated CPS policy. *See* CPS Policy Manual § 604.3(VI)(B)(3)-(5) (Bd. Rpt. 10-0526-P01). And although Gipson told the OIG that she transported students almost daily, she said that she merely did as Biggs and Hatter had instructed her.

5. Biggs and Hatter undertook their improper actions without the knowledge of Network officials. In March 2017, Network 9 Chief of Schools Felicia Sanders and attendance coordinator LaTonia Lambert provided guidance to Biggs and other school personnel on the best practices for taking daily attendance. But neither Sanders nor Lambert were aware that Biggs and Hatter had instructed school clerks to mark students who arrived late to school as tardy, regardless of when they arrived at school. Sanders also did not know that Biggs and Hatter regularly instructed Burke Elementary School employees to transport students to and from school.

RECOMMENDATIONS

Based on the OIG's investigation, which is detailed below, the OIG recommends appropriate discipline for Jessica Biggs.

The OIG also recommends appropriate discipline for Tenesha Hatter.

The OIG recommends appropriate discipline for Tamika Gipson, as well.

INVESTIGATION

A. INTERVIEW OF [redacted] (APRIL 6, 2017)

[redacted] is [redacted]at Burke Elementary School [redacted] has worked for CPS for [redacted] Since joining Burke, [redacted] has become concerned that interim principal Jessica Biggs has instructed attendance coordinator Tamika Gipson to falsify student attendance. [redacted] had overheard Biggs instruct Gipson to enter students as tardy or present when Biggs knew the students were absen [redacted] old the OIG tha [redacted] id not think that Gipson knows what she is doing when she changes student attendance, and changes it only because it is what she has been taught as part of her role as attendance coordinator.

Nevertheless, [redacted] reported the falsification to the City of Chicago Inspector General, unaware of the distinction between the City OIG and the CPS OIG. [redacted] also intended to report the falsification to Network 9 Chief of Schools Felicia Sanders. But after [redacted] had contacted the City OIG, Sanders toured the school, supposedly in response to Burke [redacted] separate complaint to the Network about attendance falsification.

[redacted] stated that, even after Sanders's visit, students who show up as late as 1:15 p.m. are marked as present. Students are incentivized to not say anything about their absences because students who have good attendance are rewarded. For instance, Biggs will often walk around the lunchroom and ask students if other students were at school that day. Because of the incentives, the students usually say the other students were at school, regardless of whether that was true.

[redacted] then shared with the OIG a daily attendance summary from March 20, 2017. The summary was taken from the Gradebook database, and reflected handwritten notes, check marks or "Ts" next to some students' names. The document is in the OIG investigative file. [redacted] explained that [redacted] but on [redacted] was instructed to do so. Originally, 54 students were marked as absent, but after Biggs walked through the school with assistant principal Tenesha Hatter, she tol[redacted] that studen[redacted] arrived at school, that the actual absent count was 29, and then instructed [redacted] to mark the other students as tardy. [redacted] does not believe that all of those students were present, but changed their attendance classifications to tardy and added a note that stated that the change was "per principal."

[redacted] also showed the OIG a handwritten list of students (identified by their first initial and last name) that was dated March 27, 2017. [redacted] also presented a medical excusal form for Burke student [redacted] dated March 27, 2017, which reflected tha[redacted] ad received a medical excuse from school from March 27 through March 29. [redacted] also gave the OIG an attendance detail report for [redacted] which was taken from the IMPACT SIM database for March 23, 2017, to April 6, 2017. Each document is in the OIG investigative file.

[redacted] related that almost all attendance is recorded in handwriting. [redacted] kept copies of the attendance record for March 27, 2017, because [redacted] was absent that day and recorded as such on internal attendance records. However, the attendance detail report reflected that [redacted] was marked as tardy that day, as well as on March 23 and 24. [redacted] was, however [redacted] fied as absent-excused for March 28 through March 30. [redacted] lso acquire [redacted] medical excusal form to show that [redacted] was out of school and would not have returned because [redacted] was medically excused for three days. It was [redacted] understanding that teacher Andrew Chen had marke[redacted] as absent, and that after he spoke with Biggs [redacted] attendance was changed to tardy.

Also according to [redacted] Biggs sent an email to teachers — which [redacted] had not seen — that instructed teachers to convince students to go to class by picking them up at home and transporting them to school. Gipson and other staff

members — including Dean of Students Terence Cook and School Security Officer Cleotha Jones — were instructed to pick up students.

B. Interview of [redacted] (April 26, 2017)

[redacted] is [redacted] at Burke Elementary [redacted] told the OIG that, on a regular basis, interim principal Jessica Biggs instructed attendance clerk Tamika Gipson to change or to enter students' attendance codes to present when Biggs knew that the students were, in fact, absent. According to [redacted] Network 9 Chief of Schools Felicia Sanders had noticed problems with Burke's attendance practices. After Sanders saw that students who had entered the school after 1:00 p.m. were marked as present, Sanders explicitly instructed personnel in an email that students who arrive at school that late in the school day cannot be marked as present. A short time later, the school's staff received an email, stating that, "per the Network," attendance procedures would change. Attendance was previously handwritten and submitted to Gipson for her to enter into IMPACT SIM. But since Sanders's email, teachers report their own attendance in Gradebook.

The employees at Burke Elementary were aware that Biggs fabricates attendance, but are also afraid of Biggs because of the way she treats staff. Shortly before [redacted] interview, [redacted] had overheard an interaction between Gipson and Biggs, during which Biggs instructed Gipson to change an attendance code. Gipson questioned whether it was permissible. In response, Biggs told Gipson that Gipson works for her, not the Network. The Network also asked for an attendance report and Biggs told Gipson not to provide it.

[redacted] also claimed that Biggs works to increase Burke's attendance in another way: she instructs staff members to pick up students at their homes to bring them to school. Biggs will send whomever is available — usually Gipson, security guards and special education classroom assistants (SECAs) — to pick up students in their personal vehicles. The students are marked as present, regardless of when the students actually arrived at the school, and regardless of whether they have received any instruction.

C. Email From Jessica Biggs Regarding New Attendance Procedures

The day after the OIG spoke with [redacted] forwarded to the OIG the email that had been sent to Burke personnel, detailing the school's new attendance procedures that were instituted "per the Network." The email was sent from interim principal Biggs on March 26, 2017, and covers a number of subjects. As to the school's attendance procedures, the email reads:

> What a great week in attendance! Thank you all for your hard work as we continue to work to rebound from a couple of challenging attendance weeks. Our school-wide weekly average of 94.59% brought our school-wide YTD average up to 93.45%! Let's continue all of our efforts to get our students here every day. From now until Spring Break, we will continue the incentive to meet our 95% goal Monday-Thursday with an out-of-uniform reward on Friday and Thursday (next week), if we meet that target. For SQRP purposes, we MUST hit 94% by the end of the year!
>
> * * *
>
> Additionally, the Network is requiring a couple of things from us regarding attendance reporting:
> 1) **ALL** teachers **MUST** submit attendance in Gradebook **before** 8:30am, daily. We are not allowed to submit your attendance from the office. It is critical that you do not neglect this responsibility as your early attendance submission allows us to make timely calls to families who are not present.
> 2) At the end of each school day, you will receive an "Attendance Verification Report" in your mailbox to verify who was present, tardy or absent. You will need to sign off on this and give it to Ms. Gipson each day.
> **My apologies for the extra paperwork. These are new Network requirements. (Emphasis in original.)

Biggs's email is in the OIG investigative file.

D. Interview of Kimberly Branch (May 11, 2017)

Kimberly Branch is a teacher at Burke Elementary School, where she has taught since 2015. When asked how she reports classroom attendance, Branch stated that she records it on a piece of paper which she places into a red folder. That folder is then collected by school personnel and taken to the main office. Branch also records the class's attendance in Gradebook. The school's main office, though, is responsible for documenting attendance changes. For example, if a student is absent, but the parent brings in a doctor's note, the office will change the student's absence to present for the day. Branch did not realize that the main office had the ability to make attendance changes until learning of the changes that had been made to her class's attendance.

Branch said that it is an open secret that interim principal Jessica Biggs directs attendance to be changed to reflect more Burke students in attendance than there actually were. Branch did not see immediately direct evidence of the changes because she was not checking her reported attendance in IMPACT. But she began to become suspicious when the school would announce that her class had perfect attendance on days that it did not. For instance, on May 10, 2017, Branch's class was

announced as having perfect attendance the day before, even though Branch knew that at least four students were absent that day.

Branch believed that the Network Office was aware of Burke's attendance issues, based on what she has heard and the frequency of Network personnel being in the building. Branch also heard that there was an audit about two weeks before her interview. From what Branch understood, Biggs was told to make changes to the school's attendance procedures. But Biggs pushed back and, to Branch's knowledge, no changes in procedure were made.

Branch also said that, if students are not at school, security officers and SECAs are sent to their homes to pick them up. This occurs nearly every day, and students can arrive as late as 12:15 p.m. and still have their absence classifications changed to presents. Branch said that Tamika Gipson is most commonly sent to pick up students, along with school security officer Cleotha Jones.

Branch has always felt pressure to increase attendance, something she feels that she cannot control as a teacher. Biggs and assistant principal Tenesha Hatter have held attendance meetings for as long as Branch has been at Burke. The meetings feel disciplinary and punitive, and Branch said that she avoids ruffling Biggs's feathers because she is known to make employees' lives difficult. But the pressure has increased since the implementation of the new attendance policies, under which she submits her own attendance.

E. Interview of Ashley Blume (May 11, 2017)

Ashley Blume is a teacher at Burke Elementary School, where she had worked for the five years before her interview. She told the OIG that she reports her attendance on paper in handwriting, places the paper in a red folder, and sends the folder to the main office. Blume then enters that same information into Gradebook, and later reviews and signs an attendance-verification sheet, which the main office provides.

However, Blume stated, the attendance policy that she followed was implemented by the Network only about two weeks before her interview. Under the old policy, Blume would submit her attendance to someone in the main office, who was responsible for entering the information into IMPACT SIM. Generally, Blume stated, Tamika Gipson is responsible for attendance.

Blume has never been asked to falsify attendance, but she was aware of students having been marked as tardy when they never went to class. Blume has also noticed that, when she receives the attendance-verification sheets, there are occasionally a few discrepancies. And before the recent change in the attendance policy, Blume was aware of other attendance issues. For instance, every few weeks, Blume would see

attendance reports with students marked as tardy when she never saw the students at school. In addition, students who arrived at school with their parents were marked as tardy, even if they did not attend class.

Blume also learned of attendance issues at Burke during morning roll calls. Often, Blume's class would be announced as having perfect attendance or near perfect attendance when it did not actually have perfect attendance or near perfect attendance. Blume has not brought the issue to the administration's attention, but it is well known throughout the school because, to Blume's knowledge, almost every class has experienced the same phenomenon.

As to Burke personnel picking up students at home to bring to school, Blume did not know all of the employees who have been asked to do so. But she knew that interim principal Biggs had asked her classroom assistant, Gipson and some parent workers to pick up students. In fact, Blume said, the school administration sends staff to pick up students as frequently as every day or every other day.

F. Interview of Terence Cook (May 12, 2017)

At the time of his interview, Terence Cook was Burke Elementary School's dean of students — a position that he held for three years. He reported to both interim principal Jessica Biggs and assistant principal Tenesha Hatter. In August 2017, he transferred from Burke Elementary.

Cook related that, to address student absences and tardy students, staff in the main office call students' homes to ask parents if they know where their children are, whether they could bring their children to school and, if not, whether they would allow staff to pick up their children. Cook presumed that parents authorized their children to be picked up because phone calls are made to homes before the staff picks up the students. Cook did not know how often staff members pick up students, and has never been asked to pick up students. Once, though, he drove a student home to retrieve a uniform, which was the only instance in which he transported a student.

Under Burke Elementary School's attendance procedures, Cook explained, student attendance is collected from each floor and submitted to the main office. But Cook did not know which [redacted], Tamika Gipson or [redacted] attendance into IMPACT SIM.

G. Interview of Tamika Gipson (May 25, 2017)

Tamika Gipson is the school community representative at Burke Elementary School. She has worked at the school since 2010. As a school community representative,

Gipson is responsible for talking to parents, recording attendance and picking up students who have not yet arrived at school.

When students have not yet arrived at school, Gipson stated, she receives a list of students whom she is supposed to pick up. Gipson assumes [redacted], [redacted] or someone else receives phone messages from the parents authorizing a pickup before the list is created, but does not know because the list of students to pick up is on her desk when she arrives. Interim principal Jessica Biggs explained to Gipson that picking up students was part of her responsibilities as a school community representative. Before she began transporting students, Gipson did not provide to the school proof that she has a valid driver's license or insurance, or otherwise complete any paperwork.

Either daily or every other day, Gipson picks up three to four students from their homes in her personal vehicle. Specifically, Gipson drives each student individually to school and then goes to pick up a new student, unless multiple students live at the same address. Each trip takes approximately 40 to 60 minutes, meaning that if she starts her day at 7:30 a.m., which is her normal start time, she is usually done picking up students by 9:30 a.m. Gipson said that other employees have also been asked to pick up students, but has only seen dean of students Terence Cook drive students with regularity. Cook would continue to pick up students throughout the day and into the afternoon. Gipson, though, did not know the regularity with which Cook picked up students.

After Gipson finishes picking up students, she is responsible for entering into IMPACT SIM tardy students who are listed in the "tardy book." The "tardy book" was a notebook that the school maintains at the security desk near the main entrance, where students seen entering the building are marked as tardy and issued tardy passes. When entering the tardy codes into IMPACT SIM, Gipson will change any corresponding absent codes — which were submitted by the students' teachers in Gradebook — so that they reflect that the student was tardy. Gipson will continue to enter tardy codes throughout the day because students arrive at school throughout the day into the afternoon. Gipson explained that parent-worker Dianna Miller had taught her that students who arrived late at Burke are marked as tardy, regardless of what time they arrive, and that the school does not mark students as having been absent for half a day.

Burke Elementary began using the "tardy book" on March 27, 2017, per the Network Office's instructions. Attendance procedures were different before the Network Office stepped in. On any given day, only about a third of the school's classrooms actually reported attendance through Gradebook. Some teachers knew that they

were supposed to report attendance, but the rules were unclear for most of the Burke staff. As a result, attendance was recorded on notebook paper by parent workers and submitted to Gipson, who would enter it into IMPACT SIM.

Also, throughout the day, parent workers would check classrooms and the playground to see if students arrived later in the day without having been noticed. Biggs and assistant principal Hatter also would walk through the cafeteria to see if any students who were marked as absent had arrived. So Gipson would not submit attendance for the day until later because students often arrived tardy.

Gipson told the OIG that, shortly before her interview, she had been told by Network personnel that she was supposed to issue attendance-verification forms to teachers. The verification forms are intended to ensure that there is no misunderstanding between teachers and Gipson about the attendance that was being reported. Specifically, Gipson prints off the verification forms after entering the first round of attendance and receives the forms back from the teachers by the end of the day. If a verification form has a student marked as absent and the teacher states that the student was tardy, Gipson changes the code in IMPACT SIM. If the verification form has a student marked as tardy and the teacher states that he or she never saw the student, Gipson will refer the teacher to interim principal Biggs. Similarly, if teachers have other issues with their reported attendance, Gipson refers them to Biggs.

Gipson will also refer a teacher to Biggs when they notice during the morning meetings that his or her class had been recognized for having perfect attendance on the preceding school day, when he or she did not see all of his or her students on that day. Gipson related that multiple teachers had approached her about their classes' reportedly perfect attendance. She has never discussed attendance discrepancies with Biggs, though, and noted that she does not attend the morning meetings where perfect attendance is recognized because she is usually out picking up students during that time.

Gipson said that she did not know whether attendance had been falsified at Burke Elementary, but explained that she would not know because she does not see the students from her office. Gipson's job is simply to enter the attendance into IMPACT SIM based on information that is given to her, and she has not questioned whether the attendance she enters is inaccurate because she is only doing what she is told.

H. Interview of Tenesha Hatter (October 17, 2017)

Tanesha Hatter is the assistant principal at Burke Elementary School. She has worked for CPS for 26 years and became the assistant principal at Burke in 2013. Her responsibilities include, among other things, overseeing discipline, managing

culture and climate, and coaching teachers. Hatter reports directly to interim principal Jessica Biggs.

1. *Burke Elementary School's Attendance Procedures*

The OIG asked Hatter to explain Burke Elementary School's attendance-keeping procedures. She replied that students arrive in the school auditorium, which also functions as the school lunchroom, as early as 7:20 a.m. At 7:45 a.m., when the school day begins, students are led to their classrooms by their respective teachers in an order determined by the previous days' attendance. Classes that had perfect attendance the previous school day are rewarded by allowing them to go to their classroom first while dancing out of the cafeteria.

Teachers are responsible for submitting attendance in Gradebook and by paper record by 8:45 a.m. every day. Paper attendance records are collected by off-duty officer Rhegeae Tate and security officer Kelvyn Cockrell, who then submit them to the main office. Gipson will print a list of absent students, and Hatter will verify their absence by looking for them during the lunch hour. If Hatter sees a student that was previously marked as absent, she will notify Gipson and Gipson will change the student's absence to tardy. All staff members are encouraged to notify Gipson if they see a student in the building who was reported as absent.

Gipson also will compare the paper records and attendance reported in IMPACT SIM to verify that the two records match. If they do not match, Gipson will go to classrooms to inquire about the discrepancies. No changes to attendance policies at Burke were made in the last year. Gipson and [redacted] who is [redacted], attend training as frequently as every quarter, including training sessions on attendance procedures.

Students who enter the building late sign into a book that is near the main door. If students arrive later than 8:00 a.m., the student is marked as tardy. If a student arrives as late as 2:00 p.m., the student is marked as tardy, even though the school day ends at 2:30 p.m. Hatter did not know if there was a time at which a student is no longer marked as tardy after arriving at Burke because, she acknowledged, that it was not a common occurrence. As Hatter explained, the school will not turn away students who arrive, even if they arrive late. When asked why a student arriving after noon would not be considered to have been absent for half of a day, Hatter stated she was aware that half-day attendance codes were used and that she would "have to investigate the half-day thing." Hatter also was aware that the Illinois State Board of Education requires a minimum amount of daily instructional time, but did not know how many minutes ISBE required.

The OIG told Hatter that several teachers had said that their classrooms were announced as having perfect attendance on days when they did not. Hatter replied that she did not know why they would say that, and noted that she has never had a conversation with a teacher who believed that their attendance was falsely reported as perfect. Hatter also did not know why classroom attendance, as reported by teachers, would show students as absent when the students were marked as present in IMPACT SIM.

Hatter initially stated she has had no communication with Central Office or the Network Office regarding attendance policies at Burke. But then she recalled that there had been a communication, likely an email, in which a Central Office department mandated teachers to report attendance in Gradebook and prohibited the main office to report attendance.

2. Burke Elementary School Personnel's Transportion Of Students

Hatter stated that the administration at Burke Elementary will occasionally send staff to pick up students at their homes. However, she also stated, it was not a common practice, and she did not know how many times Burke staff members had picked up students. Hatter explained that parents will call the school and request that someone pick up their child, or that the school will offer to pick up an absent student when calling to check on him or her. Hatter believed that she and Biggs would know whether a student was being picked up. Hatter also stated that Gipson, security officer Jones and former dean of students Terrence Cook (who had left for another job at the end of the 2016-17 school year) had picked up students the previous school year.

Hatter was not aware of the school verifying any staff member's driver's license. She also did not know of whether anyone verified any staff member's insurance. But Hatter recalled that she had contacted her insurance company to verify that she was insured to drive students. Hatter also recalled having read a CPS policy that stated that (1) parents must provide permission to CPS staff members to transport their children; and (2) a staff member's driver's license and insurance must be verified before they can transport a student. But, to her knowledge, no parent has signed a release allowing their child to be transported by Burke staff.

I. INTERVIEW OF CLEOTHA JONES (NOVEMBER 1, 2017)

Cleotha Jones is a security officer at Burke Elementary School, where he has worked since 2015. He works alongside Rhegeae Tate, who is an off-duty police officer with the Chicago Police Department. Jones is responsible for ensuring the safety of students and staff, and for monitoring the school's halls.

Sometime in the winter of 2016, Jones recounted, he began picking up students at their homes. Jones said that he did not do so frequently, and estimated that he picked up students about twice a week, every other week. Jones usually only picked up one student at a time, and no more than two. Usually, assistant principal Hatter would instruct Jones to pick up students, but he recalled one time in which interim principal Biggs gave the instruction. Jones would be given the student's information and was always told by whomever was sending him that the parent had authorized him to pick up the student. Jones said that a student could be picked up for only two reasons: (1) the student's parent was sick; or (2) inclement weather prevented the student from traveling to school.

Jones has never picked up, and would never pick up, a student without being told that a parent had authorized the pickup. The only other person whom Jones knew to have picked up students was the dean of students, Terence Cook. But Jones did not know how often Cook was sent to transport students.

When asked, Jones stated that the school never asked him to provide proof that he had a valid driver's license or insurance. Jones did, however, provide his driver's license to CPS when he was hired, but did not know where the district maintained that record.

J. Interview of Molly Burke and Dr. Zakieh Mohammed (December 15, 2017)

Molly Burke is the director of academic learning and supports in CPS's Office of Student Support and Engagement. Dr. Zakieh Mohammed also works in the Office of Student Support and Engagement as a senior manager of attendance and truancy. Together, they provided the following information:

Elementary attendance is entered once daily, as opposed to high school attendance, which is entered for every period. Teachers submit elementary attendance in Gradebook by a certain time each day. If the teacher is unable to submit attendance, a school clerk will submit attendance into IMPACT SIM. If a mistake was made, the attendance is corrected in IMPACT SIM.

All CPS students are supposed to receive 300 instructional minutes in a given school day. The school days are structured so that a student could arrive late and still receive 300 minutes of attendance. If a student arrives late, but still receives 300 minutes of instruction, the student is marked as tardy, which does not count against the school because the student received the required instructional time. If a student arrives too late to receive 300 minutes of instructional time, but still has enough time for 150 minutes of instruction, the student will be considered to have been

absent for a half day. If a student arrives too late to receive 150 minutes of instruction, the student will be considered absent.

Shortly after the OIG spoke with Burke and Dr. Mohammed, Dr. Mohammed provided by email written guidance that detailed how the number of instructional minutes in a school day dictates whether a student is present, tardy, absent for a half day or absent for a full day. In pertinent part, the document confirmed the information that Burke and Dr. Mohammed had told the OIG. The document is in the OIG investigative file.

K. Interview of Ebony Loury (January 23, 2018)

Ebony Loury is a school clerk in Burke Elementary School's Child-Parent Center, which is where pre-kindergarten students are educated. Loury is responsible for pre-K attendance and assists [redacted] and Tamika Gipson, with attendance.

Loury recalled that, at the beginning of the 2017-18 school year, she, [redacted] Gipson and Angela Ross — an hourly employee who functions as a clerk — attended a clerk training that explained attendance procedures. All four also attended another clerk meeting in November. At both meetings, they calculated the number of minutes that could pass before a student's tardy becomes a half-day absence. Loury could not remember specifically the time at which a tardy became a half-day, but did recall that it was at some point after 10:00 a.m. She also stated that Burke Elementary School has never applied the rule.

Loury reports attendance for the entire school if [redacted] and Gipson are out (which has happened only twice), and said that she has been monitoring school attendance since [redacted] mentioned to her that attendance was being misreported. Loury told the OIG that she believes that Burke Elementary School's attendance is being reported inaccurately. Specifically, students are often marked as present later in the day, when it appeared that not that many students had arrived.

For example, Loury said, 64 students were absent from Burke Elementary on the morning of January 22. But after staff members walked throughout the school later that day, 15 to 20 of those absent students' classifications were changed to present. Loury also stated that it is normal for 30 to 60 students to be absent from Burke Elementary, only to have attendance suddenly increase later.

When asked if she had ever driven to pick up students at the beginning of the school day, Loury replied that she had never been asked. But she knew that every security guard at Burke Elementary has driven students at some point, and believes that they do so regularly.

L. Interview of Jessica Biggs (February 22, 2018)

Jessica Biggs is the interim principal of Burke Elementary School, a position that she has held since 2012. As interim principal, Biggs is responsible for, among other things, the daily operations of the school, enforcing employee and student codes of conduct and the Code of Ethics, and evaluating staff and overseeing instruction. The school's assistant principal, Tenesha Hatter, generally handles the school's culture and climate issues. Henry Williams became the dean of discipline for Burke Elementary at the beginning of the school year. Terrance Cook was the previous dean, and he left at the end of the previous school year.

1. Burke Elementary School's Attendance Procedures

When asked to explain the attendance policies and procedures at Burke Elementary, Biggs stated that Burke's school day begins at 7:45 a.m., but that students can arrive as early as 7:20 a.m. to eat breakfast in the school's cafeteria. Around 7:40 a.m., students arrange themselves by classrooms with their teachers, and then are sent to their classrooms. Classrooms that had perfect attendance on the previous school day are released first and get to dance to their classroom in celebration. Classrooms with near perfect attendance on the previous school day are also recognized.

Teachers record attendance in their classrooms in Gradebook and by hand. The handwritten attendance sheets are then sent to the main office for verification. Teachers are asked to submit their attendance by 8:45 a.m. Any student who comes into the building later is given a tardy pass. Carbon copies of the passes are given to the attendance clerk Tamika Gipson for all students, except for kindergarteners. Kindergarten attendance is collected and maintained by the CPC clerk, Ebony Loury.

Biggs also stated that, if a student is late to school, his or her attendance is marked as tardy. If the student arrives after 9:45 a.m., the student receives a half day of attendance because the student is supposed to receive 300 instructional minutes in a school day. When asked why Burke Elementary has a low number of unexcused half attendance days, Biggs stated that she did not know and questioned whether the school did.

The OIG then asked Biggs to review a copy of an attendance detail report generated by Dashboard, and that presented data from the 2014-15 school year until February 21, 2018. The document reflected the number of absences (which are unshaded in the chart below) and tardy classifications (which are shaded grey) that Burke Elementary had reported during those three-and-a-half school years:

SY 2014-15

Half-Day Excused	Half-Day Unexcused	Full-Day Excused	Full-Day Unexcused	Total All Absences	Total Tardy
90	1	619	3,229	3,939	9,433

SY 2015-16

Half-Day Excused	Half-Day Unexcused	Full-Day Excused	Full-Day Unexcused	Total All Absences	Total Tardy
83	11	581	2,771	3,446	11,340

SY 2016-17

Half-Day Excused	Half-Day Unexcused	Full-Day Excused	Full-Day Unexcused	Total All Absences	Total Tardy
1	0	237	3,545	3,783	12,156

SY 2017-18 (to 02/21/18)

Half-Day Excused	Half-Day Unexcused	Full-Day Excused	Full-Day Unexcused	Total All Absences	Total Tardy
3	8	243	1,942	2,196	7,503

Biggs stated that the low number of unexcused absences was "a surprise to [her]," and asked the OIG how the number of half-day absences could be so low if some students are out of school on "home hospital" — in which students take online classes for part of the day while on extended medical leave. The OIG noted that the low number of unexcused absences were in question, and that the Dashboard report did not include special attendance codes like the one used for "home hospital." Biggs could not recall who told her that the "home hospital" designation counted as a half day of attendance. Biggs then said that she did not know why her employees would think that half-day attendance codes could not be used, adding that she knew that Gipson uses half days of attendance.

Biggs added that the school clerks attend monthly training sessions that address attendance procedures, and Biggs assumed that they learn attendance-keeping procedures during the sessions. Biggs acknowledged that teachers have had taken issue with their classrooms' attendance being celebrated when it was not perfect. But she believed that those errors were uncommon and resolved as soon as possible. Biggs did not know what caused the errors, but suggested that diverse learner

students' attendances may have been misreported because their schedules are not always the same. Biggs also noted that the students who arrive at the school late are supposed to enter through a specific staircase and wait for a tardy pass, but that some do not enter in the proper area.

Biggs then related that, during the 2016-17 school year, LaTanya Lambert, a representative of Network 9, came to the school to review attendance procedures and compare the school's tardy log to attendance entries on IMPACT SIM. Lambert found a handful of instances when the IMPACT SIM attendance records and tardy logs did not match, but not many. Lambert then worked with the school's administration to create the new attendance protocol, under which attendance would be recorded in Gradebook and in paper copy. In addition, carbon copy tardy slips would be issued at the school's the front door.

Before the new attendance-verification protocol was instituted, Biggs continued, she would attend the lunch hours at 10:25 a.m., 10:50 a.m., and 12:15 p.m., to check whether students who were earlier marked as absent were present for their lunch hour. Biggs acknowledged that, if she had observed a student at lunch who was previously marked as absent, she would not draw a distinction between marking that student as tardy or absent for a half day. Instead, she would simply mark the student as tardy.

Biggs explained that Burke Elementary has had difficulties with getting students to attend school. After other schools in the neighborhood closed, Burke Elementary School's boundaries expanded, forcing some students to travel as far as a mile and a half to get to school. In addition to dancing out of the cafeteria, Burke Elementary incentivizes student attendance in many ways, including by holding pizza parties, hiring a service that offers video games on a truck, and offering words of encouragement over the school's intercom system. The school also notifies parents during report card pickups if the administration is concerned about students' attendance. When students have three or more absences, the school contacts their parents directly by a letter that it sends home with the students.

2. *Burke Elementary Personnel's Transportation Of Students*

Biggs told the OIG that, although Burke Elementary staff members are sent to pick up students from their homes, they do so infrequently and usually only during the colder months of the year. When meeting with parents in the past, Biggs learned that sometimes students cannot travel to school because of some sort of hardship. So in an effort to work with the parents, Biggs told them that Burke Elementary employees could pick up their children and bring them to school.

All of Biggs's communications with parents about transporting students were exclusively verbal, and Biggs did not obtain parents' written authorizations that stated that Burke staff members could drive their children to school. Similarly, Biggs told the OIG that she was not aware that she needed to verify that the employees who transported students have valid driver's licenses or the appropriate insurance. In fact, Biggs said, she did not have any proof on file that any of her employees have valid driver's licenses or insurance.

M. Interview of LaTonia Lambert (March 16, 2018)

LaTonia Lambert is the attendance coordinator for the Network 9 Office. In her role, she is responsible for helping 18 CPS schools comply with CPS attendance policies and best practices. Lambert reviews SIM systems for data accuracy and runs daily absent reports in Gradebook. Generally, she is assigned to schools that are underperforming, including elementary schools.

Lambert recalled that Burke Elementary had some errors when reporting attendance, but she could not recall how many. She knew that when she started working at the school that she had requested that it begin to use a tardy log to avoid additional errors. Lambert also recalled that, at some point, someone who worked in the school's main office gave her a note that stated that the clerk, and not the teachers, was entering daily attendance. Lambert looked into the issue and discovered that the clerk was entering attendance, which is not allowed by CPS policy.

In response, Lambert sent an email to the school's administration, stating that the school would have to implement attendance-verification procedures. Lambert explained that attendance verification is the process of having teachers report attendance in Gradebook, so the main office can later return to them their attendance entries in hard copy to verify that their attendance was recorded correctly. To her knowledge, Burke Elementary is now using the attendance-verification process.

When asked, Lambert said that she has not noticed that Burke Elementary marks an abnormally high number of high school students as tardy. She also did not know how often schools report unexcused absences because, when she reviews daily attendance, it is a calculated percentage without a breakdown of what attendance codes were used.

N. LaTonia Lambert's Email Regarding Attendance-Verification Procedures

Shortly after she spoke with the OIG, Lambert forwarded the email that she had sent on March 16, 2018, to Burke Elementary principal Jessica Biggs, and that outlined

the attendance-verification procedures that the school would need to implement. That email stated the following:

> I am following up on the attendance procedures I observed while at Burke Elementary School. The Burke office personnel has been regularly submitting attendance on behalf of teachers, which is against CPS policy and the Burke Elementary Employee Handbook. Below is a list attendance procedures that should be implemented immediately:
>
> **Step One:**
> **Attendance Submission**
> Teachers are to submit attendance through Gradebook each day. The Burke Staff Handbook indicates that teachers are to submit attendance within the first hour of the school day. At no time is the office personnel to submit on the behalf of teachers unless there is a substitute teacher in a classroom or there are technical difficulties occurring.
>
> **Step Two:**
> **Tardy Documentation**
> Although your current tardy log system is providing a means to document tardies, we will require that you begin utilizing the carbon-copy tardy books as a new method. This should make archiving tardy records more manageable. We will provide you with an initial set of tardy books.
>
> **Step Three:**
> **Teacher Verification Report**
> The office personnel is required to run a *Teacher Verification Report* each day between Noon and 2PM. Each teacher should review the report, make corrections/confirm accuracy and sign off before the end of the school day.
>
> * * *
>
> The attendance verification report should be used by the office to make tardy corrections once attendance has been submitted. (Emphasis in original.)

Lambert's email is in the OIG investigative file.

O. Interview of Felicia Sanders (March 16, 2018)

Felicia Sanders is the Chief of Schools for Network 9. At the beginning of her interview, Sanders told the OIG that she had guessed that the OIG had wanted to discuss Burke Elementary School. Sanders explained her guess by stating that she knew that the OIG had met with the Network's attendance coordinator, LaTonia Lambert, and that Burke Elementary had attendance issues during the 2016-17 school year.

Sanders then related that she was concerned about the school's attendance last year after seeing that the clerk was entering classroom attendance. In response, Sanders told interim principal Jessica Biggs that classroom teachers should enter classroom attendance, not clerks. Lambert subsequently sent an email to Biggs that explained attendance-verification procedures, and Sanders sent an email of her own to school administration to direct them to remain in compliance with CPS's attendance-reporting policies. Sanders subsequently provided to the OIG a copy of her email, and it is in the OIG investigative file.

When asked, Sanders did not know how many tardy classifications Burke Elementary reports. Sanders reviews the attendance reports that are sent to her, but does not look into those types of detailed numbers unless she is aware of an issue. Sanders also did not know why Burke Elementary would have a very low number of half-day unexcused absences because the issue had not been brought to her attention.

In addition, Sanders did not know that Burke Elementary employees were driving students to and from school. Sanders was confident that the school administration would know that parental consent, as well as proof of insurance and valid driver's licenses, are required before school personnel may transport a student. Sanders did not know how often schools are reminded of the policies on student transportation. But she also recalled that, during an informational session that the Law Department held the previous summer, schools were advised of the policy verbally and through electronic documents that were circulated.

P. Burke Elementary School's Use Of The Tardy Code In Perspective

The OIG obtained from the Dashboard database attendance data for the 2014-15, 2015-16, 2016-17 and 2017-18 school years (through April 25, 2018) for Burke Elementary School. Using that data, the OIG compared Burke's use of the tardy code over each school year to other schools' use of the code for that same school year. The comparison revealed that Burke had far exceeded the other schools' usage of the tardy code.

1. Burke's Use Of Tardy Codes Compared To The Network 9 Average

The OIG obtained from the Dashboard database attendance data for the 2014-15, 2015-16, 2016-17 and 2017-18 school years (through April 25, 2018) for each of the 21 elementary schools in Network 9, which includes Burke Elementary School.[1]

[1] Until the summer of 2016, Burke Elementary School was part of the OS4 Network. However, the school's geographically zoned network for the 2014-15, 2015-16, 2016-17 and 2017-18 school years was Network 9.

Specifically, the OIG obtained the percent of each school's use of the tardy attendance code for each school year — that is, how often the school had used the tardy attendance code as opposed to other attendance codes. The OIG then (1) averaged the schools' use of the tardy code in each school year; and (2) compared the Network-wide average to Burke Elementary School's use of the tardy code for the same school year. The comparison revealed that, for each of the past four years, Burke Elementary used the tardy attendance code more than twice as much as the Network average:

Semester	Average of Schools' % Use of Tardy Code	Burke Elementary % Use of Tardy Code	Amount Over Network Average
2014-15	7.80%	18.14%	10.34%
2015-16	7.87%	20.49%	12.62%
2016-17	8.19%	20.78%	12.59%
2017-18 (to 04/25/18)	8.01%	21.60%	13.59%

2. Burke's Use Of Tardy Codes Compared To The District Average

In addition to obtaining the attendance data for schools in Network 9, the OIG obtained from the Dashboard database the attendance data for all elementary schools in the district from the past four semesters.[2] Expanding the same calculations described above to the district level revealed that, since the fall semester of the 2016-17 school year, Burke Elementary School used the tardy attendance code more than four times the district average:

Semester	Average of Schools' % Use of Tardy Code	Burke Elementary % Use of Tardy Code	Amount Over District Average
2016-17 Fall Semester	3.94%	15.86%	11.92%
2016-17 Spring Semester	4.66%	25.57%	20.91%
2017-18 Fall Semester	3.84%	21.61%	17.77%
2017-18 (to 04/25/18)	4.73%	22.42%	17.69%

[2] Dashboard provides district-wide attendance data only on a semester-by-semester basis — as opposed to a school year-by-school year basis — because of the high volume of data involved in the database calculations. As such, the OIG presents the district-wide attendance data here on a semester-by-semester basis. Similarly, Dashboard currently is able to provide district-wide attendance data only for the two school years preceding the date of any data query because of the extremely large volume of data involved.

ANALYSIS

Evidence shows that, since the 2014-15 school year, Jessica Biggs, the interim principal at Edmund Burke Elementary School, and Tenesha Hatter, the school's assistant principal, directed school attendance clerks — mainly Tamika Gipson — to mark students who arrived late to school as tardy, regardless of when they actually arrived at school. In doing so, Biggs and Hatter ignored that CPS's present, tardy and absent classifications are based on the amount of instructional time that a student receives during a school day. Written guidance provided by the Office of Attendance and Truancy explains that a student is marked present if he or she receives a minimum of 300 instructional minutes for that day, and that absent classifications apply when the student fails to meet that threshold:

Event	Applicable Attendance Code
A student has received a minimum of 300 instructional minutes	Present
A student has received between 150 and 299 instructional minutes	Half-Day Absent
A student has received less than 150 instructional minutes	Full-Day Absent

Molly Burke and Dr. Zakieh Mohammed, both of CPS's Office of Student Support and Engagement, further explained to the OIG that a tardy attendance code applies when a student is late to school, but is still able to receive 300 instructional minutes that day. In that case, the tardy classification does not count against the school as a student absence (either half- or full-day) because the student is still able to meet the minimum requirement of 300 instructional minutes.

Biggs, though, specifically told the OIG that she does not draw a distinction between marking a student tardy or absent. Similarly, Hatter told the OIG that, if a student would arrive as late as 2:00 p.m., the student would be marked as tardy, even though the school day ends at 2:30 p.m. Gipson stated that she merely followed Biggs's and Hatter's directions when entering attendance, and did not make determinations as to whether students were tardy or absent.

Biggs's and Hatter's improper reliance on the tardy attendance code has likely impacted Burke Elementary School's attendance rate since the 2014-15 school year. As the Office of Student Support and Engagement explained, a tardy classification does not negatively affect a school's attendance numbers because it is not considered to be a student absence. Burke Elementary School's use of the tardy code in each year since 2014-15 far outpaces both the Network and district-wide averages for the same year, thereby suggesting that the school had often marked students as tardy when they should have been marked as absent. In each year since

2014-15, Burke Elementary School used the tardy attendance code more than twice its Network average. Similarly, for each of the past four semesters, Burke Elementary used the tardy attendance code more than four times the district average. Given the size of these discrepancies, it is clear that the impact on Burke Elementary School's attendance was not *de minimis*, and almost certainly substantial.

Nevertheless, the OIG is unable to quantify with certainty how much Burke Elementary School's attendance was impacted. The informal method by which Burke Elementary misclassified students as tardy obfuscates the effect that it had on the school's attendance numbers. Decisions to change a student's absent classification to tardy were made by Biggs or Hatter during the school day. Those decisions were then communicated to school clerks before the clerks entered the school's daily attendance in IMPACT SIM — a fact that Gipson confirmed. As a result, no formal audit trail or other paper trail exists that would accurately reflect the number of instances when students were improperly classified as tardy. And the OIG cannot calculate with certainty the number of present codes that were improperly credited to Burke Elementary by marking students as tardy when they should have been marked as absent.

The OIG investigation also uncovered that Biggs and Hatter had instituted an apparent initiative to ensure that truant students attend school. As part of that initiative, Biggs and Hatter regularly instructed several Burke Elementary School employees — including Gipson and school security officer Cleotha Jones — to transport students to school in their personal vehicles after the school day had already begun. Gipson and Jones admitted to the OIG that they both transported students, and related that numerous other school employees had transported services, as well.[3] Gipson, in particular, related that she transported students almost daily. But she said that she merely did as Biggs and Hatter had instructed her, and even said that transporting students was part of her responsibilities at Burke Elementary.

Biggs and Hatter do not dispute that they have sent employees to pick up students. Rather, they only take issue with how frequently those pickups occurred. The regularity with which Burke employees transported students is beside the point, however. CPS policy states that the use of private vehicles for student transportation

[3] The OIG stopped short of identifying every school employee who had transported students at Biggs's and Hatter's direction because (1) Biggs and Hatter had instructed numerous, unidentified school employees to transport students; (2) Biggs and Hatter acknowledged that they had directed several school employees to transport students; and (3) in this instance, CPS policy places the responsibility of compliance on school principals, *see* CPS Policy Manual § 604.3(VI)(B)(3)-(5) (Bd. Rpt. 10-0526-PO1).

is "strongly discouraged." *See* CPS Policy Manual § 604.3(VI)(B) (Bd. Rpt. 10-0526-PO1). School personnel may transport students in their private vehicles only if, among other things, the school principal first (1) obtains parents' written consent to allow school personnel to transport their children; (2) verifies that the personnel have valid driver's licenses and appropriate automobile insurance; and (3) places the employees' driver's license information and proof of insurance on file. *See id.* § 604.3(VI)(B)(3)-(5). Both Biggs and Hatter acknowledged that they did not obtain parents' written consent or verify that school personnel had valid driver's licenses and appropriate automobile insurance. And Biggs further acknowledged that the school has not kept the school employees' driver's license and insurance information on file.

Notably, Biggs and Hatter undertook their improper actions without the knowledge of Network officials. In March 2017, Network 9 Chief of Schools Felicia Sanders and attendance coordinator LaTonia Lambert instructed Biggs and other school personnel that teachers are supposed to enter daily attendance into the Gradebook database, and that clerks were not allowed to enter attendance on teachers' behalf. Lambert also recommended that the school institute attendance-verification procedures that would allow teachers to confirm that they had recorded daily attendance correctly. But neither Sanders nor Lambert were aware that Biggs and Hatter had instructed school clerks to mark students who arrived late to school as tardy, regardless of when they arrived at school. Sanders also did not know that Biggs and Hatter regularly instructed several Burke Elementary School employees to transport students to and from school.

Consequently, the OIG recommends appropriate discipline for Jessica Biggs.

The OIG also recommends appropriate discipline for Tenesha Hatter.

The OIG recommends appropriate discipline for Tamika Gipson, as well.

Exhibit B

Jessica Biggs DNH File
Prior DNH-removal correspondence

Chicago Public Schools

Office of Administrative Hearings
42 West Madison Street, 9th Floor - Chicago, Illinois 60602

Via Email

May 19, 2023

Jessica Biggs
[redacted]

Dear Jessica Biggs:

I am writing to inform you that our committee met to consider your request to remove the Do Not Hire (DNH) designation from your personnel file. I appreciate the time and effort you spent in providing us additional information in support of the request. However, after a thorough review and discussion of all the pertinent information, the committee rendered a decision to deny the request. However, please be advised that a note has been added to your electronic personnel file that allows you to **volunteer** despite the "Do Not Hire" designation.

The decision of the committee is final, and there are no other avenues of appeal. Please note that while a petition may be made at any time after placement of the designation only one petition every twelve (12) months shall be considered. The procedures for removal of the DNH designation may be found at cps.edu/oah.

Sincerely,

[redacted]

Jennifer Reger
Executive Director
Administrative Hearings

JR:ca

cc: Employee Services

Chicago Public Schools

Hearings, Administrative <administrativehearings@cps.edu>

Request to Review DNH Designation for Purposes of Attending Field Trip [redacted]

1 message

Jessica Biggs [redacted] Mon, Apr 24, 2023 at 9:19 AM
To: AdministrativeHearings@cps.edu

To Whom it May Concern:

I am writing in regard to the Level II Volunteer application I submitted to allow me to participate as a chaperone for [redacted] field trip at [redacted] on May 23rd of this year. I am aware that currently my DNH designation prevents me from volunteering for any purposes at any CPS school including [redacted] I am requesting that I be allowed to volunteer for the purposes of this field trip and understand that the DNH designation will remain for future employment purposes.

I have attached the invitation to chaperone and complete the Level II check that I received from [redacted] along with the letter that I received from Volunteer Programs at Family and Community Engagement denying my application to volunteer.

I am happy to answer any questions or provide any additional documentation and hope to hear from you regarding next steps.

Best,

--
Jessica Biggs

Phone: [redacted]
Email: [redacted]

2 attachments

Gmail - Please Complete - CPS Volunteer Application.pdf
390K

Gmail - Fw: CPS Volunteer Application: Level II Next Steps : Solicitud de Voluntario de CPS: Estado de Nivel II próximos pasos.pdf
78K

Chicago Public Schools

Office of Employee Engagement
42 West Madison Street, 9th Floor - Chicago, Illinois 60602

August 2, 2018

Jessica Biggs
[redacted]

Dear Ms. Biggs:

Please be advised that pursuant to the applicable Chief Executive Officer's Guidelines regarding do not hire ("DNH") status, you are no longer eligible for hire in the Chicago Public Schools ("CPS") and a DNH has been placed on your file. In addition, you may not volunteer, either directly with CPS or through a vendor, at any CPS school or event. You may petition the Chief Executive Officer to remove that designation. The request should be addressed to Mary Ernesti, 42 West Madison Street, 9th Floor, Chicago, Illinois 60602. Please note that while a petition may be made at any time after placement of the designation, only one petition every two years shall be considered. The Guidelines and procedures for removal of the DNH designation may be found here: cps.edu/oee.

Sincerely,

[redacted]

Mary Ernesti
Director of Employee Engagement

ME.lg

cc: James Ciesil
Employee Services

Exhibit C

Jessica Biggs DNH Removal File
2024 denial; July 2025 petition/support; August 2025 approval

Taft/

111 East Wacker, Suite 2800
Chicago, IL 60601-4208
Tel: 312.527.4000 | Fax: 312.527.4011
taftlaw.com

Elizabeth E. Babbitt
Direct Dial: (312) 836-4116
e-Facsimile: (312) 966-8556
E-Mail: ebabbitt@taftlaw.com

August 18, 2025

CONFIDENTIAL

VIA ELECTRONIC MAIL

Ms. Jessica Biggs
[redacted]

Re: **Do Not Hire Designation Petition Review**

Dear Ms. Biggs:

I have been designated by the interim Chief Executive Officer of the Chicago Board of Education ("Board") to consider your petition requesting that the "Do Not Hire" or "DNH" designation be removed from your Board personnel file. After a thorough review of your petition, supporting materials, and other relevant documents, I write to advise you that your petition to have the DNH designation removed completely from your personnel file is granted.

I will direct the Board to remove the DNH designation from your personnel file effective immediately.

Sincerely,

TAFT STETTINIUS & HOLLISTER LLP

[redacted]

Elizabeth E. Babbitt

EB:pb

cc: Office of Administrative Hearings (administrativehearings@cps.edu)

175592350v1

Chicago Public Schools

Hearings, Administrative <administrativehearings@cps.edu>

Request to Review DNH Designation

Jessica Biggs [redacted] Mon, Jul 28, 2025 at 3:26 PM
To: "Hearings, Administrative" <AdministrativeHearings@cps.edu>

To Whom it May Concern:

I am writing to request that the Discipline Committee review the status of my DNH Designation. In the Spring of 2023, the committee reviewed the designation for purposes of volunteering and removed it for those purposes. I am now asking the committee to review my request and letters of support to remove the designation entirely.

Attached here, I have provided a letter from myself officially making this request, along with four letters of support. One letter is from Matt Lyons who served as CPS Chief Talent Officer at the time of my dismissal, one letter is from my current supervisor of the past 7 years, Jeff Bartow, one letter is from Sybil Madison, PhD who served as Deputy Mayor of Education and Human Services and Chief of Staff in Mayor Lightfoot's administration and a third letter is from Maurice Swinney, EdD who served as CPS's first Chief Equity Officer and as interim CEdO.

I am happy to answer any further questions that you may have.

I sincerely thank you for your time and consideration.

Respectfully,

--
Jessica Biggs

Phone: [redacted]
Email: [redacted]

5 attachments

- **Biggs Petition Letter.pdf** 90K
- **LOR Biggs Petition_Lyons.pdf** 94K
- **Letter in support of Jessica Biggs (1).pdf** 456K
- **J Biggs Support Letter_SM (1).pdf** 43K
- **M Swinney (1).pdf** 47K

Jessica Biggs

[redacted]

July 28, 2025

To Whom It May Concern:

I am writing to request that the DNH designation, placed in my employee file on June 29, 2018, be reviewed and removed. In the spring of 2023, I petitioned and requested that the designation be removed to allow me to volunteer in [redacted] school so that I could pass a CPS background check, and that request was approved by the Discipline Committee. Today, I humbly write to you to request that this DNH designation be reviewed and removed from my file entirely.

Since 2018, I have been employed with the Southwest Organizing Project. I began my employment as an organizer and have been promoted several times during my tenure with the organization. In my current capacity as the Director of Healthy Southwest, I work in partnership with the Chicago Department of Public Health. In this role, I have partnered with the Mayor's Office to lead the southwest side COVID Response and vaccination efforts, advising on and implementing an equitable vaccine distribution. For this work, I was awarded two mayoral medals of honor in 2021 and 2022. I have also developed and implemented a coordinated system of care model in partnership with 6 CPS neighborhood schools that has provided holistic wrap-around services for students and families in each of those schools at no cost to the schools.

I write to you today to make this request because of an important change in circumstance. On November 5th, 2024, in Chicago's first school board election, I was elected by voters to serve as a Member of the Board of Education of the City of Chicago to represent hundreds of thousands of residents in Chicago's 6th School Board District. This election success and the affirmative votes of more than 40,000 people indicate a clear mandate of constituent support, particularly as the circumstances surrounding my termination were well-litigated in public throughout the campaign. Voters have entrusted me to make some of the most important decisions that govern the course of the District, impact the lives of more than 300,000 students, and steward the nearly $10Billion public taxpayer dollars that make up the District's budget.

As a Member of the Chicago Board of Education, I took an oath to faithfully discharge my duties in accordance with the United States and Illinois Constitutions and all applicable federal and state laws. I have sworn to protect the school districts assets, free expression and opinion of fellow Board Members and the public, to respect the privacy of students and employees, to abide by the decisions of the Board, to avoid any conflict of interest, to formulate goals and outcomes that set the course for the Chicago Public Schools, to ensure continuous assessment of all conditions affecting the education of our children and to act as an advocate on behalf of our students and our community's schools.

I proudly swore this oath and have upheld it every day I have been in office. It is worth noting that I have served on the Board with distinction as I was selected by my colleagues to lead the Executive Search and Transition Committee where I have led the team to steward our district through a transparent process to identify our next superintendent/CEO.

Since 2018, I have learned much, and I continue to reflect on and develop my leadership. I have a deepened sense of humility and commitment to my personal and professional growth. I began my career as a youth worker, then teacher, and committed eight years refining my competencies to be a school leader in CPS. Even as I left Chicago Public Schools, I continued to engage in work that centers community and schools. My entire career has been dedicated to students, service, and community.

I sincerely request that you consider my change in circumstance and remove this DNH designation so I can continue to further my career in community and service. I have included letters of support from Matt Lyons who served as CPS's Chief Talent Officer at the time of my dismissal, Maurice Swinney who was a principal colleague and then served as the district's first Chief Equity Officer and interim CEdO, Sybil Madison, former Chief of Staff to Mayor Lori Lightfoot, and my current supervisor of the past 7 years, Jeff Bartow. I am happy to answer any questions you may have.

Sincerely,

[redacted]

Jessica Biggs

July 27, 2025

RE: Jessica Biggs Petition for DNH Removal

To Whom It May Concern:

From 2015 to 2021, I served as Chief Talent Officer for Chicago Public Schools, overseeing the district's human resources function. In that role, I was responsible for personnel matters, including those that resulted in Jessica Biggs' termination in 2018. I write today to respectfully urge the removal of her Do Not Hire (DNH) designation.

As the Chief Talent Officer at the time, I am familiar with the circumstances surrounding Jessica's departure. While this is not the appropriate forum to relitigate those events, I want to be clear: even if all allegations were taken at face value, I would still advocate for lifting the DNH designation.

Why? First, the alleged conduct involved two unrelated, minor policy violations—one regarding the recording of half-day student attendance, the other concerning the documentation of parental permission. Neither posed harm to students, reflected dishonesty, or called her judgment or character into question. In fact, Jessica was widely regarded as a strong and beloved school leader with no prior history of misconduct.

Second, Jessica's record since leaving CPS has only underscored her deep commitment to the city's youth and families. Over the past seven years, she has taken on leadership roles at the Southwest Organizing Project, where she partnered with the Mayor's Office to lead COVID-19 response and vaccination efforts in one of Chicago's most impacted communities. She also spearheaded the development of wraparound support systems for CPS students and families. For this work, she was awarded the Mayoral Medal of Honor in both 2021 and 2022.

Most recently, in 2024, Jessica was chosen by more than 40,000 voters to represent District 6B on the Chicago Board of Education. In that role, she has served with distinction—most notably as Chair of the Executive Search and Transition Committee, helping lead the district's efforts to identify its next permanent superintendent.

Throughout her career—as a principal, community leader, and now as an elected official—I have known Jessica to act with sound judgment, integrity, and unwavering dedication to students. She exemplifies the kind of leadership CPS and our city need.

Thank you for your consideration. Please don't hesitate to contact me with any questions.

Sincerely,

[redacted]

Matt Lyons

[redacted]

July 10, 2024

To Whom It May Concern,

I am writing this letter on behalf of Jessica Biggs, whom I have known since 2018, when she began to work as an organizer at the Southwest Organizing Project (SWOP). SWOP is broad based community organization with 45 member institutions serving families on the Southwest Side of Chicago. SWOP is known for its work on housing, education, immigration, public safety, and health care.

Ms. Biggs is among the brightest, most capable leader/organizers I have had the opportunity to work with in my 30+ years of community organizing. She brings a deep intelligence, a strong imagination, excellent relational skills and great integrity to all she has taken on since joining SWOP in 2018. She has led the development of what has become a model health care initiative in Chicago and Illinois – the Southwest System of Care (SWSOC). The SWSOC team has organized southwest side schools, non-profits, health care providers, and foundations into a cohesive, working, network of related institutions in order to provide more comprehensive, accessible, and effective health care for southwest side families. Developed through an organizing lens, and built "from the ground up", SWSOC employs local Latina and African American community residents as trained community health navigators, who engage with and connect others in the community to participating institutions that can most effectively respond to their interests and needs.

Ms. Biggs also led SWOP's response to the COVID pandemic on the Southwest Side of the Chicago, creating a collaborative network of organizations, led by SWOP, in a region of the city that had one of the highest infection rates. Ms. Biggs' trustworthiness and accountability, her ability to "stand with and for the whole", enabled her to build teams of hundreds of people who successfully engaged thousands in an organizing and education campaign that resulted in the southwest side becoming one with among the highest vaccination rates in the city. Throughout and beyond this effort, she demonstrates a distinctive ability to work across race, culture, and class, building both public and private sector relationships on behalf of the communities she serves.

Ms. Biggs also helped to create and is an important member of SWOP's Organizing Leadership Team, which works to shape reflection on the organization's internal structure and practices. The team also provides a space for reflection among organizers on challenges and possibilities related to specific organizing campaigns.

More than any of her specific successes, Ms. Biggs character, relational skills, practical wisdom, and accountability offer other community leaders and stakeholders an exemplary model of capable, committed, and responsive public leadership.

Sincerely,

[redacted]
Jan Barlow
Executive Director
Southwest Organizing Project

Sybil Madison, Ph.D.
[redacted]

July 11, 2024

To Whom It May Concern:

I first met Jessica in the context of my role as Deputy Mayor of Education and Human Services for the city of Chicago during the peak of the COVID pandemic in 2020. As we saw COVID disproportionately ravaging particular portions of our City, we also saw important leadership emerge. Jessica is one of the leaders I came to know during this time, and I am glad that I did.

When we saw case rates, hospitalizations and deaths skyrocketing in communities filled with frontline workers and multigenerational households, I asked Jessica to partner with the Mayor's Office to imagine and lead a community response. Jessica set to work moving organizational leaders and community members to come together in dialogue and consensus around action.

I witnessed the impact of Jessica's ability to build relationships across many lines of difference and successfully leverage those relationships to advance solutions voiced by community members to good ends. I witnessed Jessica act consistently with great leadership, discernment and integrity. She held the City accountable to its commitments of equity in its vaccine distribution and her leadership enabled a partnership between the Mayor's Office and Southwest side communities that led to some of the most vulnerable and impacted communities becoming the most highly vaccinated and experiencing fewer negative outcomes in future waves.

As a result of the success of the work that Jessica led during COVID, the City decided to codify a community-led co-governance model in the Healthy Chicago Equity Zones of which Jessica is now the Regional Director for the Southwest zone. In this role, Jessica has supported community areas throughout Southwest Chicago in developing their own hyper-local collaboratives that work with City government to advance solutions to some of our City's most pervasive challenges. Jessica is the sort of person our City and its schools need to be able to step up in any capacity she is able.

It is for these reasons that I write to strongly recommend that this committee find that the maintenance of a Do Not Hire designation for Jessica is not warranted.

Sincerely,

[redacted]

Sybil Madison

July 17, 2024

To Whom It May Concern:

I first met Jessica Biggs in the 2013-14 school year when we were both new principals in the newly created Office of Strategic School Supports Network (OS4). Our schools were not far from each other, and since so many of our families frequently moved, it was not uncommon for some of Jessica's students from Burke Elementary to wind up at Tilden for high school. Every student I ever mentioned to Jessica from Burke, she seemed to know–their name, much of their story, their family. It was evident that Jessica was a principal who cared and was deeply immersed in her students and their families' lives, which is a key strength of any successful school leader.

Jessica stood out in the OS4 principal's meetings from the beginning. While she was never the one in the room talking the most, she always seemed to move and act with a clear eye toward what was best and most advantageous for her students.

I have maintained a relationship with Jessica since the early days of OS4 because she is someone I respect. I have seen Jessica's leadership continue to grow and develop to address equity issues in communities around our neighborhood schools. I watched her work at the Southwest Organizing Project where she was the director of health equity issues, and still focused on partnering with community organizations working on issues in their communities, believing that those proximate to the issues have the best solutions/responses. Time and again, I have seen her build thoughtful systems and successfully bring people together to support young people and families.

I write to you today to strongly encourage you to remove the DNH designation from her file. I firmly believe that this designation is not warranted in her case. She deserves to be back in daily work supporting students and families in Chicago Public Schools.

I am happy to answer any questions that you may have.

Respectfully,

[redacted]

Maurice Swinney, Ed.D.

Favorites ▾ Main Menu ▾ Workforce Administration ▾ Job Information ▾ Job Data

New Window | Help | Personal

Work Location | Job Information | Job Labor | Pay # | Safety Plan | Compensation

Jessica Biggs
Employee

Empl ID [redacted]
Empl Record 0

Work Location

Find First Prev Last

Go to Row

Effective Date 07/02/2018

Effective Sequence 0

Action Termination

ER Status Inactive

Reason DNH - Law

Payroll Status Terminated

Job Indicator Primary Job

Current

Position Number 113198

Interim Principal

Use Position Date

Position Entry Date 07/17/2012

Position Management Record

Regulatory Region USA

United States

Company CPS

Board of Ed City of Chicago

Business Unit CP901

Board of Ed City of Chicago

Department 23411

Edmund Burke School

Department Entry Date 07/17/2012

Location 00053

Edmund Burke School

Establishment ID 00000000001

Board of Ed of City of Chicago

Date Created 07/02/2018

Last Start Date 07/01/2011

Termination Date 07/01/2018

Expected Job End Date

Override Last Date Worked

Last Date Worked 07/01/2018

Job Data | Employment Data | Earnings Distribution | Benefits Program Participation

Save | Return to Search | Notify | Refresh | Update/Display | Include History

Taft/

111 East Wacker, Suite 2600
Chicago, Illinois 60601-4208
Tel: 312 527 4000 | Fax: 312 527 4011
taftlaw.com

Elizabeth E. Babbitt
Direct Dial: (312) 836-4116
e-Facsimile: (312) 966-8556
E-Mail: ebabbitt@taftlaw.com

October 21, 2024

PRIVILEGED AND CONFIDENTIAL

VIA ELECTRONIC MAIL

Ms. Jessica Biggs
[redacted]

Re: **Do Not Hire Designation Petition Review**

Dear Ms. Biggs:

I have been designated by the Chief Executive Officer ("CEO") of the Chicago Board of Education ("CBOE" or "Board") to consider your petition requesting that the "Do Not Hire" or "DNH" designation be removed from your Board personnel file. After a thorough review of your petition, supporting materials, and other relevant documents, I write to advise you that your petition to have the DNH designation removed completely from your personnel file is denied. This decision does not impact the 2023 decision by the Board to allow you to serve as a volunteer at Chicago Public Schools.

In making this decision, I reviewed the petition you submitted on July 24, 2024, in which you requested that the DNH designation be removed from your personnel file "entirely." I also reviewed the recommendations letters that were submitted in support of your petition, as well as materials relating to an investigation conducted by the CBOE Office of Inspector General ("OIG") in 2018 regarding allegations of your misconduct, and the OIG's findings. I further reviewed the findings and determinations made by the Board regarding other former employees who petitioned for DNH removal in similar circumstances.

The CEO's Guidelines for Designating Separated Employees as Ineligible for Rehire, as amended on May 21, 2021, provide the framework by which the CEO, or, in this case, his designee, evaluates a DNH removal petition. A DNH petition must provide reasons why the DNH designation is no longer valid or should be excused. Your petition does not satisfy the Guidelines' requirements. While your references applaud your efforts as a community organizer, the petition does not provide a sufficient basis to support the removal of your DNH designation as invalid or excused. As you explain in your petition, you have achieved success in your work with the Southwest Organizing Project, achieving promotions, commendations, and praise from your

colleagues. You have been able to successfully perform your job for six years without entering CPS schools, and the connection of your work to CPS schools appears to be limited.

Moreover, the misconduct in which the OIG concluded you engaged was serious: at your direction, a CPS school manipulated attendance data and placed students' safety at risk by failing to comply with the CPS student travel policy. These actions had significant adverse consequences to the students and the school. These actions were the basis upon which the Board previously issued you a DNH designation. And, you failed to provide evidence as to why the DNH designation is no longer valid or should otherwise be excused in your petition.

For these reasons, your petition to have the DNH designation removed entirely from your personnel file is denied. You are still permitted, however, to volunteer at CPS schools, as a result of your 2023 DNH petition. This decision is final, and there are no other avenues for appeal. Please note that while a petition may be made at any time after placement of the designation, only one petition every twelve (12) months shall be considered. The procedures for removal of the DNH designation may be found at cps.edu/oee.

Sincerely,

TAFT STETTINIUS & HOLLISTER LLP

[redacted]

Elizabeth E. Babbitt

EB:pb

cc: Office of Administrative Hearings (administrativehearings@cps.edu)

135467672v1

Chicago Public Schools

Hearings, Administrative <administrativehearings@cps.edu>

Request to Review DNH Designation

Jessica Biggs [redacted]> Wed, Jul 24, 2024 at 8:41 AM
To: "Hearings, Administrative" <AdministrativeHearings@cps.edu>

To Whom it May Concern:

I am writing to request that the Discipline Committee review the status of my DNH Designation. In the Spring of 2023, the committee reviewed the designation for purposes of volunteering and removed it for those purposes. I am now asking the committee to review my request and letters of support to remove the designation entirely.

Attached here, I have provided a letter from myself officially making this request, along with three letters of support. One letter is from my current supervisor of the past 5 years, Jeff Bartow, one letter is from Sybil Madison, PhD who served as Deputy Mayor of Education and Human Services and Chief of Staff in Mayor Lightfoot's administration and a third letter is from Maurice Swinney, EdD who served as CPS's first Chief Equity Officer and as interim CEdO.

I am happy to answer any further questions that you may have.

I sincerely thank you for your time and consideration.

Respectfully,

--

Jessica Biggs

Phone: [redacted]
Email: [redacted]

4 attachments

- **JBiggs DNH Petition Letter.pdf** 56K
- **Letter in support of Jessica Biggs.pdf** 456K
- **J Biggs Support Letter_SM.pdf** 43K
- **M Swinney.pdf** 47K

Jessica Biggs

[redacted]

July 12, 2024

To Whom It May Concern:

On June 29, 2018 my 7-year employment with the Chicago Board of Education was terminated, and a DNH ("Do Not Hire") designation was placed in my employee file. Over the past 6 years, this designation has presented many challenges in my personal and professional life. It has been challenging for me to work in or with Chicago Public Schools in any capacity. Last year, I petitioned and requested that the designation be removed to allow me to volunteer in [redacted] school so that I could pass a CPS background check, and that request was approved by the Discipline Committee. Today, I humbly write to you to request that this DNH designation be reviewed and removed from my file entirely.

Since 2018, I have been employed with the Southwest Organizing Project. I began my employment as an organizer and have been promoted several times during my tenure with the organization. In my current capacity as the Director of Healthy Southwest, I work in partnership with the Chicago Department of Public Health. In this role, I have partnered with the Mayor's Office to lead the southwest side COVID Response and vaccination efforts, advising on and implementing an equitable vaccine distribution. For this work, I was awarded two mayoral medals of honor in 2021 and 2022. I have also developed and implemented a coordinated system of care model in partnership with 6 CPS neighborhood schools that has provided holistic wrap-around services for students and families in each of those schools. However, I am unable to enter these schools and interact with students to fully understand the scope of impact of this model.

I have learned much and my leadership has developed since I left CPS. I have a deepened sense of humility, and I have continued to grow both personally and professionally. I have diligently worked to build relationships across all lines of difference, so I can move closer to achieving my "why," knowing that our collective liberation is tied to each other and in an effort to act in a way that leaves this world better than how we found it.

I began my career as a youth worker then teacher, and committed eight years of refining my competencies to become a school leader in CPS. Even as I left Chicago Public Schools, I have continued to engage in work that centers community and schools because I see this work as integral to achieving my "why." My entire career has been dedicated to students, service, and community. I sincerely request that you consider removing this designation from my record so I can continue to further my career in community and service. I am happy to answer any questions you may have.

Sincerely,

[redacted]

Jessica Biggs

July 10, 2024

To Whom It May Concern,

I am writing this letter on behalf of Jessica Biggs, whom I have known since 2018, when she began to work as an organizer at the Southwest Organizing Project (SWOP). SWOP is broad based community organization with 45 member institutions serving families on the Southwest Side of Chicago. SWOP is known for its work on housing, education, immigration, public safety, and health care.

Ms. Biggs is among the brightest, most capable leader/organizers I have had the opportunity to work with in my 30+ years of community organizing. She brings a deep intelligence, a strong imagination, excellent relational skills and great integrity to all she has taken on since joining SWOP in 2018. She has led the development of what has become a model health care initiative in Chicago and Illinois – the Southwest System of Care (SWSOC). The SWSOC team has organized southwest side schools, non-profits, health care providers, and foundations into a cohesive, working, network of related institutions in order to provide more comprehensive, accessible, and effective health care for southwest side families. Developed through an organizing lens, and built "from the ground up", SWSOC employs local Latina and African American community residents as trained community health navigators, who engage with and connect others in the community to participating institutions that can most effectively respond to their interests and needs.

Ms. Biggs also led SWOP's response to the COVID pandemic on the Southwest Side of the Chicago, creating a collaborative network of organizations, led by SWOP, in a region of the city that had one of the highest infection rates. Ms. Biggs' trustworthiness and accountability, her ability to "stand with and for the whole", enabled her to build teams of hundreds of people who successfully engaged thousands in an organizing and education campaign that resulted in the southwest side becoming one with among the highest vaccination rates in the city. Throughout and beyond this effort, she demonstrates a distinctive ability to work across race, culture, and class, building both public and private sector relationships on behalf of the communities she serves.

Ms. Biggs also helped to create and is an important member of SWOP's Organizing Leadership Team, which works to shape reflection on the organization's internal structure and practices. The team also provides a space for reflection among organizers on challenges and possibilities related to specific organizing campaigns.

More than any of her specific successes, Ms. Biggs character, relational skills, practical wisdom, and accountability offer other community leaders and stakeholders an exemplary model of capable, committed, and responsive public leadership.

Sincerely,

[redacted]
Jen Ratow
Executive Director
Southwest Organizing Project

Sybil Madison, Ph.D.
[redacted]

July 11, 2024

To Whom It May Concern:

I first met Jessica in the context of my role as Deputy Mayor of Education and Human Services for the city of Chicago during the peak of the COVID pandemic in 2020. As we saw COVID disproportionately ravaging particular portions of our City, we also saw important leadership emerge. Jessica is one of the leaders I came to know during this time, and I am glad that I did.

When we saw case rates, hospitalizations and deaths skyrocketing in communities filled with frontline workers and multigenerational households, I asked Jessica to partner with the Mayor's Office to imagine and lead a community response. Jessica set to work moving organizational leaders and community members to come together in dialogue and consensus around action.

I witnessed the impact of Jessica's ability to build relationships across many lines of difference and successfully leverage those relationships to advance solutions voiced by community members to good ends. I witnessed Jessica act consistently with great leadership, discernment and integrity. She held the City accountable to its commitments of equity in its vaccine distribution and her leadership enabled a partnership between the Mayor's Office and Southwest side communities that led to some of the most vulnerable and impacted communities becoming the most highly vaccinated and experiencing fewer negative outcomes in future waves.

As a result of the success of the work that Jessica led during COVID, the City decided to codify a community-led co-governance model in the Healthy Chicago Equity Zones of which Jessica is now the Regional Director for the Southwest zone. In this role, Jessica has supported community areas throughout Southwest Chicago in developing their own hyper-local collaboratives that work with City government to advance solutions to some of our City's most pervasive challenges. Jessica is the sort of person our City and its schools need to be able to step up in any capacity she is able.

It is for these reasons that I write to strongly recommend that this committee find that the maintenance of a Do Not Hire designation for Jessica is not warranted.

Sincerely,

[redacted]

Sybil Madison

July 17, 2024

To Whom It May Concern:

I first met Jessica Biggs in the 2013-14 school year when we were both new principals in the newly created Office of Strategic School Supports Network (OS4). Our schools were not far from each other, and since so many of our families frequently moved, it was not uncommon for some of Jessica's students from Burke Elementary to wind up at Tilden for high school. Every student I ever mentioned to Jessica from Burke, she seemed to know–their name, much of their story, their family. It was evident that Jessica was a principal who cared and was deeply immersed in her students and their families' lives, which is a key strength of any successful school leader.

Jessica stood out in the OS4 principal's meetings from the beginning. While she was never the one in the room talking the most, she always seemed to move and act with a clear eye toward what was best and most advantageous for her students.

I have maintained a relationship with Jessica since the early days of OS4 because she is someone I respect. I have seen Jessica's leadership continue to grow and develop to address equity issues in communities around our neighborhood schools. I watched her work at the Southwest Organizing Project where she was the director of health equity issues, and still focused on partnering with community organizations working on issues in their communities, believing that those proximate to the issues have the best solutions/responses. Time and again, I have seen her build thoughtful systems and successfully bring people together to support young people and families.

I write to you today to strongly encourage you to remove the ONH designation from her file. I firmly believe that this designation is not warranted in her case. She deserves to be back in daily work supporting students and families in Chicago Public Schools.

I am happy to answer any questions that you may have.

Respectfully,

[redacted]

Maurice Swinney, Ed.D.

Exhibit D

CEO Guidelines for Designating Separated Employees
as Ineligible for Rehire - amended May 21, 2021

CHIEF EXECUTIVE OFFICER'S GUIDELINES

FOR DESIGNATING SEPARATED EMPLOYEES AS INELIGIBLE FOR REHIRE

Effective July 1, 2011

Amended May 21, 2021

I. PURPOSE

As part of its effort to recruit and hire the best talent, the District designates employees as detailed in Section II below as ineligible for rehire or "do not hire" (DNH). Eligibility for rehire is a hiring standard that is within the sole discretion of the Board to establish. That authority has been delegated to the Chief Executive Officer (CEO) under Board Rule 4-1. The DNH designation is a hiring standard and designation, not a disciplinary decision. These Guidelines memorialize the parameters for designating separated employees as DNH and the process for removing the designation.

The designation is subject to disclosure under the Personnel Record Review Act, the Illinois Freedom of Information Act, any appropriate law or release, or at the District's discretion. Additionally, separated employees with the DNH designation are ineligible to volunteer with CPS or work as a CPS vendor employee. In the event a prospective employer contacts CPS regarding eligibility for rehire, the DNH designation will be shared.

II. SEPARATED EMPLOYEES WHO WILL RECEIVE DNH DESIGNATIONS

1. Employees dismissed for cause, including non-union employees who fail to successfully complete a Performance Improvement Plan.

2. Employees who voluntarily resign or retire while dismissal charges or actions are pending or in lieu of dismissal.

3. Employees who separated from employment and an investigation ultimately substantiated serious misconduct by the employee.

4. Employees who separated from employment and failed to cooperate with an investigatory process.

5. Employees who separated while an investigation into serious misconduct is pending or initiated following their separation will be temporarily designated as ineligible for rehire during the pendency of the investigation (DPI). In the event the investigation is unsubstantiated, the employee will be notified of the same, and the DPI designation will be removed. However, in the event the investigation is substantiated, a DNH may be placed pursuant to II(3), above.

III. NOTICE OF DNH DESIGNATION

1. A copy of these Guidelines shall be posted on the Office of Employee Engagement's (OEE) website.

2. When a pre-dismissal conference or hearing is scheduled, the OEE shall notify the represented employees that dismissal will result in a DNH designation if the employee is dismissed in the notice scheduling the pre-dismissal conference or hearing.

3. The OEE and/or the Talent Office shall notify non-represented employees via a Misconduct Form when their termination is sought.

4. When an employee is designated as ineligible for rehire consistent with Section II, above, the OEE shall notify the employee in writing of the DNH designation either by sending the notice to the employee's address of record with the Board or via email if the employee has a personal email on record.

5. When a separated employee receives the DNH designation because an investigation substantiates that the separated employee committed misconduct, to the extent a report exists and can be released, the OEE shall notify the separated employee of the designation and provide a copy of the investigative report with appropriate redactions. In the case of an investigation conducted by the Office of the Inspector General, the Executive Summary report detailing the misconduct and supporting evidence with appropriate redactions will be provided. When a report is provided under this paragraph, the OEE will notify the employee that he or she may submit a response to the report, which will be included alongside the investigation and outcomes in the employee's relevant employee file(s) and forwarded to the office responsible for the investigation. NOTE: This response is not considered a Request for Removal of DNH Designation as provided by Section IV, below. The Board retains the right to not provide an investigative report in cases that present legitimate privacy or safety concerns.

6. In the event one or more of the foregoing notices is not given, the OEE shall take appropriate remedial action by notifying the separated employees as soon as practical after the lack of notice is discovered. The failure to give notice shall not affect the underlying separation or the separated employee's eligibility for rehire.

IV. REQUESTS FOR REMOVAL OF DNH DESIGNATION

Eligibility for rehire is a hiring standard that is within the sole discretion of the Board to establish. That authority has been delegated to the CEO under Board Rule 4-1.

Separated employees who are ineligible for rehire may petition the CEO for removal of the designation by submitting a request to the OEE. The petition must set forth reasons why the cause for the designation is no longer valid or should be excused. Reasons for removal of the designation include, but are not limited to, changed circumstances (*e.g.*, additional experience, additional education or training, or a period of good work performance for another employer). Evidence in support of the reasons should be submitted (*e.g.*, letters of recommendation, *etc.*). **The petition must include the former employee's current mailing and email address.**

If the separated employee is a member of a bargaining unit, the exclusive representative may submit its opinion in writing about whether the DNH designation should be removed and the reasons for its opinion.

The CEO or designee shall give due consideration to the opinion of the labor organization and to any exigent circumstances, subsequent remediation, or subsequent evidence that the causes for which the DNH designation was originally placed have been removed. The CEO or designee shall not, however, substitute their judgment of an employee's performance for that of the principal or manager responsible for the employee's evaluation or rating.

A request to remove the designation may be made any time after it has been placed. The CEO or designee will only consider a request for removal of the designation once every twelve (12) months. The CEO's or designee's decision on whether to remove the designation is discretionary. After review of the petition, the decision will be issued via letter or email. The decision will solely state whether the DNH shall be removed or remain in place. Where appropriate, the notice may also only partially remove the DNH, potentially allowing work as a vendor or serving as a volunteer as referenced in Section V of these Guidelines.

V. REMOVAL REQUESTS LIMITED TO VOLUNTEER STATUS OR ELIGIBILITY TO WORK FOR A CPS VENDOR

1. A prospective volunteer's CPS work history, including his/her DNH status, is reviewed at time of application. Former employees who have a DNH designation are not eligible to volunteer. In the event a former employee is ONLY interested in volunteering for CPS and is not challenging his/her DNH status for future employment purposes, the former employee may submit a DNH removal petition limited to his/her volunteer status. This must be made clear in the petition. It is recommended the following language is included in the petition: "I am requesting that I be allowed to volunteer at CPS and understand that the DNH designation will remain for future employment purposes."

2. Similarly, former employees who have a DNH designation are not eligible to work for CPS vendors when their work involves interaction with CPS students. In the event a former employee is ONLY interested in working for a CPS vendor and is not challenging his/her DNH status for future employment purposes, the former employee may submit a DNH removal petition limited to his/her status to work for a CPS vendor. This must be made clear in the petition. It is recommended the following language is included in the petition: "I am requesting that I be allowed to work as a vendor employee at CPS and understand that the DNH designation will remain for future employment purposes."

Exhibit E

CPS Administrative Hearings
DNH Removal Request Procedures

Administrative Hearings

Office of Administrative Hearings (formerly Office of Employee Engagement)

Learn how to navigate the discipline process and find other useful information involving employee-related issues.

ON THIS PAGE

Union Web Sites and Contact Information

Discipline Processes

"Do Not Hire"

Sick Day Transfer

Reference Materials

Chicago Public Schools

Union Web Sites and Contact Information

Chicago Teachers Union

Read the agreement between the Chicago Board of Education and the Chicago Teachers Union

Mailing Address: 1901 W. Carroll Ave., Chicago, IL 60612
Phone: 312-329-9100
Fax: 312-329-6203

Unite Here Local 1

Read the agreement between the Chicago Board of Education and Unite Here

Mailing Address: 218 S. Wabash Ave., Suite 700, Chicago, IL 60604
Phone: 312-663-4373
Fax: 312-986-3828

Local 73/SEIU 73 - Service Employees' International Union

Read the agreement between the Chicago Board of Education and the Service Employees' International Union, Local 73

Mailing Address: 300 S. Ashland Ave, 4th Floor, Chicago, IL 60607
Phone: 312-787-5868
Fax: 312-337-7768

Local 1 - Service Employees International Union

Read the agreement between the Chicago Board of Education and Service Employees' Internat Union

Chicago Public Schools

Local 700 - Teamsters

Read the agreement between the Chicago Board of Education and the Teamsters

Mailing Address: 1300 W. Higgins Rd., Suite 302, Park Ridge, IL 60068
Phone: 847-939-9700
Fax: 847-518-6495

To learn more about collective bargaining and to view other contracts, please visit CPS Collective Bargaining.

Discipline Processes

Overview of Employee Discipline

If you are part of school administration or are a supervisor or manager and contemplating termination of an employee you directly manage, please discuss with your Human Resource School (HRSP) or Business Partner (HRBP) before initiating the school-based discipline process. Your HRSP/HRBP can provide further guidance and elevate directly to the Law Department as appropriate. If you need other guidance regarding employee discipline, please contact your HRSP and HRBP.

Please submit disciplinary documentation and supporting documentation to the Office of Administrative Hearings so that it may become a part of the employee's official disciplinary record with the district by completing the Employee Discipline Submission form. Please note the following expectations: (1) all documentation related to an employee discipline matter must be submitted at one time; and (2) only complete and accurate documentation will be logged and made part of the employee's official disciplinary record.

Chicago Board of Education's Policies and Rules

The Chicago Board of Education's Policy Handbook and Rules include many provisions that regu employee conduct.

Chicago Public Schools

Chicago Teachers Union's Discipline Process

Please e-mail Pre-Meeting Notices, Performance Improvements Plans and all supporting documentation to the Union at: grievancedepartment@ctulocal1.org and the CTU Field Representative. If needed, you can find your schools' assigned CTU representative's name and email on the Chicago Teachers Union website. The subject line for the email to the Union should include: member name, member position, school name, and the name of your school's assigned CTU field representative.

Please download the following templates of the discipline forms that should be used:

- Discipline Matrix
- Pre-Meeting Notice (Steps 1 and 2)
- Rescheduled Pre-Meeting Notice (Steps 1 and 2)
- Pre-Meeting Notice (Step 3)
- Rescheduled Pre-Meeting Notice (Step 3)
- PIP (Performance Improvement Plan)

In order to edit the Google Documents listed above, please go to File > Make a copy and save the document however you'd like on your Google Drive.

All Other Unions' Discipline Process

For Local 73 SEIU bargaining unit members: e-mail signed Notices of Pre-Discipline Hearing, with supporting documentation, and any signed Notices of Disciplinary Action that were not issued at the end of the meeting to: notices@seiu73.org and copy: krozwadowski@seiu73.org.

Please click the following links to access templates of the discipline documents that should be used:

- Employee Discipline and Due Process Policy
- Cautionary Notice
- Notice of Pre-Discipline Hearing
- Notice of Rescheduled Pre-Discipline Hearing
- Discipline Hearing Summary
- Written Reprimand

document however you'd like on your Google Drive.

Non-Union Employees

The Non-Union Employee Discipline & Performance Management Guidelines provides an overview of the performance, management and discipline of non-union employees.

Please click the following links to access templates of the discipline documents that should be used:

- Discipline Matrix
- Non-Union Employee Performance Improvement Plan
- Non-Union Employee Misconduct Form

In order to edit the Google Documents listed above, please go to File > Make a copy and save the document however you'd like on your Google Drive.

Principals and Assistant Principals

The Principal and Assistant Principal Employment Guidelines set forth guidelines for the appointment, assignment, displacement, discipline and termination of principals and assistant principals.

Pre-Suspension Hearings for Tenured Teachers and Contract Principals

The Guidelines Governing Pre-Suspension Hearings for Tenured Teachers and Contract Principals provides protocols to suspend a teacher or contract principal without pay pending a Section 34-85 dismissal hearing.

"Do Not Hire"

Guidelines

- Current CEO Guidelines for Designating Separated Employees as Ineligible for Rehire (Amended May 21, 2021)
- Archived CEO Guidelines for Designating Separated Employees as Ineligible for Rehire (Amended October 1, 2015)

eligibility for rehire is a hiring standard that is within the sole discretion of the Board to establish.

Separated employees who have a "DNH" designation on their record may petition the CEO for removal by taking the steps outlined below:

1. Please review the CEO's Guidelines for Designation Employees as Ineligible for Rehire (linked above) in full before preparing your request to remove the DNH designation.
2. Submit a letter (typewritten or handwritten) to the DNH Committee with a request to remove the DNH designation and an explanation of why the DNH designation is no longer valid or should be excused.
   - You may limit your petition to volunteer or work for a CPS vendor as outlined in section V of the current guidelines.
   - If you are a member of a bargaining unit, your exclusive representative may submit its opinion in writing about whether the DNH designation should be removed and reasons for its opinion.
3. You may include evidence in support of your request to remove the DNH designation, which includes letters of recommendation. All evidence must be in writing. If you chose to include letters of recommendation, they should be dated and must clearly identify the author.
4. Please ensure that your petition letter includes a current mailing address and a phone number or e-mail address where you can be reached. When submitting your petition request, please include your former CPS Employee ID, last four digits of your social security number or your birthdate.
5. The letter and any accompanying documents must be emailed to the Office of Administrative Hearings at DNHpetitions@cps.edu, and the subject of the email should state: "DNH Removal Petition - [First and Last Name]."
6. The DNH Committee will review your request letter, accompanying documents and the circumstances in which you left CPS. The DNH Committee will give due consideration to the opinion of the labor organization, any exigent circumstances, subsequent remediation, or subsequent evidence.
7. Your petition will be processed in the order it is received.
8. The DNH Committee will inform you of its decision in writing, which will either be mailed or emailed to you at the mailing or email address you provided in your letter or to the last known mailing or email address CPS has on file for you.
9. You may request to remove the DNH designation at any time after the DNH has been placed; however, a request for removal will only be considered once every twelve (12) months.
10. Please note that the decision of whether to remove the DNH from your record is discretionary.

Talent Office. For more information, please visit the Absence and Disability website.

Reference Materials

OAH has compiled materials to assist principals, administrators and employees with understanding certain Board policies and rules, collective bargaining agreement provisions, and other labor relations issues. Please see below for available materials and check back for future updates.

Please click the following links to view the available reference materials:

Template Staff Handbook

- 2025-26 Template Staff Handbook

Employee Information

- 2024-25 Calendar for School-Based Union Employees

PPLC Information

- Guidelines on Establishment and Operation of the PPLC

Grading

- Professional Grading Standards and Practices Guidelines

Substitute Teachers

- Substitute Teacher Handbook

Administrative Hearings

- Administrative Hearing Norms for In-Person Hearings
- Administrative Hearing Norms for Remote Hearings

Grievance Process

- Background Operating Procedures

Employee Notices

CPS employees are entitled to receive notice in a conspicuous location of certain events or information regarding their rights. Please see below for current notices and check back regularly for future notices and updates.

Notices to Employees from the Illinois Educational Labor Relations Board

- The Service International Union Local 73 (SEIU 73) has filed a majority interest petition to add the following job titles to the SEIU 73 Bargaining Unit: school-based miscellaneous employees with job codes hourly temp less than $500, hourly, and hourly 701-12000hours. Please read the Notice to Employees for more information.
- The Chicago Teachers Union Local 1, American Federation of Teachers, AFL-CIO (CTU) has filed a majority interest petition to add the following job titles to the CTU Bargaining Unit: School Operations Manager. Please read the Notice to Employees for more information.

Additional Contacts

Equal Opportunity Compliance Office

773-553-1013
EOCO@CPS.EDU

42 W. Madison St.
Chicago, IL 60602

Office of Inspector General

773-534-9400
773-534-9401 (Fax)
INSPECTORGENERAL@CPSOIG.ORG

567 W. Lake St.
Suite 1120
Chicago, IL 60661

Related Links

Office of Administrative Hearings (OAH)

773-553-1700
ADMINISTRATIVEHEARINGS@CPS.EDU

Was this page helpful?

YES NO

Chicago Public Schools

Non-Discrimination Statement

Chief's Note

Commitment

Policies & Rules

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