



# Board of Education

Office of the Board  
1 North Dearborn Street  
Suite 950  
Chicago, IL 60602

## Board Report

24-1101-AR9

**Agenda Date:** 11/1/2024

**APPROVE PAYMENT OF PROPOSED SETTLEMENT REGARDING  
ELBA SALDANA v. HERBERT ERBY and BOARD OF EDUCATION,  
CASE NO. 23-cv-16569**

**THE GENERAL COUNSEL REPORTS THE FOLLOWING SETTLEMENT:**

**DESCRIPTION:** Subject to Board approval, the Board and Plaintiff Elba Saldana (acting on behalf of her minor child, J.W.), have reached a settlement disposing of all claims against the Board and the Board’s employees in Saldana v. Erby and the Board in Case No. 23-cv-16569, filed December 7, 2023, in the United States District Court for the Northern District of Illinois, Eastern Division. The General Counsel recommends approval of the settlement, which includes the payment of two hundred ninety thousand dollars (\$290,000) to the Plaintiff to resolve all of her claims for alleged damages, attorneys’ fees and costs. The Board’s total payout will not exceed \$290,000.

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

**AFFIRMATIVE ACTION STATUS:** None.

**FINANCIAL:** Charge a total of \$290,000 as described above to the Law Department.  
Budget Classification Fiscal Year 2025.....12460-115

**AUTHORIZATION:** Authorize the General Counsel to execute the Settlement Agreement and all ancillary documents related thereto.

**GENERAL CONDITIONS:**

Inspector General - Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Chicago Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary to conduct those investigations.

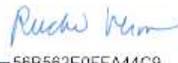
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness - The Board’s Indebtedness Policy adopted June 26, 1996 (96-0626-PO3), as amended from time to time shall be incorporated into and made a part of the agreement.

Ethics - The Board’s Ethics Code adopted August 24, 2023 (23-0824-PO2), as amended from time to time, shall be incorporated into and made a part of the agreement.

Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

APPROVED,

DocuSigned by:  
  
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RUCHI VERMA JEM  
General Counsel