

December 14, 2023

**RESOLUTION BY THE BOARD OF EDUCATION OF THE CITY OF CHICAGO REGARDING THE  
DISMISSAL OF ENRIQUE FERNANDEZ, TENURED TEACHER, ASSIGNED TO  
NATHAN S. DAVIS ELEMENTARY SCHOOL**

**WHEREAS**, pursuant to Section 34-85 of the Illinois School Code, 105 ILCS 5/34-85, a hearing was conducted before an impartial hearing officer, Jules I. Crystal (the "Hearing Officer"), certified by the Illinois State Board of Education; and

**WHEREAS**, after the conclusion of the dismissal hearing afforded to Enrique Fernandez, the Hearing Officer made written findings of fact and determined that the CEO proved cause for Enrique Fernandez to be dismissed from his position as a teacher with Chicago Public Schools;

**WHEREAS**, the Board of Education of the City of Chicago has reviewed the hearing transcript, exhibits, and post-hearing briefs ("Record"), along with the findings of fact and determination of the Hearing Officer; and

**WHEREAS**, the parties were given an opportunity to submit exceptions and memoranda of law in support of or in opposition to the Board's adoption of the Hearing Officer's determination; and

**WHEREAS**, pursuant to Section 34-85(a)(7) of the Illinois School Code, the Board of Education of the City of Chicago is charged with deciding whether the teacher shall be dismissed from its employ.

**NOW THEREFORE**, be it resolved by the Board of Education of the City of Chicago, as follows:

**Section 1:** After considering (a) the Record of the dismissal hearing, (b) the Hearing Officer's findings of fact and determination, and (c) the exceptions and memoranda of law submitted by the parties, the Board of Education of the City of Chicago has issued an Opinion and Order accepting the Hearing Officer's findings of fact, making an additional finding of fact supported by the evidence, and accepting the Hearing Officer's determination that the Board has cause for dismissal;

**Section 2:** The Board of Education of the City of Chicago determines that the evidenced proved by a preponderance of the evidence that Enrique Fernandez engaged in irremediable misconduct;

**Section 3:** Enrique Fernandez is hereby dismissed from employment with the Board of Education of the City of Chicago; and

**Section 4:** This Resolution shall take full force and effect upon its adoption.

**THEREFORE**, this Resolution is hereby adopted by the members of the Board of Education of the City of Chicago on December 14, 2023.