

APPROVE ENTERING INTO AN AMENDMENT TO THE EXISTING LICENSE AGREEMENT WITH THE CHICAGO DISTRICT PERTAINING TO WHITNEY YOUNG ATHLETIC FACILITIES

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into an amendment of the existing License Agreement with the Chicago Park District ("Park District") pertaining to the Park District's usage of Whitney Young athletic facilities. A written amendment to the existing License Agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event a written amendment is not executed within ninety (90) days of the date of this board report. Information pertinent to this amendment is stated below.

CONTRACT NO: 98-250456

LICENSEE: Chicago Park District
541 North Fairbanks
Chicago, IL 60611
Contact: Diane Minor
Telephone No. (312) 742-7529

LICENSOR: Board of Education of the City of Chicago
125 South Clark
Chicago, IL 60603
Timothy Martin, Chief Operating Officer
Telephone No. (773) 553-2905

EXISTING LICENSE AGREEMENT: The existing License Agreement (authorized by Board Report 90-1002-RE2) is for a term commencing June 1, 1991 and ending May 31, 2001 with automatic one-year renewals.

TERMS OF THE AMENDMENT: The existing License Agreement shall be amended as follows: (i) Paragraph 3 shall be amended so that the term shall end on May 31, 2011, with automatic one-year renewal thereafter; and (ii) Exhibit B to the License Agreement shall be revised to reflect the current usage of Whitney Young facilities including, pool, gymnasium, classrooms and offices by the Park District effective January 1, 2002.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written amendment. Authorize the President and Secretary to execute the amendment. Authorize the Chief Operating Officer to execute all future amendments to the License Agreement pertaining to the usage of the facilities. Authorize the Chief Operating Officer to execute all ancillary documents required to administer or effectuate this License Agreement and any amendments thereto.

AFFIRMATIVE ACTION: Not applicable.

LSC REVIEW: Local School Council approval is not applicable to this report.

FINANCIAL: No cost to the Board.

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 July 26, 1995, (95-0726-EX3), as amended from time to time, is hereby incorporated into and made a part of the agreement.

Ethics - The Board's Ethics Code adopted September 27, 1995, (95-0927-RU3), as amended from time to time, is hereby incorporated into and made a part of the agreement.

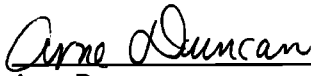
Contingent Liability - The agreement shall contain the clause that any expenditure beyond the current fiscal year is deemed a contingent liability, subject to appropriation in the subsequent fiscal year budget(s).

Approved for Consideration:



Timothy Martin
Chief Operating Officer

Approved:



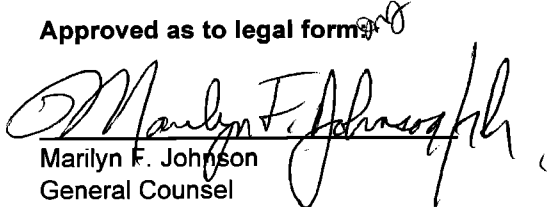
Arne Duncan *by PAD*
Chief Executive Officer

Within Appropriation:



Kenneth C. Gotsch
Chief Fiscal Officer

Approved as to legal form:



Marilyn F. Johnson
General Counsel

EXHIBIT B
WHITNEY YOUNG
(as of January 1, 2002)

1. Swimming Pool (including shower rooms)

- Mondays through Fridays 6:00pm - 9:00pm
- Saturdays and Sundays 9:00am - 4:30pm
- Pool Office 172 with desk & phone for Park District's use at all times

NOTE: The Park District must provide all lifeguards and supervisors in accordance with state law at all times while using the swimming pool

NOTE: Whitney Young's interscholastic swim teams shall have priority use of the swimming pool at all times. The principal of Whitney Young shall, as soon as available each school year, provide the Park District a calendar of all interscholastic swim events that conflict with the Park District's use of the swimming pool.

2. Small Gymnasium (including access to toilet facilities) 165C

- Mondays through Fridays 3:00pm - 9:30pm
- Saturdays 8:30am - 5:00pm
- Gym office 173 with phone for Park District's use at all times
- Gym storage room 174 for Park District's use at all times

3. Large Gymnasium (including access to toilet facilities)

- As needed, depending on availability
- Room 156 & 157 for special events

4. Classroom 156

- Mondays, Wednesdays and Fridays 5:00pm - 7:00pm