

APPROVE ENTERING INTO A LICENSE AGREEMENT WITH DEVRY UNIVERSITY FOR USE OF SPACE AT 3300 NORTH CAMPBELL

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a license agreement with DeVry University for use of space at 3300 North Campbell for use by the Office of High School Programs' DeVry University Advantage Academy. A written license agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event a written license agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this license is stated below.

LICENSOR: DeVry University
3300 North Campbell
Chicago, IL 60618
Contact Person: Gene Hallongren, President
Phone: 773-929-8500

LICENSEE: Board of Education of the City of Chicago

PREMISES: DeVry University , 3300 North Campbell, Chicago, IL 60618 consisting of the following:

Period A:

- Summer '04, Fall '04, Spring '05 (3 Semesters)
- Office: one (100 sq. ft.)
- Classrooms: To be determined based on enrollment
- Lunchroom: Usage to be determined

Period B:

- Summer '05, Fall '05, Spring '06 (3 Semesters)
- Office: two (300 sq. ft. total)
- Classrooms: To be determined based on enrollment
- Lunchroom: Usage to be determined

USE: The Board shall use the premises for the Office of High School Programs' DeVry University Advantage Academy daily between the hours of 7:30 a.m. and 4:30 p.m.. Licensee shall be allowed to use the Premises during such other hours (including weekends and evenings) as required by Licensee to operate the Academy.

TERM: The License Agreement shall be for a term commencing July 1, 2004 and ending June 30, 2006.

RENEWAL OPTIONS: The Board shall have the option to renew the license for two (2) terms of one year each upon notice to Landlord.

LICENSE FEE: The license fee during the term shall be as follows:

Period A:

A. Summer '04, Fall '04, Spring '05	
- Office: One (100 sq. ft.)	\$ 2,000
- Classrooms:	\$44,000
- Lunchroom:	<u>\$ 5,500</u>
Total	\$51,500

Period B:

B. Summer '05, Fall '05, Spring '06	
- Office: Two (300 sq. ft. total)	\$ 6,000
- Classrooms:	\$44,000
- Lunchroom:	<u>\$ 5,500</u>
Total	\$55,500

BUILD-OUT: There are no build-out costs to the Board.

MAINTENANCE AND JANITORIAL: Licensor is responsible for all maintenance, janitorial and repair of the interior and exterior of the Premises.

UTILITIES: Licensor pays all utilities for the Premises.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written license. Authorize the President and Secretary to execute the license agreement. Authorize the General Counsel to execute any and all ancillary documents required to administer or effectuate the license agreement.

AFFIRMATIVE ACTION: Exempt

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

FINANCIAL: Charge: Office of High School Programs
\$51,500 Fiscal Year 2005
\$55,500 Fiscal Year 2006

Budget Classification: Note: Cost was approved on Board Report approved on April 28, 2004 and will be paid from 0470-210-000-1720-5560.

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, shall be 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, 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 for Consideration:


Sean P. Murphy
Chief Operating Officer

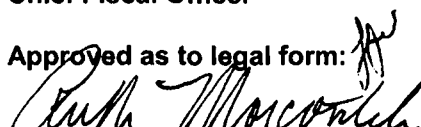
Approved:


Arne Duncan
Chief Executive Officer

Within Appropriation:


John Malorca
Chief Fiscal Officer

Approved as to legal form:


Ruth Moscovitch
General Counsel