

AMEND BOARD REPORT 11-0323-PR22
AMEND BOARD REPORT 10-0623-PR48
**RATIFY AND AMEND MASTER SERVICES AND LICENSE AGREEMENT WITH KC DISTANCE
 LEARNING, LLC D/B/A AVENTA LEARNING**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify and amend Master Services and License Agreement (Master Agreement) with KC Distance Learning, LLC d/b/a Aventa Learning for online courses and related services for the ~~Department of Graduation Pathways/CPS-VHS Distance Learning~~ Office of Student Support and Engagement, Learning Supports Virtual Learning at a cost for the period July 1, 2010 through ~~June 30, 2011~~ December 31, 2011 not to exceed ~~\$400,000~~ \$700,000. Vendor was selected on a non-competitive basis and the Master Agreement was entered into without Board authority. A written amendment to the Master Agreement will be negotiated. No payment shall be made to vendor during the period July 1, 2010 through ~~June 30, 2011~~ December 31, 2011 prior to execution of the written amendment. The authority granted herein shall automatically rescind in the event a written amendment is not executed within 90 days of the date of this amended Board Report. Information pertinent to the Master Agreement and amendment are stated below.

This March 2011 amendment is necessary to update the budget classification and the name of KC Distance Learning, Inc. to KC Distance Learning, LLC and to update the vendor number from 83061 to 96579. KC Distance Learning, Inc. merged with K12, Inc. and KC Distance Learning, LLC was formed as a result of the merger. All contracts held by KC Distance Learning, Inc. were assigned to KC Distance Learning, LLC.

This May 2011 amendment is necessary to extend the term of the agreement until a solicitation process can be completed and to increase the compensation amount. A second amendment to the agreement is required. No payment above the previously authorized amount shall be made prior to execution of the written amendment. The authority granted herein shall automatically rescind in the event the written amendment is not executed within 90 days of the date of this amended Board Report.

VENDOR:

- 1) Vendor # 96579
 KC DISTANCE LEARNING LLC DBA
 AVENTA LEARNING
 2300 CORPORATE PARK DRIVE., STE 200
 HERNDON, VA 20171
 Greg Levin, President
 877-317-9317

USER INFORMATION :

Contact: 13720 - Supports for High Risk Populations
 125 S Clark Street
 Chicago, IL 60603
 Kidan, Ms. Keisha A.
 773-553-2078

TERM

The Master Agreement is being renewed and extended for a ~~one-year~~ period beginning July 1, 2010 and ending ~~June 30, 2011~~ December 31, 2011. The Master Agreement shall be amended to provide that the Master Agreement will not automatically renew and that there will be no further renewals.

MASTER AGREEMENT:

The written Master Agreement was entered into for a term beginning July 20, 2009 and ending June 30, 2010 and provided for automatic one-year renewals unless terminated by either party by written notice within (30) days prior to the termination date of the Master Agreement. The Master Agreement provides Board indemnification of vendor for losses arising from breach of the agreement, infringement by, or negligence of the Board. A Board Report was approved on August 26, 2009 (Board Report 09-0826-PR24) which authorized payment of online tuition fees in amount not to exceed \$400,000. The amount authorized in that Board Report was used to pay the vendor during the initial term of the Master Agreement.

SCOPE OF SERVICES:

The CPS Virtual High School (CPS-VHS) offers credit based online/virtual course options for students attending any Chicago Public High School. Students can take courses for credit recovery, in order to make up a course that they have failed, or for as the first time delivery of a course in order to take a course that is not offered at their school, a course that conflicts with their schedule or an advanced level course. The CPS Virtual High School has been a key Graduation Pathways strategy to ensure that students anytime access to CPS high school graduation requirements. Enrollment is based upon school and student needs. Over 2,500 students were served with Aventa online courses during the Fall 2009 and Spring 2010 semesters with a success rate averaging 70 - 75%. Aventa Learning will continue to license Advanced Placement online courses, online courses, online credit recovery courses and Advanced Placement Exam Review and related educational technologies to expand student access to challenging high school curricula aligned to National and Illinois Learning Standards. Aventa Learning will also continue to host the licensed materials and will be responsible for posting, updating and maintenance of the licensed materials.

DELIVERABLES:

Aventa Learning will also provide: consistent, quality communication between online teachers and students and appropriate level of support for CPS students and mentors from online teachers, Consistent, quality communication between Aventa online teachers, coordinators and CPS mentors, Appropriate data reporting.

OUTCOMES

Vendor's services will result in: students being enrolled into appropriate courses and receiving a high quality curriculum and instruction, an increase in the number of students who complete advanced level courses, an increase in the number of students who meet graduation requirements, an increase in the number of students who are back on track to graduate upon completion of program/courses.

Outcomes will be measured based on the Key Performance Indicators (KPIs) for the Distance Learning Program, which include: Total number of students served, Percentage of students who complete program/course, Percentage of students who attain credit, Number of students who meet graduation requirements and graduated upon completion of program, Number of students who complete advanced level courses, Number of students who are back on track to graduate upon completion of program/courses.

COMPENSATION:

During the renewal period commencing July 1, 2010 and ending ~~June 30, 2011~~ December 31, 2011, Aventa Learning shall be paid a fee per course seat and a fee of \$1640 per block of 10 concurrent annual user seats and \$240 per student per enrollment for supplemental seats; total amount payable to Aventa Learning not to exceed ~~\$400,000~~ \$700,000 for this renewal term.

AUTHORIZATION

Authorize the General Counsel to include other relevant terms and conditions in the written renewal and amendment agreements, including indemnification of vendor by Board. Authorize the President and Secretary to execute the renewal and amendment agreements.

AFFIRMATIVE ACTION

Pursuant to Section ~~5-7~~ 5.2 of the Revised Remedial Plan Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, ~~contract participation (MA/WBE) this contract is exempt from review because the contract is for tuition payments software license agreements are exempt from MBE/WBE review.~~

FINANCIAL:

Charge to Office of Student Support and Engagement (formerly Graduation Pathways), Department of Learning Supports

Fiscal Year: FY 2011/FY 2012

13722-115-54305-110004-000000-2011	\$213,294.94
<u>13722-332-54305-110004-430116-2011</u>	<u>\$357,500.00</u>
<u>11390-115-54305-110004-000000-2012</u>	<u>\$129,205.06</u>

CFDA#: Not Applicable

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.

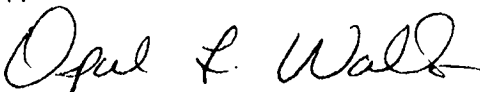
Conflicts - The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their 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 June 23, 2004 (04-0623-PO4), 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:


OPAL L. WALLS
Chief Purchasing Officer

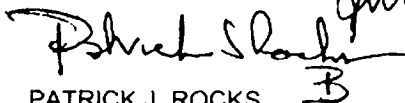
Approved:


TERRY MAZANY
Chief Executive Officer

Within Appropriation:


DIANA S. FERGUSON
Chief Financial Officer

Approved as to Legal Form:


PATRICK J. ROCKS
General Counsel