

December 14, 2011

**APPROVE ENTERING INTO THE CHICAGO PUBLIC SCHOOLS CONSORTIUM AGREEMENT  
WITH VARIOUS CHARTER SCHOOLS  
TO MAXIMIZE E-RATE DISCOUNTS AT CHICAGO PUBLIC SCHOOL FACILITIES**

**THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:**

Approve entering into a consortium agreement with various charter schools which will allow the Board to apply for certain subsidized E-Rate Eligible Services and/or Products such as Telecommunication, Internet Access, Internet Networking and Basic Maintenance Services on behalf of the participating charter schools ("Participants"), in accordance with the guidelines and requirements of the Federal Government's Universal Services Program ("E-Rate"). A written agreement for all Participants is available for signature. The authority granted herein shall automatically rescind as to each participant in the event the written agreement is not executed by such participant within ninety (90) days of the date of this Board Report. Information pertinent to the consortium agreement is stated below.

**ORGANIZER:** Information & Technology Services  
125 South Clark Street, 3rd Floor  
Chicago, Illinois 60603  
Contact: Anthony Mcphearson, Chief Information Officer  
Ellen Ryske, Project Manager  
Deluiez Taylor, Project Manager  
Telephone No.: (773) 553-1300

**TERM:** The term of the agreement shall commence July 1, 2012 and end June 30, 2015.

**OPTIONS TO RENEW:** The agreement shall have two (2) options to renew for additional one (1)-year terms.

**PURPOSE OF CONSORTIUM:** The purpose of the consortium is to allow the consortium to apply to the School and Library Division/Universal Service Administrative Company ("SLD/USAC") on behalf of its Participants for E-rate subsidized services and/or products to be provided to Participants during Funding Year 2012 (July 1, 2012, through June 30, 2013) and subsequent E-rate funding years.

**PARTICIPANTS:** Participants in the Consortium will be charter schools who share facilities with existing CPS schools and/or operate in buildings owned by CPS. Participants will be part of CPS' telecommunications and data network.

**RESPONSIBILITIES OF THE BOARD:** Information & Technology Services, as the organizer and billed entity of the Consortium, will provide the following to the Participants:

- Oversight and management of the E-Rate application process that will include determination of eligibility of E-Rate Eligible Services and/or Products;
- Payment of invoices on behalf of the Participants for Eligible E-Rate Services and/or Products that may include telecommunications, internet access, internal connections and basic maintenance services; and
- Obtain the delivery, support and implementation of E-Rate Eligible Services and/or Products.

**RESPONSIBILITIES OF CHARTER SCHOOL PARTICIPANTS:** Each Participant shall be required to submit a copy of their technology plan, including all amendments thereto, for the duration of the Agreement and to execute a letter of agency. Each Participant shall provide written authorization and approval to the Board for the purchase of E-rate Eligible Services and/or Products and Ineligible E-rate Services and/or Products that will be applied for on behalf of the consortium participants. Each Participant shall be responsible for reimbursing the Board for its pro-rata share of the Non-Discounted Portion for E-rate Eligible Services and/or Products and Ineligible E-rate Services and/or Products as set

forth in the consortium agreement and letter of agency. The Participants shall either reimburse the Board directly or shall authorize the Board in the consortium agreement to deduct the full amount of their pro-rata share of the Non-Discounted Portion of the E-rate Eligible Services and/or Products and Ineligible E-rate Services and/or Products from any payments to be made to the charter school by the Board under their Charter School Agreement.

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

**AFFIRMATIVE ACTION:** Not applicable.

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

**FINANCIAL:** As the consortium's billed entity, the Board will pay the full amount of the Non-Discounted Portion of the E-rate Eligible Services and/or Products and Ineligible E-rate Service and/or Products to the selected service provider in accordance with the terms of the Board's agreement with the selected service provider and the guidelines and requirements of the Federal Government's Universal Services Program ("E-Rate"). Participants shall be responsible for paying their pro-rata share of the Non-Discounted Portion to the Board for E-rate Eligible Services and/or Products and Ineligible E-rate Services and/or Products as set forth in the consortium agreement and letter of agency. The Participants shall either reimburse the Board for their pro-rata share of the Non-Discounted Portion of the E-rate Eligible Services and/or Products and Ineligible E-rate Services and/or Products or the Board shall deduct their pro-rata share from any payments to be made to the charter school by the Board under their Charter School Agreement.

**GENERAL CONDITIONS:**

Inspector General - Each party to each 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 agreements 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 each agreement.

Ethics - The Board's Ethics Code adopted May 25, 2011 (11-0525-PO2), as amended from time to time, shall be incorporated into and made a part of each agreement.

Contingent Liability - Each 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:



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Jean-Claude Brizard  
Chief Executive Officer

**Within Appropriation:**



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David G. Watkins  
Chief Financial Officer

**Approved as to Legal Form:** 



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Patrick J. Rocks  
General Counsel