

**AUTHORIZE AN INTERGOVERNMENTAL AGREEMENT WITH THE ILLINOIS CAPITAL
DEVELOPMENT BOARD TO MANAGE AND ADMINISTER FUNDS UNDER AN EARLY CHILDHOOD
CONSTRUCTION GRANT**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Authorize an intergovernmental agreement ("IGA") with the Illinois Capital Development Board ("CDB") to manage and administer funds under an Early Childhood Construction Grant in consultation with the Illinois State Board of Education ("ISBE") for the construction and/or renovation of early childhood facilities in underserved communities. On behalf of the Board, the CDB will manage and administer funds under the Early Childhood Construction Grant at no cost to the Board. A written IGA is currently being negotiated. The authority granted herein shall automatically rescind in the event an intergovernmental agreement is not executed within 120 days of the date of this Board Report. Information pertinent to this IGA is stated below.

PARTIES:

Board of Education of the City of Chicago
125 S. Clark Street
Chicago, IL 60603
Contact: Chief Executive Office
Attention: Chief Executive Officer
Phone: 773-553-1500

Illinois Capital Development Board
401 S. Spring St.
Third Floor, Stratton Bldg
Springfield, IL 62706
Attention: Executive Director
Phone: 217-782-2864

BACKGROUND/DESCRIPTION: The Board was previously awarded an early childhood construction grant ("Grant Award") by the CDB in the aggregate amount of \$9,000,000 to be used for the construction and/or renovation of early childhood facilities in communities of underserved populations of young children ("Grant Uses"). Approximately \$4,500,000 of the Grant Award ("Subgrant Award") will be awarded by the CDB to selected not-for-profit entities to be used by such entities for the completion of the Grant Use and the Subgrant will be administered by the CDB (on behalf of the Board).

Under the terms of the IGA, the CDB will distribute, monitor, administer, and perform such other obligations that are ancillary to the disbursement of the Subgrant Award to selected early childhood centers for the Grant Uses.

TERM: The term of the IGA shall commence upon execution of the IGA and continue for a period of five (5) years or such other term as shall coincide with the grant period.

BASIC TERMS OF THE IGA: The CDB, in consultation with the Board and ISBE, will issue or make grant awards to, enter into individual grant agreements with, administer, distribute and monitor funds under the grant agreement, in each case to selected not-for-profit entities for the Grant Uses.

OBLIGATIONS OF THE PARTIES: The CDB will issue or make grant awards to, and enter into grant agreements with, selected private not-for-profit entities for the Grant Uses. The projects may include the following:

- (a) Constructing an addition onto an existing building;
- (b) New construction of a facility;
- (c) Renovations to an existing facility in order to create a new early childhood center;
- (d) Acquisition of a facility;
- (e) Purchase or replacement of equipment;
- (f) Safety improvements; and
- (g) Classroom conversions

The CDB, if requested by the Board, shall provide to ISBE quarterly reports describing the progress of the projects described herein and the expenditure of grant funds related thereto.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written agreement. Authorize the President and Secretary to execute the IGA. Authorize the Chief Executive Officer or Chief Financial Officer to execute all ancillary documents required to administer or effectuate the IGA, the Grant Awarded and the Subgrant Awards.

AFFIRMATIVE ACTION: Exempt.

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

FINANCIAL: No cost to the Board.

GENERAL CONDITIONS:

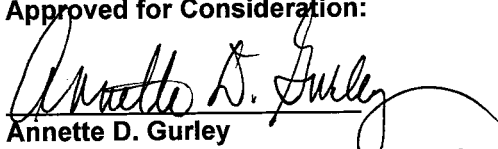
Inspector General – Each party to the agreement shall acknowledge that, in accordance with 105 ILCS 5/34-13.1, the Inspector General of the Board of Education has the authority to conduct certain investigations and that the Inspector General shall have access to all information and personnel necessary 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:


Annette D. Gurley
Chief Officer of Teaching and Learning

Approved:


Barbara Byrd Bennett
Chief Executive Officer

Approved as to legal form: 


James L. Bebley
General Counsel