

**APPROVE ENTERING INTO A LICENSE AGREEMENT WITH NORTH PARK UNIVERSITY FOR THE USE OF THE SWIMMING POOL AT VON STEUBEN METROPOLITAN SCIENCE CENTER**

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

Approve entering into a license agreement with North Park University for the use of the swimming pool at Von Steuben Metropolitan Science Center. A written license agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event a written agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this agreement is stated below.

**LICENSEE:** North Park University  
3225 W. Foster  
Chicago, Illinois 60625  
Contact: Carl Balsom  
Phone: 773-244-6200 x5596

**LICENSOR:** Board of Education of the City of Chicago

**PREMISES:** Swimming Pool - Von Steuben Metropolitan Science Center  
5039 N. Kimball  
Contact: Clifton Burgess, Principal  
Phone: 773-534-5100

**TERM:** The term of this license agreement shall commence on January 12, 2004 and shall end May 03, 2004.

**USE:** To be used during the 2003–2004 school year as outlined on the schedule below for two classes. The use shall include: swimming pool and locker room, a classroom equipped with a VCR, monitor, overhead projector and screen.

	<u>Course</u>	<u>Day</u>	<u>Month</u>	<u>Dates</u>	<u>Time</u>
<u>Quad A</u>	Lifeguarding	Mondays	January	12, 26	3:10pm – 6:15pm
			February	2, 9, 16, 23	3:10pm – 6:15pm
			March	1	3:10pm – 6:15pm
	Lifeguarding	N/A			
<u>Quad B</u>	Water Safety Instruction	Mondays	March	15, 22, 29	3:10pm – 6:15pm
			April	5, 9, 26	3:10pm – 6:15pm
			May	3	3:10p.m – 6:15pm

**LICENSE FEE:** Licensee shall pay a license fee of \$1.00. Any additional costs incurred by the Board, including overtime for Engineers and/or Janitors, due to North Park University's use of the Swimming Pool, will be paid by North Park University. In exchange for the \$1.00 License Fee, North Park University shall allow Von Steuben the use of their Tennis Court, Library and Classrooms to conduct school examinations, at no cost to the Board at such reasonable times as may be agreed to between Von Steuben and North Park University.

**OPERATION & MAINTENANCE:** Licensee agrees to provide the required number of qualified Life Guards and Water Safety Instructors (Red Cross or YMCA certified) and to comply with all Board and Illinois Department of Public Health regulations governing the use and operation of swimming pools.

**INSURANCE:** Licensee will provide liability insurance in the amount of \$1million per occurrence to protect the interest of the Board of Education.

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

**AFFIRMATIVE ACTION:** Exempt.

**LSC REVIEW:** This matter has been approved by the Local School Council on November 13, 2003.

**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.

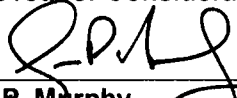
Conflicts – The agreement shall not be legally binding on the Board if entered into in violation of the provisions of 105 ILCS 5/34-21.3 which restricts the employment of, or the letting of contracts to, former Board members during the one year period following expiration or other termination of their terms of office.

Indebtedness – The Board's Indebtedness Policy adopted July 26, 1995 (95-0726-EX3), as amended from time to time, shall be incorporated into and made a part of the agreement.

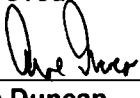
Ethics – The Board's Ethics Code adopted September 27, 1995 (95-0927-RU3), as amended from time to time, shall be incorporated into and made a part of the agreement.

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:**

  
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Sean P. Murphy  
Chief Operating Officer


**Approved:**

  
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Arne Duncan  
Chief Executive Officer

**Within Appropriation:**

  
\_\_\_\_\_  
John Mairoca  
Chief Financial Officer

**Approved as to legal form:**

  
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Ruth Moscovitch  
General Counsel