

**RATIFY EXERCISING THE FIRST OPTION TO RENEW ENTERING INTO AGREEMENTS WITH
VARIOUS PRIVATE CLUSTER SCHOOLS TO PROVIDE CLUSTER PROGRAM SERVICES**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Ratify exercising the first option to renew the agreements with various Private Cluster School Providers ("Providers") to provide cluster program services to the Office of Special Education and Supports at a cost for the option period not to exceed \$25,000,000.00 in the aggregate. These payments are reimbursed through the Illinois State Board of Education. These services were continued beyond the end of the original term without prior Board approval. Providers were selected on a competitive basis pursuant to a duly advertised Request for Proposals (07-250042). Written renewal agreements are currently being negotiated. No payment shall be made to any Provider prior to the execution of their written renewal agreement. The authority granted herein shall automatically rescind as to each Provider in the event their written renewal agreement is not executed within 90 days of the date of this Board Report. Information pertinent to this option is stated below.

Specification Number : 07-250042
Contract Administrator : Nanzi Flores / 773-553-2273

USER:

Citywide Special Education & Supports
125 South Clark Street 8th Floor
Chicago, IL 60603

Contact : Diane Rohan
Phone: 773-535-5990

TERM:/OPTION PERIOD: The term of each renewal agreement shall commence on July 1, 2010 and shall end June 30, 2011.

OPTION PERIODS REMAINING: Each agreement has one (1) option for a one-year period remaining.

ORIGINAL AGREEMENTS: The original agreements (authorized by 08-0423-PR21) were for a term commencing August 1, 2008 and ending June 30, 2010 with the Board having two (2) options to renew for a period of one year each. The original agreements were awarded on a competitive basis pursuant to a duly advertised Request for Proposal.

SCOPE OF SERVICES:

These Providers will continue to provide services to CPS students who have a primary classification of emotional disturbance (ED) or autism and who attend private school in one or more of the Cluster areas designated by the Board. These services will include providing age-appropriate educational programs and IEP-mandated services to the students, and providing programming to prepare students for their successful and timely return to their neighborhood public schools. In addition, these Providers will continue to work with CPS schools, community agencies and family groups to build more effective networks of support services and advance a least restrictive environment to the students.

DELIVERABLES:

Providers will continue to furnish age-appropriate programs, related services, tests, program notes, HSMP reports, and other reports required by the Office of Special Education and Supports.

OUTCOMES:

Services provided by the Providers will enable CPS to achieve the following:

1. Decrease the number of students having a primary classification of emotional disturbance (ED) or autism who attend private schools.
2. Develop quality private school resources within each of the CPS Clusters aligned with the programmatic needs of each Cluster.
3. Establish coordinated, innovative practices between the public schools of a specific Cluster and the assigned Private Cluster School Provider to: (a) reduce the referral rate of special education students to private schools; (b) maximize available support services for students and their families; and (c) facilitate the transition of private school students and their families, and returning students to public school.
4. Create a method of payment for private schools that is consistent with maintaining quality education programs, providing appropriate support services to students and their families, and returning students to public school.

COMPENSATION:

Each Provider will be allocated a certain number of "Reserved Seats" and will be paid a negotiated per diem rate for these Reserved Seats for each scheduled school day. Reserved Seat payments are guaranteed and are not based on attendance or enrollment. When the actual seat usage by CPS students in any given month exceeds the aggregate Reserved Seat allocation for that month, the Provider shall be paid the per diem rate approved by the Illinois Purchased Care Review Board (IPCRB Rate) for the additional seat usage. This payment is enrollment-based. Payments to the Providers during this renewal term shall not exceed \$25,000,000.00 in the aggregate. As provided in the agreement with each Provider, the Board may increase or decrease the number of Reserved Seats by giving fifteen (15) business days prior written notice.

REIMBURSABLE EXPENSES: None

AUTHORIZATION:

Authorize the General Counsel to include other relevant terms and conditions in the written renewal agreements. Authorize the President and Secretary to execute the renewal agreements. Authorize the Chief Officer of Special Education and Supports to increase or decrease the number of Reserved Seats and adjust the per diem rates for each facility without seeking additional Board authority unless such increase or decrease or rate adjustment causes the aggregate value of this Board Report to exceed \$25,000,000.00. Authorize the Chief Officer of Special Education and Supports to execute all ancillary documents required to administer or effectuate these student placements and agreements, including but not limited to executing the Nonpublic Facility Placement Contracts required by ISBE for each placed student.

AFFIRMATIVE ACTION:

Pursuant to Section 5.2 of the Remedial Program for Minority and Women Owned Business Enterprise Participation in Goods and Services Contracts, a determination will be made to when transactions should be excluded from the contract specific M/WBE goals. It has been determined that the participation goal provisions of the Program do not apply to transactions where the pool of providers includes Not-for-Profit organizations.

LSC REVIEW:

Local School Council approval is not applicable to this report.

FINANCIAL:

Charge to Office of Special Education and Supports \$25,000,000.00 FY 2011

12670-115-54305-124904-376711-2011

\$25,000,000.00

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).

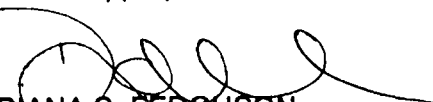
Approved for Consideration:


OPAL L. WALLS
Chief Purchasing Officer

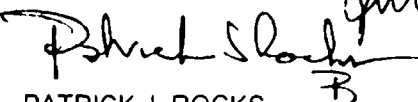
Approved:


RON HUBERMAN
Chief Executive Officer

Within Appropriation:


DIANA S. FERGUSON
Chief Financial Officer

Approved as to Legal Form:


PATRICK J. ROCKS
General Counsel

- 1) Vendor # 20029
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- 2) Vendor # 31488
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CHICAGO, IL 60643
Susan Reyna-Guerrero
773-881-1005
- 3) Vendor # 18567
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- 9) Vendor # 94937
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