

January 25, 2024

**APPROVE RENEWAL LEASE AGREEMENT WITH KIPP CHICAGO SCHOOLS FOR A PORTION OF
THE PENN ELEMENTARY SCHOOL BUILDING, 1616 SOUTH AVERS AVENUE**

THE CHIEF EXECUTIVE OFFICER REPORTS THE FOLLOWING DECISION:

Approve entering into a renewal lease agreement with KIPP Chicago Schools for a portion of the Penn Elementary School Building located at 1616 S. Avers Ave., Chicago, Illinois, for use as KIPP Ascend Charter School (Penn campus). A written renewal lease agreement is currently being negotiated. The authority granted herein shall automatically rescind in the event a written renewal lease agreement is not executed within 120 days of the date of this Board Report.

TENANT: KIPP Chicago Schools (KIPP Ascend Charter School - Penn campus)
2007 S. Halsted St.
Chicago, Illinois 60608
Contact: April Goble, Executive Director
Phone: 312-733-8108

LANDLORD: Board of Education of the City of Chicago

PREMISES: Tenant shall use a portion of the Penn Elementary School building located at 1616 S. Avers Ave., Chicago, Illinois, as set forth in the renewal lease agreement, unless otherwise permitted by Landlord. Tenant shall share the premises with Penn Elementary School. The renewal of Tenant's current Charter School Agreement is scheduled to be authorized by the Board on the date hereof.

USE: Tenant shall use the Premises to operate a charter school and related educational and community programs and for no other purpose.

ORIGINAL LEASE AGREEMENT: The original lease term (authorized by Board Report 15-0624-OP1) commenced on July 1, 2015 and ended on June 30, 2017. The lease renewal was for a term commencing on July 1, 2017 and ending on June 30, 2024 (authorized by Board Report 16-1207-OP6, as amended by Board Report 17-1206-OP19).

RENEWAL TERM: The term of the renewal lease agreement shall be for a term that is coterminous with the renewal of the Charter School Agreement. If Tenant's Charter School Agreement is terminated, the renewal lease agreement shall also terminate.

RENT: One dollar (\$1.00) per year.

OPERATING AND UTILITIES EXPENSES: Tenant shall procure all operating services from Landlord, unless otherwise permitted by Landlord. Tenant shall reimburse Landlord for operating services provided by Landlord at Landlord's then-current rates and costs and in accordance with Landlord's then-current procedures. The charter shall be assessed to reflect this option.

AUTHORIZATION: Authorize the General Counsel to include other relevant terms and conditions in the written renewal lease agreement. Authorize the President and Secretary to execute the renewal lease agreement. Authorize the Chief Operations Officer to execute any and all ancillary documents related to the renewal lease agreement.

AFFIRMATIVE ACTION: Exempt.

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

FINANCIAL: Rent payable to the General Fund.

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 May 25, 2011 (11-0525-PO2), 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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Charles Mayfield
Chief Operating Officer


Approved:

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Pedro Martinez
Chief Executive Officer

Approved as to legal form:


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Ruchi Verma
General Counsel