AMENDMENT NUMBER FIVE  
TO A CONTRACTUAL AGREEMENT  

BETWEEN  
THE ILLINOIS STATE BOARD OF EDUCATION ("ISBE")  

AND  
REGIONAL OFFICE OF EDUCATION #20/HARRISBURG PROJECT ("Contractor")  

THIS AMENDMENT NUMBER FIVE TO A CONTRACTUAL AGREEMENT (this "Amendment") is entered into by and between ISBE and the Contractor (collectively, the "Parties", and each, a "Party"), under the authority of the Illinois Procurement Code, 30 ILCS 500 et seq. In view of the mutual covenants herewith contained, the Parties hereby agree as follows:  

WHEREAS, the Parties entered into that certain Contractual Agreement effective July 1, 2006 for the purpose of enabling ISBE to meet its obligations under the Individuals with Disabilities Education Act (IDEA) (P.L. 108-446) (Individuals with Disabilities Act of 2004) regarding the management of special education data and information by the Contractor developing, operating, maintaining and supporting a web-based software application allowing school districts and special education cooperative to manage (e.g., input, use and transmit to ISBE) data on students with disabilities and special education personnel (the "Agreement");  

WHEREAS, the Parties duly amended the aforementioned Contractual Agreement on June 22, 2007 ("Amendment One"), extending the Agreement through June 30, 2008 and increasing the maximum amount payable under the Agreement to $1,348,248 (the Contractual Agreement, as amended by the foregoing amendments, is hereafter referred to as the "Agreement");  

WHEREAS, the Parties duly amended the aforementioned Contractual Agreement on June 30, 2008 ("Amendment Two"), extending the Agreement through June 30, 2009 and increasing the maximum amount payable under the Agreement to $2,083,248 (the Contractual Agreement, as amended by the foregoing amendments, is hereafter referred to as the "Agreement");  

WHEREAS, the Parties duly amended the aforementioned Contractual Agreement on June 30, 2009 ("Amendment Three"), extending the Agreement through June 30, 2010 and increasing the maximum amount payable under the Agreement to $2,828,973;  

WHEREAS, the Parties amended the Agreement ("Amendment Four") for purposes of authorizing the continued performance of Services by the Contactor,
extending the Term from July 1, 2010 through June 30, 2011 and increasing the maximum amount payable under the Agreement to $3,574,698 (the Contractual Agreement, as amended by the foregoing amendments, is hereafter referred to as the "Agreement");

WHEREAS, the Parties wish to amend the Agreement for purposes of authorizing the performance of additional Services by the Contactor, increasing the amount payable during the Term from July 1, 2009 through June 30, 2010 by $56,475, and increasing the maximum amount payable under the Agreement to $3,631,173; and

WHEREAS, the Parties agree that this Amendment is in the best interest of ISBE and authorized by law.

NOW THEREFORE, BE IT RESOLVED:

1. Pursuant to Paragraphs 2 and 12(b) of the Agreement, the Parties hereby amend the Agreement as follows:

   • Paragraph 3(a) is amended to (i) increase the maximum amount payable by ISBE under this Agreement to $3,631,173 (with a maximum amount of $802,200 payable for the period from July 1, 2009 through June 30, 2010); and (ii) during the period from July 1, 2009 through June 30, 2010 payments will be made in accordance with Exhibits C as amended.

   • Exhibit A shall be amended in so far as Contractor shall provide additional consultation services on June 30, 2010 to enable ISBE to meet its obligations under federal law.

   • Exhibit C shall be amended in so far as one additional payment shall be processed on June 30, 2010 in the amount of $56,475.

2. Except as otherwise specifically set forth in the Amendment, all other terms and provisions of the Agreement shall remain the same and continue in full force and effect. The Parties agree upon execution of this Amendment, it shall become a binding and integral part of the Agreement.
IN WITNESS WHEREOF, the Parties have executed this Amendment as of the day and year first written below.

Illinois State Board of Education

Christopher A. Koch, Ed.D.  Date  6/30/10
State Superintendent of Education
Illinois State Board of Education

Linda Riley Mitchell  Date  6/30/10
Chief Financial Officer

Darren Reisberg  Date  6/30/10
General Counsel

Regional Office of Education #20/
Harrisburg Project

Lawrence Fillingim  Date:  6-30-10
Title: Regional Superintendent