



Executive Summary Finance Committee

DATE: June 21, 2018
TOPIC: Knovation (Brainpop & Nettekker) Contract for 2018-2019 School Year
PREPARED BY: Courtney Adams

Recommended Action:

Action: X

Discussion: _____

Information: X

Purpose:

To recommend the annual renewal of the Knovation software bundle (Brainpop & Nettekker) for the District

Background:

District 74 has subscribed to Brainpop since 2011 and Nettekker since 2007 without issue. The District's legal team drafted an amendment to accompany the contract but Knovation declined it. The District's legal team then drafted five points to consider before agreeing to the terms that have historically been accepted:

- 1) Knovation did not specifically define Confidential Information to include student data.
This should not be of significant concern because Nettekker is primarily a collection of non-fiction to be consumed for research purposes and Brainpop is primarily a collection of animated videos with 10-question follow up quizzes that are sometimes used.
- 2) Knovation requires the District to indemnify Knovation against third parties as a result of the District's use of the services or agreement breach. No breach has been discovered thus far.
- 3) District will be precluded from seeking damages should any issue arise under the Agreement
No issues worthy of a lawsuit have arisen thus far.
- 4) If there is a virus present in Knovation files, Knovation would not be liable for any damage to the District's computer systems. No discoveries have been made relative to any computer system harm caused Knovation services thus far.
- 5) Any legal claims or actions would take place in the Ohio court system rather than in Illinois. No issues worthy of a lawsuit have arisen thus far.

Fiscal Impact:

\$6,817.04

Recommendation:

It is the Administrative recommendation that the Finance Committee recommends to accept the contract as presented by Knovation for the 2018-2019 school year in the amount of \$6,817.04.