



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Special Order Request

☐ Yes

☒ No

Time

MEETING DATE

Jul 28 2015 10:15AM - Regular School Board Meeting

AGENDA ITEM

CONSENT ITEMS

CATEGORY

L. OFFICE OF PORTFOLIO SERVICES

DEPARTMENT

Charter Schools/Management Support

ITEM No.:

L-8.

Open Agenda

☐ Yes

☒ No

TITLE:

First Amendment to Charter School Agreement with The National Ben Gamla Charter School Foundation, Inc., on behalf of Ben Gamla Preparatory Charter School - 5204

REQUESTED ACTION:

Approve the First Amendment to the Charter School Agreement with The National Ben Gamla Charter Foundation, Inc., on behalf of Ben Gamla Preparatory Charter School - 5204.

SUMMARY EXPLANATION AND BACKGROUND:

The National Ben Gamla Charter School Foundation, Inc., a Florida non-profit corporation, on behalf of Ben Gamla Preparatory Charter School - 5204, desires to amend its charter school agreement to co-locate with Ben Gamla Charter High School - 5005 for the 2015-2016 school year and subsequent years. This agreement contains an acknowledgment of co-location with Ben Gamla Preparatory Charter High School - 5182. A copy of all supporting documents is available at the Charter Schools Management/Support Department on the 12th floor of the K.C.W. Administration Center. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda/>.

See Supporting Docs for continuation of Summary Explanation and Background.

This Amendment has been reviewed and approved as to form and legal content by the Office of the General Counsel.

SCHOOL BOARD GOALS:

☒ Goal 1: High Quality Instruction ☐ Goal 2: Continuous Improvement ☐ Goal 3: Effective Communication

FINANCIAL IMPACT:

There is no financial impact to the District.

EXHIBITS: (List)

(1) Continuation of Summary Explanation and Background (2) Ben Gamla Preparatory Charter School ES (3) First Amendment Ben Gamla Preparatory Charter 5204 Agreement (4) Approved Item L1 42115 RSBM-07022015093605

BOARD ACTION:

APPROVED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Jody Perry

Phone: 754-321-2135

Name:

Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown

Thursday, July 02, 2015 2:09:35 PM

Approved In Open
Board Meeting On:

By:

JUL 2 8 2015

Donna Fourn

School Board Chair

Electronic Signature

Form #4189 Revised 12/12

RWR/LMB/JP/RS:ac

Continuation of Summary Explanation and Background:

The National Ben Gamla Charter School Foundation, Inc., a Florida non-profit corporation, on behalf of Ben Gamla Preparatory Charter School - 5204, desires to amend its charter school agreement to co-locate with Ben Gamla Charter High School - 5005 for the 2015-2016 school year and subsequent years. This agreement contains an acknowledgment of co-location with Ben Gamla Preparatory Charter High School – 5182.

Ben Gamla Preparatory Charter School – 5204 will be located in District 1.

The governing board members of The National Ben Gamla Charter School Foundation, Inc., reside in Broward County, Florida and Baltimore, Maryland.

A copy of all supporting documents is available at the Charter Schools Management/Support Department on the 12th floor of the K.C.W. Administration Center.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: <https://webappe.browardschools.com/eagenda/>.

Executive Summary

The National Ben Gamla Charter School Foundation, Inc. Ben Gamla Preparatory Charter School - 5204

Amendment to the Charter Agreement

The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school and by The School Board of Broward County, Florida, in a written contractual agreement that constitutes a school's charter.

On April 21, 2015, The School Board of Broward County, Florida, approved a Charter School Agreement authorizing The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Preparatory Charter School - 5204), to enter into a Charter School Agreement with The School Board of Broward County, Florida, that will become effective July 1, 2015, and covers a term of five years commencing July 1, 2015 and ending June 30, 2020. This agreement contains an acknowledgment of co-location with Ben Gamla Preparatory Charter High School – 5182.

The National Ben Gamla Charter School Foundation, Inc., on behalf of Ben Gamla Preparatory Charter School - 5204, desires to amend its Charter School Agreement to co-locate with Ben Gamla Charter High School - 5005.

Starting with the 2015 – 2016 school year, the charter school will be located at 2650 Van Buren Street, Hollywood, Florida 33020.

The term of the Charter shall remain the same, covering five years commencing on July 1, 2015, and ending on June 30, 2020.

Ben Gamla Preparatory Charter School - 5204 will be located in District 1.

The governing board members of The National Ben Gamla Charter School Foundation, Inc., reside in Broward County, Florida and Baltimore, Maryland.

**Ben Gamla Preparatory Charter School - 5204
First Amendment to Charter School Agreement**

FIRST AMENDMENT TO THE CHARTER SCHOOL AGREEMENT

This First Amendment to the ~~the~~ CHARTER AGREEMENT is made and entered into as of
this 28th day of July 2015, by and between:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA,
a body corporate operating and existing under the laws of the State of Florida
[hereinafter referred to as "Sponsor"],
and having its principal place of business located at
600 Southeast Third Avenue, Fort Lauderdale, Florida 33301

and

The National Ben Gamla Charter Foundation, Inc.
a Florida not-for-profit organization [hereinafter referred to as "School"],
and having its principal place of business located at
2620 Hollywood Blvd., Hollywood, Florida 33020

WHEREAS, the parties entered into a Charter School Agreement ("Agreement") on or about April 21, 2015, which incorporates by reference the SCHOOL's Charter School Application wherein the School was authorized to operate a charter middle school (6-8), known as "Ben Gamla Preparatory Charter School" in Broward County, Florida,

WHEREAS, Section 2.B.4 of the Agreement permits the amendment of the Agreement during its term through mutual agreement of the parties, provided such modifications are agreed to in writing and executed by both parties; and

WHEREAS, the School has disclosed its intent to co-locate with Ben Gamla Preparatory Charter High School – 5182;

WHEREAS, the School desires to amend its Agreement to co-locate with Ben Gamla Charter High School - 5005.

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and terms herein set forth, the parties agree as follows:

1.01 Recitals: The foregoing recitals are true and correct and are incorporated within this Charter by reference.

1.02 Amendments: The following portion of the Charter School Agreement shall be amended to provide as follows:

Section 6.A.1: **Facility Location:** The School will be at: 2650 Van Buren Street, Hollywood, Florida 33020.

Ben Gamla Preparatory Charter School - 5204
First Amendment to Charter School Agreement

Section 6.C.4: **Shared Use of a Facility with Other Entities:** The School shall disclose to the Sponsor the identity of any entity with whom it will share the facility or space or share any temporary facility during the term of this Charter. The School shall disclose the names of the colocated entities to the parents of all students enrolled in the school annually in writing and will place the names of the other entities on its state mandated website.

Section 6.C.5: **Entity Disclosure:** The School will colocate with Ben Gamla Charter High School – 5005 at 2650 Van Buren Street, Hollywood, Florida 33020. Due to the co-located use of its facility, the School's enrollment capacity is reduced to a maximum for the charter of 200 students. The School's enrollment, when combined with the enrollment of any other co-located schools, may not exceed the building capacity established by the applicable certificate of occupancy. If the combined enrollment of the co-located schools should exceed the building capacity established by the applicable certificate of occupancy, Sponsor may terminate the Charter School Agreement of each of the co-located schools for good cause.

1.03 Order of Precedence Among Agreement Documents: In the event of a conflict between the provisions of the agreement and the provisions contained herein, the provisions of the following documents shall take precedence in this order:

- (a) First Amendment to the Charter School Agreement; then
- (b) The Charter School Agreement; then
- (c) The Charter Application

1.04 Other Provisions, as Amended, Remain in Force: Except as expressly provided herein, all other portions of the agreement remain in full force and effect.

1.05 Authority Each person signing the First Amendment to the Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to the Agreement.

IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment to Charter School Agreement as of the day and year first above written.

THE REMAINDER OF THIS PAGE IS INTENTIONALLY LEFT BLANK

Ben Gamla Preparatory Charter School - 5204
First Amendment to Charter School Agreement



FOR THE SCHOOL

The National Ben Gamla Charter School
Foundation, Inc.

Attest: _____

Secretary

- or -

Sharon G. Miller

Witness

Pat Deutch

Witness

by: _____

Name and Title Debra Klein, Board Chair

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 16th day of June 2015 by

Debra Klein
Name of Person on behalf of

the Governing Entity

of _____
The National Ben Gamla Charter School
Foundation, Inc.

He/She took an oath and is personally known to me ~~or has produced~~ _____ as
identification.

My commission expires:

(SEAL)

My commission expires:

Marla G. Devitt
Signature – Notary Public
MARLA G. DEVITT
MY COMMISSION # FF 228851
EXPIRES: May 10, 2019
Printed Name of Notary Public

**Ben Gamla Preparatory Charter School - 5204
First Amendment to Charter School Agreement**


FOR THE SPONSOR

(Corporate Seal)

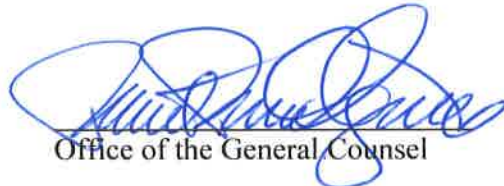
THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By 
Donna P. Korn, Chair


Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:

 06/22/15
Office of the General Counsel



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Special Order Request	
<input type="radio"/> Yes	<input checked="" type="radio"/> No
Time	
Open Agenda	
<input type="radio"/> Yes	<input checked="" type="radio"/> No

ITEM No.:

L-1.

MEETING DATE

Apr 21 2015 10:15AM - Regular School Board Meeting

AGENDA ITEM

CONSENT ITEMS

CATEGORY

L. OFFICE OF PORTFOLIO SERVICES

DEPARTMENT

Charter Schools/Management Support

TITLE:

New Charter School Agreement - The National Ben Gamla Charter School Foundation, Inc., (Ben Gamla Preparatory Charter School)

REQUESTED ACTION:

Approve a new Charter School Agreement for The National Ben Gamla Charter School Foundation, Inc., on behalf of Ben Gamla Preparatory Charter School.

SUMMARY EXPLANATION AND BACKGROUND:

On November 5, 2013, The School Board of Broward County, Florida, approved a charter application to open a new charter school for the start of the 2014-2015 academic year. At the June 24, 2014, Regular School Board Meeting, item L-10 The National Ben Gamla Charter School Foundation, Inc., was approved to defer the opening of the school until the 2015-2016 academic year. Ben Gamla Preparatory Charter School will serve students in grades 6-8 and will open in August 2015. A copy of all supporting documents are available at the Charter Schools Management/Support Department on the 12th floor of the K.C.W. Administration Center. A copy of all supporting documents are available online via the Broward County Public Schools eAgenda at : <https://webappe.browardschools.com/eagenda/>. See Supporting Docs for continuation of Summary Explanation and Background.

This Agreement has been approved as to form and legal content by the Office of the General Counsel.

SCHOOL BOARD GOALS:

- ☒ Goal 1: High Quality Instruction ☒ Goal 2: Continuous Improvement ☒ Goal 3: Effective Communication

FINANCIAL IMPACT:

There is no financial impact to the District.

EXHIBITS: (List)

(1) Continuation of Summary Explanation and Background (2) Ben Gamla Preparatory Charter Agreement (3) Approved ARF for L-4 RSBM 11/5/13 (4) Approved ARF Deferral for L-10 RSBM 6/24/14

BOARD ACTION:

APPROVED

(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Jody Perry

Phone: 754-321-2135

Name:

Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

Leslie M. Brown - Chief Portfolio Services Officer

Signature

Leslie M. Brown

March 31, 2015 10:46:44 AM EDT

Electronic Signature
Form #4189 Revised 12/12
RWR/LMB/JP/RS/AC

Approved In Open
Board Meeting On:

APR 21 2015

By:

Dana Kohn
School Board Chair