



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	Jun 15 2016 10:15AM - Regular School Board Meeting
ITEM No.:	AGENDA ITEM
L-6.	CONSENT ITEMS
CATEGORY	L. OFFICE OF PORTFOLIO SERVICES
DEPARTMENT	Charter Schools/Management Support

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

Time

Open Agenda	
<input type="radio"/> Yes	<input checked="" type="radio"/> No

TITLE:
 First Amendment to Charter School Agreement with Florida Charter Foundation, Inc., on behalf of Franklin Academy

REQUESTED ACTION:
 Approve the First Amendment to the Charter School Agreement with Florida Charter Foundation, Inc., on behalf of Franklin Academy – Pembroke Pines High School – 5142.

SUMMARY EXPLANATION AND BACKGROUND:
 Florida Charter Foundation, Inc., desires to amend its Charter School Agreement to change the name of the charter school from "Franklin Academy 3" to "Franklin Academy – Pembroke Pines High School". Florida Charter Foundation, Inc., also desires to change the location of the charter school as well as modify its educational program by implementing a co-educational model of instruction for the 2016-2017 school year and subsequent years.
 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) Franklin Academy Pembroke Pines High School 5142 ES (3) Franklin Academy 5142 First Amendment (4) Franklin Academy Pembroke Pines High 5142 Revised Narrative for Amendment FINAL

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
 5/27/2016, 2:47:09 PM

Approved In Open Board Meeting On: **JUN 15 2016**
 By:
 School Board Chair

Continuation of Summary Explanation and Background:

Florida Charter Foundation, Inc., desires to amend its Charter School Agreement to change the name of the charter school from "Franklin Academy 3" to "Franklin Academy – Pembroke Pines High School". Florida Charter Foundation, Inc., also desires to change the location of the charter school as well as modify its educational program by implementing a co-educational model of instruction for the 2016-2017 school year and subsequent years.

Pursuant to Section 1002.33, Florida Statutes, the terms and conditions for the operation of a charter school shall be set forth by the charter school and The School Board of Broward County, Florida, in a written contractual agreement. This agreement shall constitute a school's charter.

The Charter School will be located at 5000 SW 207th Terrace, Pembroke Pines, Florida 33332 which is in District 2.

The governing board members of Florida Charter Foundation, Inc., reside in Broward County, Florida.

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
Florida Charter Foundation, Inc.
Franklin Academy – Pembroke Pines High School - 5142, Formerly Known As
Franklin Academy 3

School Name	Franklin Academy – Pembroke Pines High School
Implementation Year	2014-2015
Termination Date of Current Charter Agreement	June 30, 2019
Current Address	18800 Pines Boulevard Pembroke Pines, Florida 33029
New Address	5000 SW 207 th Terrace Pembroke Pines, Florida 33332
Grades Approved to Serve	6-12
Grades Currently Serving	8
Current Enrollment	118
Target population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade 2014-2015	N/A

On October 7, 2014, The School Board of Broward County, Florida, approved an initial charter agreement with Florida Charter Foundation, Inc., on behalf of Franklin Academy 3 – 5142, for a term of five years. This contract is effective for five years and ends on June 30, 2019.

Florida Charter Foundation, Inc., desires to amend its Charter School Agreement to change the name of the charter school from “Franklin Academy 3” to “Franklin Academy – Pembroke Pines High School”. Florida Charter Foundation, Inc., also desires to change the location of the charter school as well as modify its educational program by implementing a co-educational model of instruction for the 2016-2017 school year and subsequent years.

The charter school will relocate to: 5000 SW 207th Terrace, Pembroke Pines, Florida 33332 for the 2016-2017 and subsequent school years.

The term of the charter shall remain the same, covering five years commencing on July 1, 2014, and ending June 30, 2019.

Franklin Academy – Pembroke Pines High School – 5142 will be located in District 2.

The Mayor, the City Manager for the City of Pembroke Pines, and the League of Cities have been notified of the change.

The governing board members of Florida Charter Foundation, Inc., reside in Broward County, Florida.

Franklin Academy – Pembroke Pines High School – 5142
F/K/A Franklin Academy 3
First Amendment to Charter School Agreement

FIRST AMENDMENT TO THE CHARTER SCHOOL AGREEMENT

This First Amendment to the Charter School Agreement is made and entered into as of this 15th day of June 2016, 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

FLORIDA CHARTER FOUNDATION, INC.,
a Florida not-for-profit organization [hereinafter referred to as “School”],
and having its principal place of business located at
1225 SE 2nd Avenue, Fort Lauderdale, Florida 33316

WHEREAS, the parties entered into a Charter School Agreement (the “Charter”) on or about October 7, 2014, which incorporates by reference the School’s Charter School Application (the “Application”), wherein the School was authorized to operate a charter high school, 9-12 known as “Franklin Academy 3” in Broward County, Florida; and

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 parties desire to amend the Charter as provided herein.

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 Charter shall be amended as follows:

A. All references in the Charter to the name of the School shall be changed from “Franklin Academy 3” to “Franklin Academy- Pembroke Pines High School”.

Franklin Academy – Pembroke Pines High School – 5142
F/K/A Franklin Academy 3
First Amendment to Charter School Agreement

B. The School shall relocate to a new facility beginning with the 2016-17 school year, and the following provision of the Charter shall be deleted in its entirety and replaced with the following language:

“Section 6.A.1: **Facility Location**: The School will be located at 5000 SW 207th Terrace, Pembroke Pines, FL 33332 beginning with the 2016-17 school year. The School will present proof of the appropriate facility certification (including all certificates of occupancy and/or certificates of use that are required by applicable building codes) to the Sponsor no less than fifteen (15) days before the opening day of classes for the 2016-17 school year.”

C. The parties agree that the School shall refrain from delivering the educational program and curriculum described in the Application, and the Charter shall be modified as follows:

a. The following language shall be added to the Charter immediately following Section 2.B.4.:

“Section 2.B.4.a: **Modification of Co-Education Model**: Any modification to the co-educational model of instruction shall require an amendment to this Charter. Prior to any modification to the co-educational model, the School shall provide the Sponsor with substantiation of compliance with the Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of gender. Compliance with the foregoing requirement may be demonstrated by (i) written confirmation that the Office of Civil Rights (OCR) is no longer pursuing its program of investigating public schools’ implementation of single-gender choice programs; (ii) written approval of the School’s single-gender program by the OCR; or (iii) final resolution from a court of competent jurisdiction that the School’s single-gender program is legally compliant.”

b. Section 2.C. shall be modified as follows:

“Section 2.C: **Educational Program and Curriculum**: The School shall deliver an educational program and curriculum as described in the Application, except that the School shall not offer single gender classes until such time as the School demonstrates compliance with Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of gender. Compliance with the foregoing requirement may be demonstrated by (i) written confirmation that the Office of Civil Rights (OCR) is no longer pursuing its program of investigating public schools’ implementation of single-gender choice programs; (ii) written approval of the School’s single-gender program by the OCR; or (iii) final resolution from a court of competent jurisdiction that the School’s single-gender program is legally compliant.”

Franklin Academy – Pembroke Pines High School – 5142
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c. The following language shall be added to the Charter immediately following Section 2.E.3.:

“Section 2.E.3.a: The School agrees that it will offer a strictly co-educational model to all students until such time as the School can offer evidence of a legally compliant single gender educational model as demonstrated by (i) written confirmation that the Office of Civil Rights (OCR) is no longer pursuing its program of investigating public schools’ implementation of single-gender choice programs; (ii) written approval of the School’s single-gender program by the OCR; or (iii) final resolution from a court of competent jurisdiction that the School’s single-gender program is legally compliant. The School agrees that it will provide the Sponsor with all documentation provided to the OCR concurrently.”

D. The parties agree that the School shall serve as a feeder school for all Franklin Academy K-8 charter schools, and the following provision of the Charter shall be deleted in its entirety and replaced with the following language:

“Section 4.F.1.f: **Enrollment Preferences – Feeder Schools**: The School acknowledges that it shall serve as a feeder school for related charter schools operated as Franklin Academy charter schools, and it may give enrollment preference to students advancing to the School from such charter schools.”

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

- (a) This First Amendment; then
- (b) The Charter; then
- (c) The Application

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

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

[Signatures on the Following Pages]

Franklin Academy – Pembroke Pines High School – 5142
F/K/A Franklin Academy 3
First Amendment to Charter School 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.

FOR THE SCHOOL

(Corporate Seal)

Florida Charter Foundation, Inc.

Attest: _____

Secretary

by: _____

Scott E. Sznitken, Executive Director

- or
Witness

Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 21st day of April, 2016 by
Scott E. Sznitken of _____
Name of Person on behalf of Florida Charter Foundation, Inc.
the Governing Entity

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

My commission expires:

(SEAL)



My commission expires:

Signature – Notary Public


Deborah R Hanley
Printed Name of Notary Public

Franklin Academy – Pembroke Pines High School – 5142
F/K/A Franklin Academy 3
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FOR THE SPONSOR

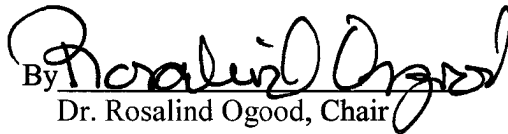
(Corporate Seal)

ATTEST:

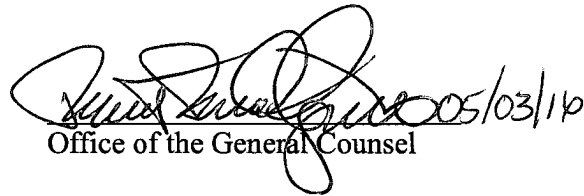


Robert W. Runcie
Superintendent of Schools

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

By 
Dr. Rosalind Ogood, Chair

Approved as to Form and Legal Content:

 05/03/14
Office of the General Counsel

FRANKLIN ACADEMY - PEMBROKE PINES HIGH SCHOOL (F/K/A FRANKLIN ACADEMY 3)
MSID 5142

ACHIEVEMENT OF SCHOOL/MISSION-SPECIFIC GOALS

As outlined in Section I. Educational Plan: *Mission, Guiding Principles, and Purpose* of its 2014 Charter Application, the School's mission during its initial charter term was to "build better people every day" *through a rigorous single-gender educational program* that integrates project-based learning, inquiry, continuous improvement, and character education while addressing individual's learning needs. During the remainder of the School's initial term and any renewal term, the School will apply its successful formula for building better people every day by integrating project-based learning, inquiry, continuous improvement, and character education *through a traditional and strictly co-educational model of instruction*. It is the intent that all students will continue to engage in a rigorous curriculum promoting project-based learning, inquiry, creativity and teamwork while addressing each individual's learning style and specific needs. Through a sustained and integrated program of character development, the School's students explore the sense of community, integrity and obligations to self and our world. The core values of Trustworthiness, Respect, Responsibility, Fairness, Caring, and Citizenship are the Six Pillars of Character upon which the foundation of our Character Education program is built. At the School, highly qualified staff and administration work with students, parents, and all stakeholders within the educational landscape to ensure that each student sets learning goals and empowers him/herself by mastering all core academic areas of Reading/Language Arts (including Writing), Mathematics, Science, Social Studies and World Languages, and developing a well-rounded education through special area classes that include Physical Education, Fine or Performing Arts, and Practical Arts.

To meet School's mission, teachers are considered the first learners and have enthusiastically participated in aligned professional development opportunities to sharpen their knowledge and skills in utilizing current brain-based research, instructional strategies, technology, cooperative learning strategies, higher-order questioning techniques, multiple intelligences, and differentiation of instruction. Applying new learning to the classroom has resulted in students becoming active rather than passive learners. Students are observed working in cooperative learning groups, completing research on topics of their interest, utilizing technology on a daily basis, and using hands-on manipulative learning materials. Assessment data is routinely used to assess student performance and guide decision-making with regard to planning for instruction.

Another factor in the School's success has been an emphasis on creating a warm, caring environment for learning. Our focus on positive discipline and character education provides opportunities for students to develop self-discipline and community responsibility. Character-based lessons encourage students to compliment each other and problem solve together on classroom concerns. One character trait from the School's Six Pillars of Character is studied each month during the school year. Information about the monthly character trait is communicated in school calendars and on the morning news broadcast. The School's focus on character education is enhanced by our "Student of the Month" program. Students who exemplify the character trait of the month are nominated by their peers and are recognized as model citizens. Emphasis on the importance of daily attendance, direct instruction on organizational skills, and high standards for quality work performance contributes to an overall positive, productive learning environment for all students.

The School's rigorous approach to learning, individual needs-based instructional delivery system, differentiated instructional model, and student empowerment supplemented with classroom-based technology, continuous progress monitoring and assessments help us deliver its mission. The decentralization of services and shared decision making by all professionals within the School, a high level of parental involvement, and a web-based student information system allows parents to communicate with the School and track their child's progress. Holistically, the implementation of these mission-specific goals has encouraged a team-oriented framework that is conducive to the success of the overall School program. During the remainder of its initial term and any renewal term, the School will continue its commitment to the mission, guiding principles, and purpose as set forth in this submission.

IMPLEMENTATION OF MISSION

During its initial charter term, the School has successfully implementing its mission as outlined in Section I. Educational Plan: *Mission, Guiding Principles, and Purpose* of the 2014 Charter Application. As stated, the mission of the School was to “build better people every day” *through a rigorous single-gender educational program* that integrates project-based learning, inquiry, continuous improvement, and character education while addressing individual’s learning needs. During the remainder of the School’s initial term and any renewal term, the School will apply its successful formula for building better people every day by integrating project-based learning, inquiry, continuous improvement, and character education *through a traditional and strictly co-educational model of instruction*. It is the intent that all students will engage in a rigorous curriculum promoting project-based learning, inquiry, creativity and teamwork while addressing each individual’s learning style and specific needs.

A key factor in the School’s success has been an emphasis on positive discipline and character education. On a daily basis, opportunities are provided for students to develop self-discipline and community responsibility. Character education is integrated throughout every content area and in every grade level. Emphasis on the importance of daily attendance, direct instruction on organizational skills, and high standards for quality work performance contributes to an overall positive, productive learning environment for all students.

The School’s rigorous approach to learning, individual needs-based instructional delivery system, differentiated instructional model, and student empowerment supplemented with classroom-based technology, continuous progress monitoring and assessments help the School deliver its mission. The decentralization of services and shared decision making by all professionals within the School, a high level of parental involvement, and a web-based student information system allows parents to communicate with the School and track their child’s progress.

Annual professional development is provided to faculty and staff to help strengthen and enhance student performance within our learning environment, providing in-depth staff development and reflection time for teachers to monitor curriculum advancements and student achievement. All data is accurately monitored for use in School improvement planning. The implementation of these mission-specific goals has encouraged a team-oriented framework that is conducive to the success of the overall School program.