

# AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:

L-10.

MEETING DATE

Jun 15 2016 10:15AM - Regular School Board Meeting

AGENDA ITEM

CONSENT ITEMS

CATEGORY

L. OFFICE OF PORTFOLIO SERVICES

DEPARTMENT

Charter Schools/Management Support

Special Order Request

☐ Yes

☒ No

Time

Open Agenda

☐ Yes

☒ No

TITLE:

First Amendment to Charter School Agreement with Imagine – South Broward, Inc.

## REQUESTED ACTION:

Approve the First Amendment to the Charter School Agreement with Imagine – South Broward, Inc., on behalf of Imagine Schools – Plantation Campus – 5044.

## SUMMARY EXPLANATION AND BACKGROUND:

Imagine – South Broward, Inc., on behalf of Imagine Schools – Plantation Campus – 5044, desires to amend its Charter School Agreement to include the charter school's designation as a high-performing charter school and extend the years of the current Charter School Agreement to fifteen years, per Section 1002.331, Florida Statutes.

A copy of all supporting documents is available at the Charter Schools Support office 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 First Amendment to the Agreement 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) Imagine Plantation Campus ES (3) Imagine Schools Plantation Campus 5044 First Amendment (4) High Performing Letter Imagine School Plantation Campus 5044 (5) Letter from Imagine Schools Plantation

## 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, 2:51:04 PM

Electronic Signature

Form #4189 Revised 04/16

RWR/ LMB/JP/RS:ac

Approved In Open  
Board Meeting On:

JUN 15 2016

By:

*Rosalind Ornelas*

School Board Chair

Continuation of Summary Explanation and Background:

Imagine – South Broward, Inc., on behalf of Imagine Schools – Plantation Campus – 5044, desires to amend its Charter School Agreement to include the charter school’s designation as a high-performing charter school and extend the years of the current Charter School Agreement to fifteen years, per Section 1002.331, Florida Statutes. Modifying the term of the Charter Agreement to fifteen years will extend the Charter Agreement’s current term to end on June 30, 2027.

A copy of all supporting documents is available at the Charter Schools Support office on the 12<sup>th</sup> 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

### Imagine – South Broward, Inc. Imagine Schools – Plantation Campus – 5044

Grades	K-8
Current Enrollment	342
Target Population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade 2014-2015	A
School Grade 2013-2014	A
School Grade 2012-2013	B

Imagine – South Broward, Inc., desires to amend its Charter School Agreement by modifying the term of the contract of Imagine Schools – Plantation Campus – 5044, to fifteen years per Section 1002.331, Florida Statutes. Modifying the term of the Charter Agreement to fifteen years will extend the current term to June 30, 2027.

The Sponsor has conducted annual reviews of the charter school's academic progress, operational performance and financial viability and concurs with the State's designation of High Performing Charter School.

Section 1002.331(2)(e) Florida Statutes, states that "A High-Performing charter school is authorized to:

Receive a modification of its charter to a term of 15 years or a 15-year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school. The charter must be consistent with Section 1002.33(7)(a)19 and (10)(h) and (1), is subject to annual review by the sponsor, and may be terminated during its term pursuant to Section 1002.33(8)".

On April 5, 2016, the Florida Department of Education notified Imagine – South Broward, Inc., of its verification that Imagine Schools – Plantation Campus – 5044, meets the criteria for high-performing charter school status. The governing board of Imagine – South Broward, Inc., has requested an extension of its charter school contract to align with Section 1002.331, Florida Statutes and its high-performing status.

The original agreement with Imagine – South Broward, Inc., was approved at the May 15, 2012, Regular School Board Meeting, Item F-3.

Imagine Schools – Plantation Campus – 5044, is located within District 6.

The governing board members of Imagine – South Broward, Inc., reside in Broward County.

**FIRST AMENDMENT TO THE CHARTER SCHOOL AGREEMENT**

This First Amendment to the CHARTER AGREEMENT is made and entered into as of this 15<sup>th</sup> 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

**Imagine- South Broward, Inc.**  
a Florida not-for-profit organization, d/b/a Imagine Schools – Plantation Campus [hereinafter  
referred to as "School"],  
and having its principal place of business located at  
13790 NW 4<sup>th</sup> Street, #108.  
Sunrise, Florida 33325

**WHEREAS,** the parties entered into a Charter School Agreement ("Agreement") on or about May 5, 2012, which incorporates by reference the SCHOOL's Charter School Application wherein the School was authorized to operate a charter elementary school K-5, known as "Imagine Schools – Plantation Campus" 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 School has received verification from The FLDOE that it has been designated as a High -Performing charter school; and

**WHEREAS,** the School desires to invoke its right under s.1002.331(2)(e), Florida Statutes., to amend its Agreement to extend the term of the Agreement to June 30, 2027.

**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:

**Imagine Schools- Plantation Campus -5044**  
**First Amendment to Charter School Agreement**

Section 2.B: **Term of Charter** Unless terminated earlier pursuant to Section 1002.33, Florida Statutes, or upon the terms contained herein, this charter shall cover a term of Fifteen (15) years commencing on July 1, 2012 and ending on June 30, 2027.

Section 2.B.4.a: **High Performing Charter School:** As per Section 1002.331 Florida Statutes, a State designated high-performing charter school may increase its student enrollment, contract capacity, not to exceed the current facility capacity and expand grade levels within kindergarten through grade 12 to add grade levels not already served if any annual enrollment increase resulting from grade level expansion is within the limits established above. A high-performing charter school shall notify the Sponsor in writing by March 1 if it intends to increase enrollment or expand grade levels the following year. The written notice shall specify the amount of the enrollment increase and the grade levels that will be added, as applicable. A high-performing charter may receive a modification of its charter to a term of 15 years or a 15-year charter renewal. The charter may be modified or renewed for a shorter term at the option of the high-performing charter school.

**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) This First Amendment to the Charter School Agreement; then
- (b) The Charter Agreement; and
- (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**

## FOR THE SCHOOL

**Imagine- South Broward, Inc.**  
**(Not for Profit)**

Attest:  
Secretary

by: Stew Bell  
Chair

Witness  
Godi Culbertson  
 Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 25<sup>th</sup> day of April, 2016 by Board Chair, Imagine- South Broward, Inc.

(Not for Profit) on behalf of Imagine Schools –Plantation Campus 5044. He took an oath and is personally known to me or has produced \_\_\_\_\_ as identification.

My commission expires:

(SEAL)



My commission expires:

05/28/18

Ethiel Calvo  
Signature – Notary Public

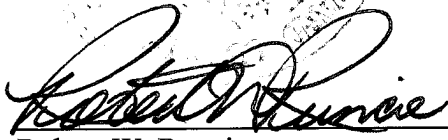
Ethiel Calvo  
Printed Name of Notary Public

Imagine Schools- Plantation Campus -5044  
First Amendment to Charter School Agreement

**FOR THE SPONSOR**

(Corporate Seal)

ATTEST:

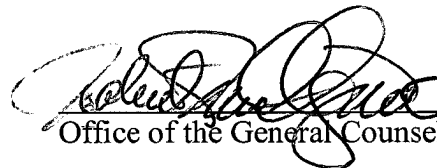


Robert W. Runcie  
Superintendent of Schools

THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

By   
Dr. Rosalind Osgood, Chair

Approved as to Form and Legal Content:

 05/10/14  
Office of the General Counsel



**State Board of Education**

Marva Johnson, *Chair*  
John R. Padget, *Vice Chair*  
*Members*  
Gary Chartrand  
Tom Grady  
Rebecca Fishman Lipsey  
Michael Olenick  
Andy Tuck

Pam Stewart  
Commissioner of Education

April 5, 2016

Steve Gelman, Governing Board Chair  
c/o Ethiel Calvo, Principal  
Imagine Schools – Plantation Campus  
13790 NW 4<sup>th</sup> Street, Suite 108  
Sunrise, FL 33325

Dear Mr. Gelman,

This letter serves as notification that the Florida Department of Education has verified that Imagine Schools – Plantation Campus (06-5044) meets the criteria for high-performing charter school status pursuant to section 1002.331, Florida Statutes.

If you have questions, please contact the Office of Independent Education and Parental Choice at 850-245-0502 or via email at [charterschools@fldoe.org](mailto:charterschools@fldoe.org).

Thank you for your continued participation in our mission to improve the quality of educational options for Florida's students.

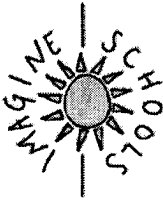
Sincerely,

Pam Stewart

PS/sm

cc: Jody Perry, Broward County Public Schools





April 20, 2016

Jody Perry, Director  
Charter Schools Management/Support  
The School Board of Broward County, Florida  
600 SE 3rd Avenue 12th Floor  
Ft. Lauderdale, FL 33301

RE: Request for Modification to Charter under High Performing School

Dear Ms. Perry:

Imagine - South Broward Inc. dba Imagine Schools - Plantation Campus recently was designated as a High Performing School from the Commissioner of Education.

Please consider this request for Imagine - South Broward Inc. dba Imagine Schools - Plantation Campus for a 15 year Charter Modification. The modification would extend the Charter to June 30, 2027.

If you have any questions and/or concerns, please feel free to contact me. Thank you.

Sincerely,

Steve Gelman, Governing Board Chair  
Imagine - South Broward Inc. dba Imagine Schools - Plantation Campus

Ethiel Calvo, Principal  
Imagine - South Broward Inc. dba Imagine Schools - Plantation Campus