



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:
L-1.

MEETING DATE	2018-04-10 10:05 - School Board Operational Meeting
AGENDA ITEM	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 The Charter Schools of Excellence, Inc.

REQUESTED ACTION:
Approve the First Amendment to the Charter School Agreement with The Charter Schools of Excellence, Inc., on behalf of Charter School of Excellence at Davie - 5271.

SUMMARY EXPLANATION AND BACKGROUND:
The Charter Schools of Excellence, Inc., a Florida non-profit corporation, on behalf of Charter School of Excellence at Davie - 5271, desires to amend its charter school agreement to extend the term of the agreement to conclude on June 30, 2028.
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) Charter School of Excellence Davie Executive Summary (3) Charter School of Excellence Davie First Amendment (4) CSE HP 5271 (5) Charter School of Excellence Davie Letter

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
2/12/2018, 9:07:59 AM

Approved In Open Board Meeting On: **APR 10 2018**
By: *Nora Rupert*
School Board Chair

Continuation of Summary Explanation and Background:

The Charter Schools of Excellence, Inc., a Florida non-profit corporation, on behalf of Charter School of Excellence at Davie – 5271, desires to amend its charter school agreement to extend the term of the agreement to conclude on June 30, 2028.

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

Charter School of Excellence at Davie – 5271, is located at 2801 N. University Drive, Pembroke Pines, Florida 33024 which is located in District 1.

The governing board members of The Charter Schools of Excellence, 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

Amendment of Charter School Agreement The Charter Schools of Excellence, Inc. Charter School of Excellence at Davie – 5271

School Name	Charter School of Excellence at Davie
Implementation Year	2008 – 2009
Termination Date of Current Charter Agreement	June 30, 2018
Location	2801 N. University Drive Pembroke Pines, Florida 333024
District	1
Grades Approved to Serve	K-5
Grades Currently Serving	K-5
Current Enrollment	321
Target Population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade 2016-2017	A
School Grade 2015-2016	A
School Grade 2014-2015	A
School Grade 2013-2014	C

On May 6, 2008, The School Board of Broward County, Florida, approved an initial charter agreement with The Charter Schools of Excellence, Inc., for a term of five years. On May 21, 2013, The School Board of Broward County, Florida, approved a renewal of the agreement with The Charter Schools of Excellence, Inc., terminating on June 30, 2018.

The Florida Department of Education verified that Charter School of Excellence at Davie – 5271, met the criteria for high-performing charter school status and notified the charter school on August 16, 2017. Section 1002.331, Florida Statutes states:

1002.331 High Performing Charter Schools-

(1) A charter school is high-performing if it:

(a) Received at least two school grades of “A” and no school grade below “B” pursuant to s. 1008.34 during each of the previous 3 school years.

* * *

(2) A high-performing charter school is authorized to:

(a) Increase its student enrollment once per school year to more than the capacity identified in the charter, but student enrollment may not exceed the current facility capacity.

* * *

(e) 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 s. 1002.33(7)(a)19 and (10)(h) and (i), is subject to annual review by the sponsor, and may be terminated during its term pursuant to s. 1002.33(8).

The Charter Schools of Excellence, Inc., on behalf of Charter School of Excellence Davie – 5271 has elected to extend its term of the current contract to June 30, 2028.

Charter School of Excellence at Davie – 5271, is located at 2801 N. University Drive, Pembroke Pines, Florida 33024 which is located in District 1.

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

**Charter School of Excellence at Davie - 5271
First Amendment to Charter School Agreement**

FIRST AMENDMENT TO THE CHARTER SCHOOL AGREEMENT

**This First Amendment to the CHARTER AGREEMENT is made and entered into as of
this 10th day of April 2018, 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 Charter Schools of Excellence, Inc.
a Florida not-for-profit organization [hereinafter referred to as "School"],
and having its principal place of business located at
1225 Southeast 2nd Avenue, Fort Lauderdale, Florida 33316.

WHEREAS, the parties entered into a Charter School Agreement ("Agreement") on or about May 6, 2008, which incorporates by reference the SCHOOL's Charter School Application wherein the School was authorized to operate a charter elementary school, grade levels (K-5) known as "Charter School of Excellence at Davie" 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 desires to amend its Agreement to extend the term of the agreement to June 30, 2028 pursuant to Section 1002.331, F.S., which allows for an increase in the length of a charter term based on the state designation of High Performing.

NOW, THEREFORE, in consideration 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 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, 2013 and ending on June 30, 2028.

**Charter School of Excellence at Davie - 5271
First Amendment to Charter School Agreement**


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.



Charter School of Excellence at Davie - 5271
First Amendment to Charter School Agreement

FOR THE SCHOOL

(Corporate Seal)

The Charter Schools of Excellence, Inc.

Attest: _____
Secretary

by: Katrina Wilam-Davis, President
Name and Title

or -
Cecilia R. Kiri
Witness
Tracy
Witness

STATE OF Florida
COUNTY OF Broward

The foregoing instrument was acknowledged before me this 9th day of January, 2018 by
Katrina Wilam-Davis of President
Name of Person on behalf of The Charter Schools of Excellence, Inc.

the Governing Entity

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

My commission expires:



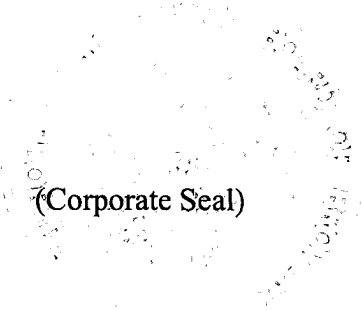
My commission expires: 01/05/2020

Reina Aguilar
Signature - Notary Public
Reina Aguilar
Printed Name of Notary Public

Handwritten initials

Charter School of Excellence at Davie - 5271
First Amendment to Charter School Agreement

FOR THE SPONSOR



(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By Nora Rupert
Nora Rupert, Chair

A handwritten signature in black ink, appearing to read "Robert W. Runcie".

Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:

[Handwritten Signature] 01/23/10
Office of the General Counsel

Handwritten initials, possibly "RW", in the bottom right corner of the page.



State Board of Education

Marva Johnson, *Chair*
Andy Tuck, *Vice Chair*
Members
Gary Chartrand
Ben Gibson
Tom Grady
Rebecca Fishman Lipsey
Michael Olenick

Pam Stewart
Commissioner of Education

August 16, 2017

Robert Haag, Superintendent
1225 Southeast 2nd Avenue
Ft. Lauderdale, FL 33316

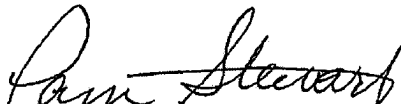
Dear Mr. Haag,

This letter serves as notification that the Florida Department of Education has verified that Charter School of Excellence at Davie (06-5271) 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.

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: Tracy Nessler, Deputy Superintendent
Jody Perry, Broward County Public Schools



**THE CHARTER SCHOOLS
OF EXCELLENCE**

"Serving Families Since 1997"

September 5, 2017

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Robert Haag
Superintendent

Tracy Nessler
Deputy Superintendent

The School Board of Broward County
ATTN: Jody Perry, Director
Charter School Support Office
600 SE 3rd Avenue 13th Floor
Fort Lauderdale, FL 33301

Dear Jody:

This letter is a follow up to our conversation regarding the Intent to Renew the Charter Agreement with The School Board of Broward County for the Charter Schools of Excellence, Davie 1 (5271) Campus which was designated as a high-performing charter school on August 16, 2007.

We understand that we can choose one of the following:

- a. Receive a modification of the charter to a term of 15 years, or
- b. a 15-year charter renewal.

After careful consideration, we are optioning to modify the charter to a term of 15 years, extending the charter to June 30, 2028.

The Davie Campus plans to continue to fulfil its charter by providing an advanced curriculum that will lead Florida public schools in the standard for educational quality. We are proud to operate in Broward County and look forward to working with you through the renewal process.

Robert Haag
Superintendent

Best Regards,

Tracy Nessler
Deputy Superintendent



ACCREDITED SCHOOLS
THE CHARTER SCHOOLS CENTRAL OFFICE
1225 Southeast 2nd Avenue • Fort Lauderdale, FL 33316
Telephone (954) 463-9995 • Facsimile (954) 463-9994
Website: www.charterschool.com

