



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2019-11-06 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

ITEM No.:
L-2.

TITLE:
First Amendment to Charter School Renewal Agreement with Franklin Academy Foundation, Inc., on behalf of Franklin - 5012

REQUESTED ACTION:
Approve the First Amendment to the Charter School Renewal Agreement with Franklin Academy Foundation, Inc., on behalf of Franklin Academy - Pembroke Pines - 5012.

SUMMARY EXPLANATION AND BACKGROUND:
Franklin Academy Foundation, Inc., on behalf of Franklin Academy - Pembroke Pines - 5012, desires to amend its charter school renewal agreement to change the Florida not-for-profit corporation name from Florida Charter Foundation, Inc., to Franklin Academy Foundation, Inc., for the 2019-2020 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.
See Supporting Docs for continuation of Summary Explanation and Background.
This First 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: Safe & Supportive Environment Goal 3: Effective Communication

FINANCIAL IMPACT:
There is no financial impact to the District.

EXHIBITS: (List)
(1) Continuation of Summary Explanation and Background (2) Executive Summary Franklin Academy Pembroke Pines 5012 (3) Franklin Academy Pembroke Pines 5012 Agreement

BOARD ACTION:
APPROVED
(For Official School Board Records Office Only)

SOURCE OF ADDITIONAL INFORMATION:

Name: Donté Fulton-Collins	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
10/7/2019, 10:42:26 AM

Approved In Open Board Meeting On: **NOV 06 2019**
By: *Heather P. Brinkworth*
School Board Chair

Continuation of Summary Explanation and Background:

Franklin Academy Foundation, Inc., on behalf of Franklin Academy – Pembroke Pines – 5012, desires to amend its charter school renewal agreement to change the Florida not-for-profit corporation name from Florida Charter Foundation, Inc., to Franklin Academy Foundation, Inc., for the 2019 – 2020 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. A First Amendment to the Charter School Renewal Agreement is submitted for School Board approval to address the change requested by the charter school. The term of the Charter School Renewal Agreement will remain the same as that of the original and will expire on June 30, 2031.

The charter school is located at 18800 Pines Boulevard, Pembroke Pines, Florida 33029, which is in District 2.

The governing board members of Franklin Academy 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.

EXECUTIVE SUMMARY

Franklin Academy Foundation, Inc. Formerly Known As Florida Charter Foundation, Inc.
Franklin Academy – Pembroke Pines – 5012

Implementation Year	2011 – 2012
Termination Date of Charter Agreement	June 30, 2031
Address	18800 Pines Boulevard Pembroke Pines, Florida 33029
Grades Approved to Serve	K-8
Grades Currently Serving	K-8
Current Enrollment	1379
Target population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade	A

On June 7, 2011, The School Board of Broward County, Florida, approved an initial charter agreement with Franklin Academy Foundation, Inc., for a term of five years. On June 15, 2016, The School Board of Broward County, Florida, approved a renewal of the agreement with Franklin Academy Foundation, Inc., on behalf of Franklin Academy – Pembroke Pines – 5012. This contract is effective for fifteen (15) years and ends on June 30, 2031.

Franklin Academy Foundation, Inc., desires to amend its charter school renewal agreement by changing the name of the Florida not-for profit corporation from Florida Charter Foundation, Inc, to Franklin Academy Foundation, Inc. for the 2019-2020 school year and subsequent years.

The term of the charter shall remain the same, covering fifteen years commencing on July 1, 2016, and ending June 30, 2031.

Franklin Academy – Pembroke Pines is located at 18800 Pines Boulevard, Pembroke Pines, Florida 33029, which is in District 2.

The members of Franklin Academy Foundation, Inc. reside in Broward County, Florida.

**Franklin Academy – Pembroke Pines – 5012
f/k/a/ Franklin Academy A
First Amendment to Charter School Renewal Agreement**

FIRST AMENDMENT TO THE CHARTER SCHOOL RENEWAL AGREEMENT

This First Amendment to the Charter School Renewal Agreement is made and entered into as of this 6th day of November 2019, 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

**FRANKLIN ACADEMY FOUNDATION, INC. f/k/a
FLORIDA CHARTER FOUNDATION, INC.**
a Florida not-for-profit organization
[hereinafter referred to alternatively as “Franklin Academy – Pembroke Pines” or “School”],
and having its principal place of business located at
18800 Pines Boulevard,
Pembroke Pines, Florida 33029

WHEREAS, the Sponsor and Florida Charter Foundation, Inc., entered into a Charter School Agreement on or about June 7, 2011, for a five-year period expiring June 30, 2016, which incorporates by reference the School’s Charter School Application wherein the School was authorized to operate a charter school (grade levels K-8) known as Franklin Academy – Pembroke Pines f/k/a/ Franklin Academy A in Broward County, Florida; and

WHEREAS, the parties entered into a Charter School Renewal Agreement (“Agreement”) on or about June 15, 2016, for a 15-year period expiring June 30, 2031, which incorporated by reference the Charter Renewal Program Review wherein the School was authorized to operate a charter school (grades K-8); 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, Florida Charter Foundation, Inc., desires to amend the Agreement to reflect a change in its name; and

**Franklin Academy – Pembroke Pines – 5012
f/k/a/ Franklin Academy A
First Amendment to Charter School Renewal Agreement**

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 Amendment by reference.

1.02 Change of Name: School's name shall be changed throughout the Agreement to Franklin Academy Foundation, Inc.

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 Renewal 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 Charter School Renewal Agreement on behalf of either party individually warrants that he or she has full legal power to execute this First Amendment to the Charter School Renewal Agreement.

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

Franklin Academy – Pembroke Pines – 5012
f/k/a/ Franklin Academy A
First Amendment to Charter School Renewal Agreement

FOR THE SCHOOL

(Corporate Seal)

FRANKLIN ACADEMY
FOUNDATION, INC.

Attest: _____
Secretary

by: James M. Chan
Name and Title

- or -

Amy P. H.
Witness

[Signature]
Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 12th day of September
2019 by David Thomas as Chair of Franklin Academy
Foundation, Inc. who took an oath and is personally known to me ~~or has produced~~

_____ as identification.
[describe identification]

(SEAL)



ELISABETH M SOKOL
Commission # GG 155389
Expires February 26, 2022
Bonded Thru Budget Notary Services

My commission expires:
02/26/2022

Elisabeth M Sokol
Signature – Notary Public

Elisabeth M Sokol
Printed Name of Notary Public

Franklin Academy – Pembroke Pines – 5012
f/k/a/ Franklin Academy A
First Amendment to Charter School Renewal Agreement

FOR THE SPONSOR

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

By Heather P. Brinkworth
Heather P. Brinkworth, Chair

Robert W. Runcie
Robert W. Runcie, Superintendent of Schools

Approved as to Form and Legal Content:

[Signature]
Office of the General Counsel