



# AGENDA REQUEST FORM

## THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

ITEM No.:  
**L-4.**

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

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

**TITLE:**  
First Amendment to Charter School Renewal Agreement with Franklin Academy Foundation, Inc., 5046

**REQUESTED ACTION:**  
Approve the First Amendment to the Charter School Renewal Agreement with Franklin Academy Foundation, Inc., on behalf of Franklin Academy F-5046.

**SUMMARY EXPLANATION AND BACKGROUND:**  
Franklin Academy Foundation, Inc., on behalf of Franklin Academy F - 5046, 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 F 5046 (3) Franklin Academy F 5046 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*  
10/10/2019, 1:13:26 PM

Electronic Signature  
Form #4189 Revised 07/25/2019  
RWR/ LMB/DFC/RS:ac

Approved In Open Board Meeting On:

**NOV 06 2019**

By: *Heather P. Burkwood*  
School Board Chair

Continuation of Summary Explanation and Background:

Franklin Academy Foundation, Inc., on behalf of Franklin Academy F – 5046, 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, 2032.

The charter school is located at 5000 SW 207<sup>th</sup> Terrace, Pembroke Pines, Florida 33332, 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 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.

## EXECUTIVE SUMMARY

Franklin Academy Foundation, Inc. Formerly Known As Florida Charter Foundation, Inc.  
Franklin Academy F - 5046

Implementation Year	2012-2013
Termination Date of Charter Agreement	June 30, 2032
Address	5000 SW 207 <sup>th</sup> Terrace Pembroke Pines, Florida
Grades Approved to Serve	K-8
Grades Currently Serving	K-8
Current Enrollment	1160
Target population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade	A

On June 19, 2012, 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 amended its Agreement to acknowledge its modification of educational programs. On July 26, a second amendment to the Agreement acknowledged a relocation and co-location with Franklin Academy Pembroke Pines High – 5142. On June 13, 2017, The School Board of Broward County, Florida, approved a renewal of the agreement with Franklin Academy Foundation, Inc., on behalf of Franklin Academy F. This contract is effective for fifteen (15) years and ends on June 30, 2032.

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, 2017, and ending June 30, 2032.

Franklin Academy F is located at 5000 SW 207<sup>th</sup> Terrace, Pembroke Pines, Florida 33332, which is in District 2.

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

**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 6<sup>th</sup> 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 F" or "School"],  
and having its principal place of business located at  
5000 SW 207<sup>th</sup> Terrace  
Pembroke Pines, Florida 33332

**WHEREAS,** the parties entered into a Charter School Renewal Agreement ("Agreement") on or about June 13, 2017, for a 15-year period expiring June 30, 2032, which incorporated by reference the Charter Renewal Program Review wherein the School was authorized to operate a charter middle school (grades 6-8); 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 to Franklin Academy Foundation, Inc.; and

**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.

First Amendment to Charter School Renewal 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 Renewal Agreement;  
then
- (b) The Charter School Renewal 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 Third 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.

**FOR THE SCHOOL**

(Corporate Seal)

**FRANKLIN ACADEMY  
FOUNDATION, INC.**

Attest: \_\_\_\_\_  
Secretary

by: [Signature]  
Name and Title

- or -

[Signature]  
Witness

[Signature]  
Witness

STATE OF Florida

COUNTY OF Broward

The foregoing instrument was acknowledged before me this 12<sup>th</sup> 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

[Signature]  
Signature - Notary Public

My commission expires:

02/26/2022

Elisabeth M Sokol  
Printed Name of Notary Public

**FOR THE SPONSOR**

(Corporate Seal)

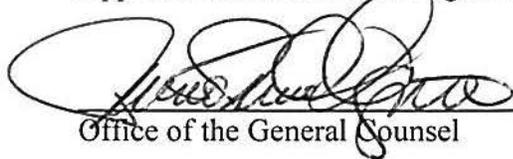
ATTEST:

  
Robert W. Runcie, Superintendent of Schools

THE SCHOOL BOARD OF BROWARD  
COUNTY, FLORIDA

By   
Heather P. Brinkworth, Chair

Approved as to Form and Legal Content:

 09/19/19  
Office of the General Counsel