



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-06-09 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-13.

TITLE:
Second Amendment to Charter School Agreement with Franklin Academy Foundation, Inc. - 5037

REQUESTED ACTION:
Approve the Second Amendment to the Charter School Agreement with Franklin Academy Foundation, Inc., on behalf of Franklin Academy - Cooper City - 5037.

SUMMARY EXPLANATION AND BACKGROUND:
Pursuant to Section 1002.331(2)(a), Florida Statutes, a high performing charter school is authorized to 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. A copy of all supporting documents is available at the Charter School 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 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: 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) Franklin Academy Cooper City ES (3) Franklin Academy Cooper City 5037 Amendment (4) FLDOE Letter Franklin Academy Cooper City 06-5037 (5) Certificate of Occupancy Franklin Academy Cooper City

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
5/19/2020, 11:51:36 AM

Approved In Open Board Meeting On:

JUN - 9 2020

By:
School Board Chair

Continuation of Summary Explanation and Background:

Pursuant to Section 1002.331(2)(a), Florida Statutes, a high performing charter school is authorized to 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. Franklin Academy Foundation, Inc., desires to amend its Agreement by increasing the maximum number of students of Franklin Academy Foundation, Inc., to 1,385 students as permitted by Section 1002.331(2)(a), Florida Statutes.

Franklin Academy – Cooper City – 5037, is located in District 2.

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

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.
Franklin Academy – Cooper City – 5037

School Name	Franklin Academy – Cooper City
Implementation Year	2012-2013
Location	6301 Flamingo Road Cooper City, Florida 33330
District	2
Grades Approved to Serve	K – 8
Grades Currently Serving	K – 8
Current Enrollment Count	1337
Target Population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade 2018-2019	A
School Grade 2017-2018	A
School Grade 2016-2017	A

The School Board of Broward County, Florida (“Sponsor”) entered into a Charter School Renewal Agreement (“Agreement”) with Franklin Academy Foundation, Inc. on behalf of Franklin Academy – Cooper City (“School”) at a Regular School Board Meeting on June 13, 2017, board item L-10. The parties agreed on an Agreement for a five-year period expiring June 30, 2022, which incorporated by reference the School’s Charter Application (“Application”), wherein the School was authorized to operate an elementary/middle charter school, grades K-8 in Broward County, Florida.

On November 20, 2019, the Florida Department of Education notified Franklin Academy Foundation, Inc. that Franklin Academy – Cooper City – 5037 meets the criteria for a high-performing charter school.

Pursuant to Section 1002.331(2)(a), Florida Statutes, a high-performing charter school is authorized to 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.

Franklin Academy Foundation, Inc. seeks to amend its Agreement by increasing the maximum number of students of Franklin Academy – Cooper City – 5037, from its current capacity of 1,340 to 1,385 students as permitted by Section 1002.331(2)(a), Florida Statutes.

Franklin Academy – Cooper City – 5037, is located at 6301 Flamingo Road, Cooper City, Florida 33330, which is located in District 2.

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

**Franklin Academy – Cooper City – 5037
Second Amendment to Charter School Renewal Agreement**

SECOND AMENDMENT TO THE CHARTER SCHOOL RENEWAL AGREEMENT

This Second Amendment to the Charter School Renewal Agreement is made and entered into as of this 9th day of June 2020, 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.
(d/b/a Franklin Academy – Cooper City – 5037)
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 Renewal Agreement (“Agreement”) on June 13, 2017, which incorporates by reference the School’s Charter School Application wherein the School was authorized to operate a charter elementary/middle school, grade levels K-8, known as “Franklin Academy – Cooper City – 5037” in Broward County, Florida; and

WHEREAS, Section 2.B.4 of the Agreement permits the amendment of that 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 Florida Department of Education has verified that the School has met the criteria for high-performing charter school status pursuant to Section 1002.331, Florida Statutes; and

WHEREAS, the School seeks to amend the Agreement to provide a maximum enrollment of 1,385 students as permitted by Section 1002.331(2)(a), Florida Statutes.

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 Agreement by reference.

1.02 Amendments: The following portion of the Charter School Renewal Agreement shall be amended to provide as follows:

**Franklin Academy – Cooper City – 5037
Second Amendment to Charter School Renewal Agreement**

Section 4.A: **Eligible Students**: The School shall enroll all eligible students in accordance with Section 1002.33(10), Florida Statutes, up to the maximum school enrollment capacity of 1,385 students approved by the Sponsor through its approval of this Agreement. The School shall not be eligible for or receive funds for enrollment beyond the maximum enrollment capacity provided herein. The parties agree that the approved school enrollment capacity will support the Schools operations at an adequate level under its approved budget. If the School fails to achieve the minimum enrollment capacity as provided herein by the October FTE reporting period, the School shall provide the Sponsor a revised and balanced budget within sixty (60) days of the October FTE reporting period. A student may not be transferred by the School to another charter school or School District school except upon the prior written consent of the student's parent/guardian or of the student (if an adult). The School agrees that any transfer or withdrawal of students shall be conducted in accordance with the Sponsor's student transfer and withdrawal policies and procedures. Parents may withdraw a student from the School at any time. In such event, the student shall either return to the student's regularly assigned district school or to another school with an appropriate program.

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 Second Amendment to the Charter Renewal Agreement; then
- (b) The First Amendment to the Charter Renewal Agreement; then
- (c) The Charter Renewal Agreement; then
- (d) 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 this Second 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 Second Amendment to the Charter School Renewal Agreement.

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

Franklin Academy – Cooper City – 5037
Second Amendment to Charter School Renewal Agreement

FOR THE SCHOOL

(Corporate Seal)

Franklin Academy Foundation, Inc.

Attest: _____
Secretary

By: [Signature]
Dr. David Thomas, Board Chair

or -

[Signature]
Witness
[Signature]
Witness

STATE OF Florida
COUNTY OF Sarasota

The foregoing instrument was acknowledged before me this 6th day of May, 2020,
by Dr. David Thomas of Franklin Academy Foundation, Inc.
Name of Person on behalf of the Governing Entity

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

My commission expires:

(SEAL)



[Signature]
Signature – Notary Public

Marsha L. Woerner
Printed Name of Notary Public

Franklin Academy – Cooper City – 5037
Second Amendment to Charter School Renewal Agreement

FOR THE SPONSOR

(Corporate Seal)

ATTEST:

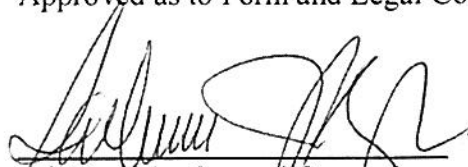


Robert W. Runcie
Superintendent of Schools

**The School Board of Broward County,
Florida**

By: 
Donna P. Korn, Chair

Approved as to Form and Legal Content:


Office of the General Counsel



State Board of Education

Andy Tuck, *Chair*
Marva Johnson, *Vice Chair*
Members
Ben Gibson
Tom Grady
Michael Olenick
Joe York

Richard Corcoran
Commissioner of Education

November 20, 2019

Scott Sznitken
Executive Director
Franklin Academy Charter Schools
Franklin Academy Cooper City
1225 SE 2nd Avenue
Fort Lauderdale, Florida 33316

Dear Mr. Sznitken:

This letter serves as notification that the Florida Department of Education has verified that Franklin Academy – Cooper City (06-5037) 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,

Richard Corcoran

RC/sm

cc: Donte Fulton-Collins, Broward County Public Schools
Alexandra Fox, Franklin Academy Cooper City
Richard Moreno, Building Hope

CERTIFICATE OF OCCUPANCY
CITY OF COOPER CITY

CHECK ONE

FINAL	STOCKING	PARTIAL	TEMPORARY
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

AUDIT #: OF14-0005

FOLIO #: 514002120010

DATE: Jan. 27 2014

OWNER'S NAME: CA Cooper City 6271 SFR LLC
OWNER'S ADDRESS: 2000 Avenue of the Stars 11th Floor
Los Angeles CA 90067

LOT: BLOCK: SUBDIVISION: SCHOTT COMMUNITIES
* ADDRESS OF STRUCTURE: 6301 FLAMINGO RD APT.: CITY: COOPER CITY

* CONTRACTOR: MCGARVEY CONSTRUCTION CO OF LICENSE NO.: CGC 1516960

* PERMIT #: P1300180 STRUCTURE DESCRIPTION: NEW SHELL & INTERIOR CONSTRUCTION OF TWO STORY FRANKLIN ACADEMY 91,365 TOTAL SQ FT.

Thomas F. ...
* APPROVED: _____

BUILDING OFFICIAL
VOID UNLESS SIGNED BY BUILDING OFFICIAL

* GROUP OCCUPANCY <u>A3, E</u>	CODE ADDITION <u>FBC 2010 Structural</u>
* TYPE OF CONSTRUCTION <u>3B</u>	LIVE LOAD PER FLOOR <u>100psf-Corridor Stai 40psf-Classroom, 20psf-Ro</u>
* DESIGN OCCUPANCY LOAD <u>2,379</u>	DEAD LOAD PER FLOOR <u>25psf-Classroom</u>
* APPROX. TOTAL SQ. <u>91,365</u>	AUTOMATED SPRINKLER SYSTEM
* NUMBER DWELLING UNITS <u>00</u>	YES NO Type <input checked="" type="checkbox"/> <input type="checkbox"/>
* SPECIAL CONDITIONS <u>N/A</u>	

INFORMATION FOR OTHER AGENCIES

THE STRUCTURE DESCRIBED HAS BEEN INSPECTED FOR COMPLIANCE WITH THE REQUIREMENTS OF THIS CODE FOR THE OCCUPANCY AND DIVISION OF OCCUPANCY AND THE USE FOR WHICH THE PROPOSED OCCUPANCY IS CLASSIFIED.

