



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-08-04 10:05 - Special School Board 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 Agreement with Collegiate Academic Enterprise Corporation

REQUESTED ACTION:

Approve the First Amendment to the Charter School Agreement with Collegiate Academic Enterprise Corporation on behalf of The Collegiate School - 5058.
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SUMMARY EXPLANATION AND BACKGROUND:

<p>Collegiate Academic Enterprise Corporation on behalf of The Collegiate School - 5058 a Florida non-profit corporation, desires to amend its Charter School Agreement. 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. 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.</p>
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SCHOOL BOARD GOALS:

<input checked="" type="radio"/> Goal 1: High Quality Instruction <input checked="" type="radio"/> Goal 2: Safe & Supportive Environment <input checked="" type="radio"/> Goal 3: Effective Communication

FINANCIAL IMPACT:

There is no financial impact.

EXHIBITS: (List)

(1) Continuation of Summary Background and Explanation (2) Executive Summary (3) The Collegiate School First Amendment 5058 (4) Collegiate Deferment Letter

BOARD ACTION: <div style="font-size: 2em; font-weight: bold; margin: 5px 0;">APPROVED</div> <small>(For Official School Board Records Office Only)</small>
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SOURCE OF ADDITIONAL INFORMATION:	
Name: Donté Fulton-Collins	Phone: 754-321-2135
Name:	Phone:

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
Senior Leader & Title

John Sullivan - Task Assignment

Signature <i>John J. Sullivan</i> 7/27/2020, 11:48:52 AM
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Approved In Open Board Meeting On: **AUG 04 2020**

By:
 School Board Chair

Continuation of Summary Background and Explanation:

Collegiate Academic Enterprise Corporation on behalf of The Collegiate School - 5058 a Florida non-profit corporation, desires to amend its Charter School Agreement to defer the opening of the charter school to the 2021-2022 school year and use the 2020-2021 school year as a planning year.

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.

A copy of all supporting documents is available online via the Broward County Public Schools eAgenda.

EXECUTIVE SUMMARY

Collegiate Academic Enterprise Corporation
d/b/a The Collegiate School – 5058

Collegiate Academic Enterprise Corporation d/b/a The Collegiate School – 5058 desires to amend its Charter School Agreement by deferring the opening of The Collegiate School to the 2021-2022 school year and use the 2020-2021 school year as a planning year.

The original agreement with the Collegiate Academic Enterprise Corporation d/b/a The Collegiate School – 5058 was approved on June 9, 2020, School Board Operational Meeting, Item L-19.

It is requested that the Sponsor grants the 2020-2021 School Year as a planning year as authorized by Section 1002.33(7)(a)12, Florida Statutes, and to defer the initial start-up of the School until the 2021-2022 School Year. The School shall not enroll any students and shall not be eligible to receive any FTE funding from the Sponsor during the 2020-2021 School Year.

The governing board members of Collegiate Academic Enterprise Corporation reside in Fort Myers, Florida

FIRST AMENDMENT TO CHARTER SCHOOL AGREEMENT

THIS FIRST AMENDMENT TO CHARTER SCHOOL AGREEMENT
is entered into as of the 17th day of August, 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

COLLEGIATE ACADEMIC ENTERPRISES CORPORATION
D/B/A THE COLLEGIATE SCHOOL,
a Florida not-for-profit organization [hereinafter referred to as "School"],
and having its principal place of business located at
9160 Forum Corporate Parkway #350, Fort Myers, Florida, 33906

WHEREAS, the parties entered into a Charter School Agreement ("Agreement") on or about June 9, 2020, which incorporates by reference the School's Charter School Application wherein the School was authorized to operate an elementary and middle charter school (grade levels K-8) known as "The Collegiate School" in Broward County, Florida; and

WHEREAS, Section 2.B.2 of the Agreement contains the initial start-up date of the charter; and

WHEREAS, the School desires to amend its Agreement to acknowledge the deferral of the opening of the school until the 2021-2022 School Year as one of the three (3) allowable deferral years under Section 2.B.2 of the Agreement permitted for adequate facility planning; and

WHEREAS, the School desires to further amend its Agreement to acknowledge the deferral of the opening of the school until the 2021-2022 School Year as one of the two (2) planning years allowable under Section 1002.33(7)(a)12, Florida Statutes; 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

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and terms herein set forth, the parties agree as follows:

101 : **Recitals:** The foregoing recitals are true and correct and are incorporated within this Charter by reference.

**The Collegiate School - 5058
First Amendment to Charter School Agreement**

102 : **Amended Provisions:** The parties agree to amend Section 2.B.2 of the Charter School Agreement to include the following:

The parties agree that the School shall be permitted to use the 2020-2021 School Year as a planning year as authorized by this section and by Section 1002.33(7)(a)12, Florida Statutes, and to defer the initial start-up of the School until the 2021-2022 School Year. The School shall not enroll any student during the 2020-2021 School Year. The School shall not be eligible to receive any FTE funding from the Sponsor during the 2020-2021 School Year.

103 : **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) The First Amendment to the Charter Agreement;
- (b) The Charter Agreement; and
- (c) The Charter Application

104 : **Other Provisions, as Amended, Remain in Force:** Except as expressly provide herein, all other portions of the Agreement remain in full force and effect.

105 : **Authority:** Each person signing this First Amendment to the Charter School 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 Collegiate School - 5058
First Amendment to Charter School Agreement

FOR THE SCHOOL

(Corporate Seal)

Collegiate Academic Enterprise Corporation

Attest: _____
Secretary
- or -

by: Tamara Barnes
Tamara Barnes
Board of Director

Witness

Witness

STATE OF Florida

COUNTY OF Citrus

The foregoing instrument was acknowledged before me this 24 day of July, 2020,

by Tamara Barnes of Collegiate Academic Enterprise Corporation, d/b/a
Name on behalf of the Governing Entity

The Collegiate School. He/She took an oath and is personally known to me or has produced
FL Driver License as identification.

My commission expires: 12/28/2023

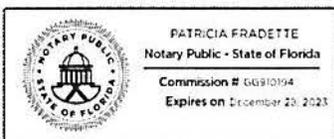
(SEAL)

Patricia B. Fradette
Signature – Notary Public

My commission expires:

Patricia B. Fradette
Printed Name of Notary Public

12/28/2023



Electronic Notary Public
Notarized online using audio-video communication

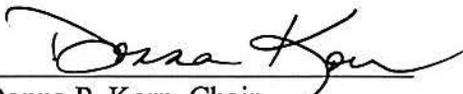
The Collegiate School - 5058
First Amendment to Charter School Agreement



(Corporate Seal)

FOR THE SPONSOR

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

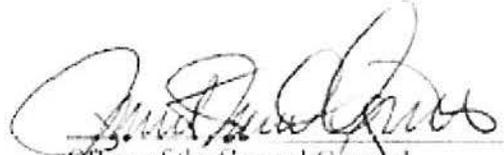
By 
Donna P. Korn, Chair

ATTEST:



Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:


Office of the General Counsel

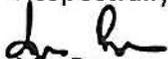
THE COLLEGIATE SCHOOL

9160 Forum Corporate Pkwy Ste 350 Fort Myers Florida 33906

Dear Ms. Fulton Collins

Collegiate Academic Enterprises Corporation would kindly like to request a one-year deferment to open the Collegiate School in August of 2021. If you have any question, please contact me at your earliest convenience.

Respectfully,



MS. Barnes

Board of Director