



AGENDA REQUEST FORM

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

MEETING DATE	2020-04-21 10:00 - Regular 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

ITEM No.:
L-3.

Time

Open Agenda
<input type="radio"/> Yes <input checked="" type="radio"/> No

TITLE:

Second Amendment to Charter School Renewal Agreement with Avant Garde Academy Foundation, Inc.

REQUESTED ACTION:

Approve the Second Amendment to the Charter School Renewal Agreement with Avant Garde Academy Foundation, Inc., on behalf of Avant Garde Academy-5791

SUMMARY EXPLANATION AND BACKGROUND:

Avant Garde Academy Foundation, Inc., on behalf of Avant Garde Academy - 5791, desires to amend its charter school renewal 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 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) Avant Garde 5791 - Executive Summary (3) Avant Garde Academy 5791 - Second Amendment 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
 4/6/2020, 5:23:18 PM

Approved In Open Board Meeting On: **APR 21 2020**

By:
 School Board Chair

Continuation of Summary Explanation and Background:

Avant Garde Academy Foundation, Inc., on behalf of Avant Garde Academy – 5791, desires to amend its charter school renewal agreement to change the Florida not-for-profit corporation name from Avant Garde Academy, Inc., to Avant Garde Academy Foundation, Inc., for the 2020 – 2021 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 Second 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, 2024.

The charter school is located at 2025 McKinley Street, Hollywood, Florida 33020, which is in District 1.

The governing board members of Avant Garde Academy Foundation, Inc., reside in Miami-Dade County, Broward County and Kissimmee, 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

Avant Garde Academy Foundation, Inc. Formerly Known As Avant Garde Academy, Inc.
Avant Garde Academy – 5791

Implementation Year	2014 – 2015
Termination Date of Charter Agreement	June 30, 2034
Address	2025 McKinley Street Hollywood, Florida 33020
Grades Approved to Serve	6-12
Grades Currently Serving	6-12
Current Enrollment	885
Target population	Neighborhoods surrounding the school
Curriculum Focus	Traditional
School Grade	C

On June 9, 2014, The School Board of Broward County, Florida, approved an initial charter agreement with Avant Garde Academy Foundation, Inc., for a term of five years. On April 5, 2016, the school amended its Agreement to change its location. On June 11, 2019, The School Board of Broward County, Florida, approved a renewal of the agreement with Avant Garde Academy Foundation, Inc., on behalf of Avant Garde Academy – 5791. This contract is effective for five years and ends on June 30, 2024.

Avant Garde Academy Foundation, Inc., desires to amend its charter school renewal agreement by changing the name of the Florida not-for profit corporation from Avant Garde Academy, Inc, to Avant Garde Academy Foundation, Inc. for the 2020-2021 school year and subsequent years.

The term of the charter shall remain the same, covering five years commencing on July 1, 2019, and ending June 30, 2024.

Avant Garde Academy – 5791, is located at 20225 McKinley Street, Hollywood, Florida 33020, which is in District 1.

The members of Avant Garde Academy Foundation, Inc. reside in Miami-Dade, Broward County, and Kissimmee, Florida.

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 21st day of April 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

AVANT GARDE ACADEMY FOUNDATION, INC
f/k/a AVANT GARDE ACADEMY, INC.
a Florida not-for-profit organization
[hereinafter referred to alternatively as “Avant Garde Academy” or “School”],
and having its principal place of business located at
2025 McKinley Street
Hollywood, Florida 33020

WHEREAS, the parties entered into a Charter School Renewal Agreement (“Agreement”) on or about June 11, 2019, for a five-year period expiring June 30, 2024, which incorporated by reference the Charter Renewal Program Review wherein the School was authorized to operate a charter school (grades 6 – 12); 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, Avant Garde Academy Foundation, Inc., desires to amend the Agreement to reflect a change in its name; 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: The School’s name shall be changed throughout the Agreement to Avant Garde Academy Foundation, Inc.

Avant Garde Academy – 5791
Second 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 Second Amendment to the Charter School Renewal Agreement; then
- (b) The First Amendment to the Charter School Renewal Agreement; then
- (c) The Charter School 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 the 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 Charter School Renewal Agreement as of the day and year first above written.

Avant Garde Academy – 5791
Second Amendment to Charter School Renewal Agreement

FOR THE SCHOOL

(Corporate Seal)

AVANT GARDE ACADEMY
FOUNDATION, INC.

Attest: _____

Secretary

- or -

[Signature]

Witness

[Signature]

Witness

by: [Signature]
Name and Title

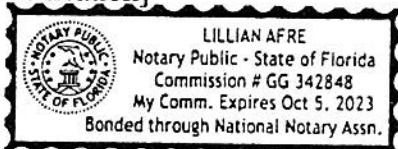
STATE OF FLORIDA

COUNTY OF BROWARD

The foregoing instrument was acknowledged before me this 1st day of APRIL,
2020 by JULIA VALENT as Chair of Avant Garde
Academy Foundation, Inc. who took an oath and is personally known to me or has produced
_____ as identification.

[describe identification]

(SEAL)



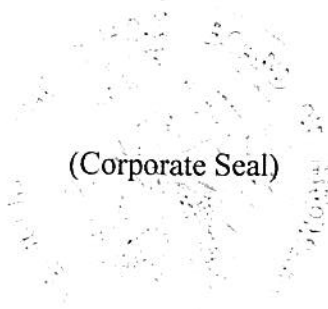
My commission expires: 10-5-23

[Signature]
Signature – Notary Public

LILLIAN AFRE
Printed Name of Notary Public

Avant Garde Academy – 5791
Second Amendment to Charter School Renewal Agreement


FOR THE SPONSOR



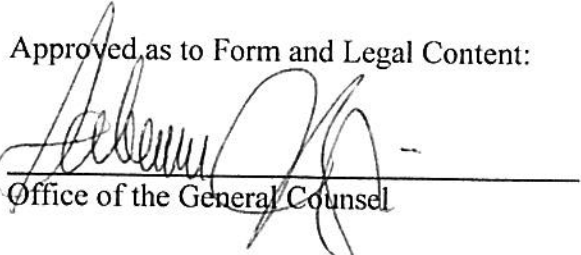
(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:


Robert W. Runcie, Superintendent of Schools

By 
Donna P. Korn, Chair

Approved, as to Form and Legal Content:

Office of the General Counsel