

Meeting Date		Agenda Item Number	
7/24/12		E-6	
Open Agenda Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		Special Order Request Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	
TITLE: First Amendment to Charter School Agreement with Silva of South Florida, Inc., on behalf of Pathways Charter School			
REQUESTED ACTION: Approve the First Amendment to the Charter School Agreement with Silva of South Florida, Inc., on behalf of Pathways Charter School.			
SUMMARY EXPLANATION AND BACKGROUND: Silva of South Florida, Inc., a Florida Non-Profit Corporation, on behalf of Pathways Charter School desires to amend its charter school agreement to defer the opening of the charter school to 2013-2014 and use school year 2012-2013 as a planning year. The original agreement with Silva of South Florida, Inc., was approved at the 4/17/12 Regular School Board Meeting, Item F-5. The School Board of Broward County, Florida is requested to grant the 2012-2013 school year as a planning year during which the school shall not enroll any students and shall not be eligible to receive any funding from the sponsor. The term of the charter shall remain the same, covering five (5) years commencing on July 1, 2012 and ending June 30, 2017. A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda This First Amendment to the Agreement has been approved as to form and legal content by the Office of the General Counsel.			
SCHOOL BOARD GOALS: <input checked="" type="checkbox"/> •Goal One: Raise achievement of all students to ensure graduation from high school and readiness for post-secondary education. <input type="checkbox"/> •Goal Two: Improve the health and wellness of students and personnel. <input checked="" type="checkbox"/> •Goal Three: Provide a safe and secure physical and technological environment for all students and employees. <input type="checkbox"/> •Goal Four: Promote innovation, which focuses on best practices and quality efforts that improve our best-in-class position. <input type="checkbox"/> •Goal Five: Recruit, develop, retain, and recognize high performing and diverse faculty and personnel. <input type="checkbox"/> •Goal Six: Build strong partnerships with family, business, community and government at the classroom, school, area, and district level. <input type="checkbox"/> •Goal Seven: Ensure district's leadership as an environmental steward through innovative ecology and energy conservation programs.			
FINANCIAL IMPACT: There is no financial impact to the District.			
EXHIBITS: (List) <ul style="list-style-type: none"> Executive Summary First Amendment to Charter School Agreement with Silva of South Florida, Inc., on behalf of Pathways Charter School Approved ARF for Item F-5, RSBM 4/17/12 			
BOARD ACTION: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">APPROVED</div>		SOURCE OF ADDITIONAL INFORMATION: Jody Perry 754 321-2135 Name Phone	

Jeffrey S. Moquin
Task Assigned Chief of Staff

WARD COUNTY, FLORIDA

JUL 24 2012

Anna Murray

Form #4189
Revised 10/11
RWR/JSM/JP/MR:jc

EXECUTIVE SUMMARY
Silva of South Florida, Inc.
Pathways Charter School

Silva of South Florida, Inc., desires to amend its charter agreement by deferring the opening of Pathways Charter School to 2013-2014 and using school year 2012-2013 as a planning year.

The original agreement with Silva of South Florida, Inc., was approved at the April 17, 2012 Regular School Board Meeting, Item F-5.

The School Board of Broward County, Florida is requested to grant the 2012-2013 school year as a planning year during which the SCHOOL shall not enroll any students and shall not be eligible to receive any funding from the SPONSOR. The term of the charter shall remain the same, covering five (5) years commencing on July 1, 2012 and ending June 30, 2017.

The current governing board members of Silva of South Florida, Inc., reside in Miami-Dade County.

FIRST AMENDMENT TO CHARTER AGREEMENT

THIS FIRST AMENDMENT TO THE CHARTER AGREEMENT is made and entered into as of this 24th day of July 2012, 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

SILVA OF SOUTH FLORIDA, INC
Pathways Charter School

a Florida not-for-profit organization [hereinafter referred to as "School"],
and having its principal place of business located at
1515 West Commercial Blvd.
Fort Lauderdale, FL 33309

WHEREAS, the parties entered into a Charter School Agreement (AGREEMENT) on April 17, 2012 which incorporates by reference the SCHOOL's Charter Application wherein the SCHOOL was authorized to operate a K-8 charter known as "Pathways Charter School" 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 School desires to amend its AGREEMENT to defer the opening of the school until school year 2013-2014, and allow the initial year of the charter, school year 2012-2013, as a planning year.

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 Charter by reference.

1.02 Amended Provisions. The parties agree to amend the Charter School Agreement to provide as follows:

**Pathways Charter School
First Amendment to Charter School Agreement**

Section 2.B.2: Start Up Date: The SPONSOR agrees to grant the 2012-2013 school year as a planning year during which the SCHOOL shall not enroll any students and shall not be eligible to receive any funding from the SPONSOR.

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 Agreement;
- (b) The Charter School Agreement; and
- (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 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 Charter School Agreement.

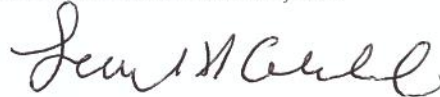
IN WITNESS WHEREOF, the Parties hereto have executed this First Amendment to the Agreement as of the day and year first above written.

Pathways Charter School
First Amendment to Charter School Agreement

FOR THE SCHOOL

(Corporate Seal)

Silva of South Florida, Inc.



by: Leonard Glickel, Board Chair
Name and Title

Attest: _____

Secretary

- or -

Witness

Witness

STATE OF Florida

COUNTY OF Miami Dade County

The foregoing instrument was acknowledged before me this 20th day of June, 2012 by

LEONARD H. GLICKEL
Name of Person on behalf of
the Governing Entity

of Silva of South Florida, Inc.

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

My commission expires:

(SEAL)



My commission expires: 6/4/2013.


Signature - Notary Public

Dagoberto Companien
Printed Name of Notary Public

**Pathways Charter School
First Amendment to Charter School Agreement**

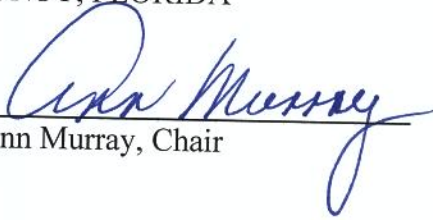
FOR THE SPONSOR

(Corporate Seal)

THE SCHOOL BOARD OF BROWARD
COUNTY, FLORIDA

ATTEST:

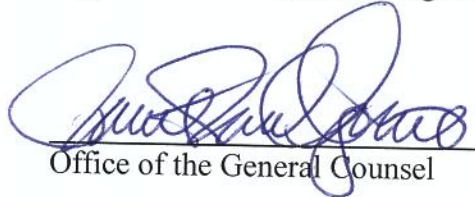
By


Ann Murray, Chair



Robert W. Runcie
Superintendent of Schools

Approved as to Form and Legal Content:


Office of the General Counsel

AGENDA REQUEST FORM
THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA

Meeting Date <div style="border: 1px solid black; padding: 2px; text-align: center;">4/17/12</div>	<table style="width:100%;"> <tr> <td style="width:50%; text-align: center;"> Open Agenda Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </td> <td style="width:50%; text-align: center;"> Special Order Request Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> </td> </tr> </table>	Open Agenda Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Special Order Request Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Agenda Item Number <div style="border: 1px solid black; padding: 2px; text-align: center;">F-5</div>												
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TITLE Charter School Agreement – Silva of South Florida, Inc. (Pathways Academy K-8 Center)																
REQUESTED ACTION: Approve the charter school agreement for Silva of South Florida, Inc. (Pathways Academy K-8 Center).																
SUMMARY EXPLANATION AND BACKGROUND: <p>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. In accordance with Florida Statutes, The School Board shall monitor and review the charter's revenues, expenditures and progress toward the goals established in the charter. This is for an opening of a new charter school.</p> <p>A copy of all supporting documents is available online via the Broward County Public Schools eAgenda at: http://eagenda3.broward.k12.fl.us/cgi-bin/WebObjects/eAgenda</p> <p>This item has been approved as to form and legal content by the Office of the General Counsel.</p>																
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FINANCIAL IMPACT: There is no financial impact to the district.																
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BOARD ACTION: <div style="text-align: center; font-weight: bold; font-size: 1.2em;">APPROVED</div>		SOURCE OF ADDITIONAL INFORMATION: <table style="width:100%;"> <tr> <td style="width:60%;">Leslie M. Brown</td> <td style="width:40%; text-align: right;">754-321-2130</td> </tr> <tr> <td>Jody Perry</td> <td style="text-align: right;">754-321-2135</td> </tr> </table>	Leslie M. Brown	754-321-2130	Jody Perry	754-321-2135										
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(For Official School Board Records' Office Only)		<table style="width:100%;"> <tr> <td style="width:60%;">Name</td> <td style="width:40%;">Phone</td> </tr> </table>	Name	Phone												
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THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
 JOANNE W. HARRISON, Ed.D., DEPUTY SUPERINTENDENT
 EDUCATIONAL PROGRAMS & STUDENT SUPPORT

Approved in Open Board Meeting
 on _____

APR 17 2012

By:
 Form #4189
 Revised 10/11
 RWR/JWH/LB/JP/MR

 School Board Chair