

Mercedes Toural, Chief Education Officer
and Deputy Superintendent of Schools

**SUBJECT: REQUEST SCHOOL BOARD APPROVAL OF THE FIRST
 AMENDMENT TO THE CHARTER SCHOOL CONTRACTUAL
 AGREEMENT WITH NORTH DADE COMMUNITY CHARTER
 SCHOOL, INC., ON BEHALF OF NORTH DADE COMMUNITY
 CHARTER SCHOOL**

COMMITTEE: EDUCATION AND SCHOOL OPERATIONS

As per Section 1002.33(7)(c), Florida Statutes, a charter school contractual agreement may be modified during its initial term or any renewal term upon the recommendation of the sponsor and the approval of both parties to the agreement.

The initial charter school contractual agreement with North Dade Community Charter School, Inc., was approved by The School Board of Miami-Dade County, Florida, on July 10, 2002, for a term of ten years commencing with the 2002-2003 school year.

North Dade Community Charter School is located at 13850 NW 26 Avenue, Opa-Locka, Florida 33054, and currently serves approximately 100 students in grades kindergarten through five.

In response to numerous deficiencies and concerns noted as part of the district's charter school monitoring process, the governing board of the school was reconstituted on March 15, 2004. In an effort to correct these deficiencies, the reconstituted governing board submitted a Probation and Intervention Plan which will be implemented immediately and which will remain in effect throughout the 2004-2005 school year. The school has agreed to an amendment to the charter school contractual agreement calling for immediate termination of the contract if all provisions of the Probation and Intervention Plan are not met by June 30, 2005, waiving all rights of appeal as stipulated in Section 1002.33(6)(c), Florida Statutes.

The Charter School Contract Review Committee met on May 25, 2004, and by a unanimous vote made a recommendation for approval of the first amendment to the charter school contractual agreement with North Dade Community Charter School, Inc., on behalf of North Dade Community Charter School.

On June 29, 2004, the charter school was served with an eviction notice from its landlord, Creative Management, LLC. In order to continue the educational program in the 2004-2005 school year, and to minimize disruption to its students and families, the school has secured a facility at 13301 NW 24 Avenue, Miami, Florida 33054, and has requested that the first amendment be revised to include the change in location.

The Charter School Contract Review Committee met on July 1, 2004, and by a unanimous vote made a recommendation for approval of the revision to the first amendment to the charter school contractual agreement with North Dade Community Charter School, Inc., on behalf of North Dade Community Charter School to include the change in location.

Copies of the amendment will be transmitted to the School Board Members under separate cover and are available for inspection by the public in the Office of Board Recording Secretary, Room 924, and in the Citizen Information Center, Room 158, 1450 NE Second Avenue, Miami, Florida 33132.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve the first amendment to the charter school contractual agreement with North Dade Community Charter School, Inc., on behalf of North Dade Community Charter School to:

1. implement the Probation and Intervention Plan effective immediately and throughout the 2004-2005 school year;
2. terminate the charter school contractual agreement by June 30, 2005, if the school fails to meet all provisions of the Probation and Intervention Plan, waiving all rights to appeal under Section 1002.33(7)(c), Florida Statutes; and
3. relocate the school to a facility at 13301 NW 24 Avenue, Miami Florida 33054, commencing with the 2004-2005 school year and continuing throughout the term of the contract.

RKF/MB/CR:dcr