

Mercedes Toural, Deputy Superintendent  
Curriculum and Instruction

**SUBJECT:       REQUEST SCHOOL BOARD APPROVAL OF THE THIRD  
                  AMENDMENT TO THE CHARTER SCHOOL CONTRACTUAL  
                  AGREEMENT WITH SOMERSET ACADEMY, INC., ON BEHALF OF  
                  SOMERSET ACADEMY**

**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 for Somerset Academy, Inc., on behalf of Somerset Academy, was approved by The School Board of Miami-Dade County, Florida, on March 13, 2002, for a term of ten years, commencing with the 2003-2004 school year. The first amendment was approved on August 20, 2003, to defer the opening of the school until the 2004-2005 school year. The second amendment was approved on May 19, 2004, to open the school at a temporary facility at 8750 NW 21 Terrace, Miami, Florida 33172.

Due to delays in securing the necessary permits for the temporary facility, Somerset Academy has requested a third amendment to allow the school to open at another facility at 10870 SW 113 Place, Miami, Florida 33176.

The Charter School Contract Review Committee met on July 30, 2004, and by a unanimous vote, made a recommendation for approval of the third amendment to the charter school contractual agreement with Somerset Academy, Inc., on behalf of Somerset Academy.

Copies of the charter school contractual agreement 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 third amendment to the charter school contractual agreement with Somerset Academy, Inc., on behalf of Somerset Academy, to open the school at a temporary facility for the 2004-2005 school year.

RKF/MB/CR:dcr

THIRD AMENDMENT TO CHARTER SCHOOL CONTRACT

THIS THIRD AMENDMENT TO THE CHARTER SCHOOL CONTRACT (“AMENDMENT”) entered into as of the 19<sup>th</sup> day of August 2004, by and between THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (“SPONSOR”) and SOMERSET ACADEMY, INC., a non-profit organization organized under the laws of the State of Florida, on behalf of SOMERSET ACADEMY (“SCHOOL”).

RECITALS

A. The Sponsor and School entered into that certain Charter School Contract dated as of March 14, 2002 (the “Contract”), whereby the Sponsor agreed to permit the School to operate a charter school pursuant to Florida Statutes.

B. The Sponsor and School now desire to amend the Contract to provide for the terms and conditions set forth hereinbelow.

NOW, THEREFORE, in consideration of the mutual benefits to be derived therefrom and of the respective mutual covenants and agreements hereinafter set forth, the parties hereto agree as follows:

1. Part IV. C. (3) of the Contract is hereby amended, and substituted in its place and stead is the following:

PART IV. FINANCIAL ACCOUNTABILITY

C. FACILITIES

(3) The School will be initially located at 10870 SW 113<sup>th</sup> Place, Miami, Florida 33176 for a term of one (1) year during construction of the permanent school facility. Beginning in 2005-2006, and through the remainder of the contract term, the school will move to a newly built facility located at SW 117<sup>th</sup> Avenue and 232<sup>nd</sup> Street, Miami, Florida 33170.

2. All other conditions of the Contract shall remain the same and are hereby ratified and confirmed.

IN WITNESS WHEREOF, the parties hereto have executed this Amendment to the Charter School Contract as of the day and year first above written.

ATTEST:

SOMERSET ACADEMY, INC.  
on behalf of Somerset Academy

By: \_\_\_\_\_  
Signature of Secretary      Date

By: \_\_\_\_\_  
Signature of Board Chair      Date

Name: \_\_\_\_\_  
Secretary

Name: \_\_\_\_\_  
Board Chair

ATTEST:

THE SCHOOL BOARD OF MIAMI - DADE COUNTY,  
FLORIDA

By: \_\_\_\_\_  
Rudolph F. Crew, Ed.D.      Date  
Secretary

By: \_\_\_\_\_  
Dr. Michael M. Krop      Date  
Chair

APPROVED AS TO FORM:

\_\_\_\_\_  
School Board Attorney      Date