

Mercedes Toural, Deputy Superintendent  
Curriculum and Instruction

**SUBJECT:       REQUEST SCHOOL BOARD APPROVAL OF THE SECOND  
                  AMENDMENT TO THE CHARTER SCHOOL CONTRACTUAL  
                  AGREEMENT WITH THE UNITED PROPERTY OWNERS OF THE  
                  8.5 SQUARE MILE AREA, INC., ON BEHALF OF LAS PALMAS  
                  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 The United Property Owners of the 8.5 Square Mile Area, Inc., on behalf of Las Palmas Charter School was approved by The School Board of Miami-Dade County, Florida, on February 11, 2004, for a term of ten years, commencing with the 2004-2005 school year. The first amendment was approved on July 14, 2004, to open the school at a new location. Las Palmas Charter School has requested a second amendment to defer the opening of the school for one year until the 2005-2006 school year.

The Charter School Contract Review Committee met on July 30, 2004, and by a unanimous vote, made a recommendation for approval of the second amendment to the charter school contractual agreement with The United Property Owners of the 8.5 Square Mile Area, Inc., on behalf of Las Palmas Charter School.

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 second amendment to the charter school contractual agreement with The United Property Owners of the 8.5 Square Mile Area, Inc., on behalf of Las Palmas Charter School, to defer the opening of the school for a period of one year until the 2005-2006 school year.

RKF/MB/CR:dcr

## SECOND AMENDMENT TO CHARTER SCHOOL CONTRACT

THIS SECOND AMENDMENT TO THE CHARTER SCHOOL CONTRACT (“AMENDMENT”) entered into as of the 19th day of August 2004, by and between THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA (“SPONSOR”) and THE UNITED PROPERTY OWNERS OF THE 8.5 SQUARE MILE AREA, INC., a non-profit organization organized under the laws of the State of Florida, on behalf of LAS PALMAS CHARTER SCHOOL (“SCHOOL”).

### **RECITALS**

A. The Sponsor and School entered into that certain Charter School Contract dated as of February 12, 2004 and amended July 15, 2004 (the “Contract”), whereby the Sponsor agreed to permit the School to operate a charter school pursuant to Florida Statutes.

B. The Sponsor and the 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 to amend the charter school Contract as follows:

1. Part III. A. (2), of the Contract is hereby amended, and substituted in its place and stead is the following:

### **PART III. STUDENTS**

#### **A. DEFINITION OF STUDENTS**

(2) The school will be open to all eligible students residing in Miami-Dade County with special recruiting efforts focused on the residents of the immediate vicinity.

The school will not discriminate on the basis of race, color, sex, religion, national or ethnic origin, or exceptionality in the admission of students, in accordance with federal and state anti-discrimination law. Following is the student enrollment breakdown by year:

- Year 1: 2004-2005 – School Not Open
- Year 2: 2005-2006 – Grades K- 3 - up to 100 students
- Year 3: 2006-2007 – Grades K - 4 - up to 120 students
- Year 4: 2007-2008 – Grades K - 5 - up to 140 students
- Year 5: 2008-2009 – Grades K - 6 - up to 160 students

The aforementioned enrollment capacity will be contingent on the student capacity as stated on the valid certificate of occupancy for the school facility issued by the local governmental agency in whose jurisdiction the facility is located.

In order to minimize the negative impact to district schools that are underenrolled and located in the School’s targeted enrollment area; the parties agree to limit the enrollment from such schools as follows:

Percentage of utilization of permanent and relocatable program capacity of students’ home school	Maximum overall number of students to be admitted by charter school from underenrolled school
99% to 90%	Up to 50 students
89% to 80%	Up to 40 students
79% to 70%	Up to 30 students
69% to 60%	Up to 20 students
Below 60%	Up to 10 students

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 Contract as of the day and year first above written.

ATTEST: The United Property Owners of the 8.5 Square Mile Area,  
Inc.,  
on behalf of Las Palmas Charter  
School

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

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

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

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

ATTEST: THE SCHOOL BOARD OF MIAMI - DADE COUNTY,  
FLORIDA

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

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

APPROVED AS TO FORM:

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