

Rudolph F. Crew, Ed.D., Superintendent of Schools

**SUBJECT: REQUEST SCHOOL BOARD APPROVAL OF THE FOURTH
 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. Subsequent amendments have allowed for deferrals and changes in location.

Somerset Academy has requested a fourth amendment to allow the school to open its permanent facility at SW 134 Avenue and 184 Lane, Miami, Florida 33177.

The Charter School Contract Review Committee met on October 27, 2004, and by a unanimous vote, made a recommendation for approval of the fourth 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 fourth amendment to the charter school contractual agreement with Somerset Academy, Inc., on behalf of Somerset Academy, to open the school at its permanent facility commencing with the 2005-2006 school year and continuing throughout the term of the contract which ends on June 30, 2013.

RKF/MB/CR:dcr

FOURTH AMENDMENT TO CHARTER SCHOOL CONTRACT

THIS FOURTH AMENDMENT TO THE CHARTER SCHOOL CONTRACT (“AMENDMENT”) entered into as of the 18th day of November 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”) and amended on August 21, 2003, May 20th, 2004, and August 19, 2004, 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 113th Place, Miami, Florida 33176 for a term of one (1) year during construction of the permanent school facility. Beginning

in 2005-2006, and throughout the remainder of the contract term, the school will occupy a newly built facility located at SW 134th Avenue and 184th Lane, Miami, Florida 33177.

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