

Antoinette Dunbar, Deputy Superintendent  
Curriculum and Instruction

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

**COMMITTEE: INSTRUCTIONAL EXCELLENCE AND COMMUNITY ENGAGEMENT**

**LINK TO DISTRICT STRATEGIC PLAN: GENERAL OPERATIONS**

Section 1002.33(7), Florida Statutes, Charter Schools, stipulates that 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 EXcel Academy, Inc., on behalf of EXcel Academy Charter School (EXcel Academy) was approved by The School Board of Miami-Dade County, Florida (The School Board), on June 14, 2006, for a term of five years, commencing with the 2006-2007 school year. Subsequent actions were granted by The School Board to increase grade levels to grade five and temporarily relocate the school.

EXcel Academy has requested a third amendment to continue its operation at 3650 North Miami Avenue, Miami, Florida 33127, throughout the term of the contract which ends on June 30, 2011. EXcel Academy currently serves approximately 117 students in kindergarten through grade five. If approved, this charter school will be housed on the same site as EXcel Middle Academy Charter School, which currently serves 63 students in grades six through eight, to create a kindergarten through grade eight campus.

EXcel Academy is not eligible to receive a grade under Florida's System of School Improvement and Accountability. Pursuant to State Board of Education Rule 6A-1.09981, all schools must serve at least 30 students with valid FCAT scores in reading and math in both the current year and the previous year to receive school grades. Its most recent financial audit revealed significant audit findings; however, it has presented a recovery plan which was supported by the Audit Committee at its March 18, 2008 meeting.

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On January 9, 2008, the Contract Review Committee (CRC) met, and by a unanimous vote, made a recommendation for approval of the third amendment to the charter school contractual agreement with EXcel Academy, Inc., on behalf of EXcel Academy Charter School.

Copies of the amendment to charter school contractual agreement will be transmitted to the School Board Members under separate cover and will be 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 contract with EXcel Academy, Inc., on behalf of EXcel Academy Charter School to be permanently located at 3650 North Miami Avenue, Miami, Florida 33127, continuing with the 2007-2008 school year and throughout the term of the contract and ending June 30, 2011.

LCR/MB/EOW/TP:elg