



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.1k

**Meeting Date:** October 18, 2018

**Subject:** Approve Amendment to Extend Capitol Collegiate Academy's Facility Use Agreement

- Information Item Only
- Approval on Consent Agenda
- Conference (for discussion only)
- Conference/First Reading (Action Anticipated: \_\_\_\_\_)
- Conference/Action
- Action
- Public Hearing

**Division:** Academic Office

**Recommendation:** Approve Amendment to extend Capitol Collegiate Academy's Facility Use Agreement.

**Background/Rationale:** Pursuant Education Code 47614 ("Proposition 39"), public school facilities should be shared fairly among all public school pupils, including those in Charter Schools. Each school district shall make available, facilities sufficient for the charter school to accommodate all of the charter schools' in-district students in conditions reasonably equivalent to those in other public schools of the district. The Charter Schools pay the District "Facility Use Fees" based on a pro rata share facilities cost for the use of District facilities. The master Facility Use Agreement for future use by all Charter Schools is currently being updated and revised with an anticipated completion date of February 28, 2019. By mutual agreement between the District and Capitol Collegiate Academy, the Amendment extends the expiration of the current Facilities Use Agreement and related first extension Amendment from June 30, 2019 to June 30, 2020. The Amendment eliminates the need for Capitol Collegiate Academy to submit a Prop 39 Facility Request due no later than November 1, 2018 for the school year 2019-20.

**Financial Considerations:** The District will continue to receive from Capitol Collegiate Academy the pro rata share of the facilities costs.

**LCAP Goal(s):** Family and Community Empowerment

**Documents Attached:**

1. Amendment to the Facilities Use Agreement between Sacramento City Unified School District and Capitol Collegiate Academy

**Estimated Time of Presentation:** N/A

**Submitted by:** Dr. Iris Taylor, Chief Academic Officer

Jack Kraemer, Innovative Schools and Charter Oversight, Director

**Approved by:** Jorge A. Aguilar, Superintendent

**AMENDMENT EXTENDING TERM OF FACILITIES USE AGREEMENT**

This Amendment ("Amendment") is entered into by and between Sacramento City Unified School District ("District") and Capitol Collegiate Academy, a California non-profit public benefit corporation ("Non-Profit"), as operator of Capitol Collegiate Academy Charter School, on the effective date as set forth below. District and Non-Profit are referred to singularly as "Party" or collectively as "Parties."

**WHEREAS**, the District and the Non-Profit entered into an Agreement titled Facilities Use Agreement ("FUA") for the term July 1, 2015 to June 30, 2018, which became effective on June 22, 2015.

**WHEREAS**, the District and the Non-Profit previously modified the FUA by extending the term to June 30, 2019.

**WHEREAS**, the District and the Non-Profit desire to modify the FUA by extending the term.

**NOW THEREFORE**, for good and valuable consideration, the Parties agree as follows:

1. The term of the FUA shall be extended to June 30, 2020.
2. This Amendment shall not alter or affect in any way any other portion of the FUA. All other terms of said FUA remain in full force and effect.
3. This Amendment shall become effective upon the signatures of both parties and District Board approval.

**IN WITNESS WHEREOF**, the Parties execute this Amendment on the dates set forth below.

Dated: \_\_\_\_\_

9/25/18



Cristin Fiorelli  
Principal/Executive Director

Dated: \_\_\_\_\_

Jorge Aguilar  
SCUSD Superintendent  
Sacramento City Unified School District