



# SACRAMENTO CITY UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION

Agenda Item 10.11

**Meeting Date:** October 18, 2018

**Subject:** Approve Amendment to Extend Sol Aureus College Preparatory'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 Sol Aureus College Preparatory'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 Sol Aureus College Preparatory, the Amendment extends the expiration of the current Facilities Use Agreement and related second extension Amendment from June 30, 2019 to June 30, 2020. The Amendment eliminates the need for Sol Aureus College Preparatory 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 Sol Aureus College Preparatory 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 Sol Aureus College Preparatory

**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 Sol Aureus College Preparatory, a California non-profit public benefit corporation ("Non-Profit"), as operator of Sol Aureus College Preparatory, 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 31, 2013 to July 31, 2018, which became effective on September 19, 2013.

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

**WHEREAS**, the District and the Non-Profit desire to modify the FUA and Second Amendment to Facilities Use Agreement by extending the term.

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

1. The term of the FUA and Second Amendment to Facilities Use Agreement shall be extended to June 30, 2020.
2. This Amendment shall not alter or affect in any way any other portion of the FUA and First Amendment to Facilities Use Agreement. All other terms of said FUA and First Amendment to Facilities Use Agreement 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: 9-20-2018



Norm Hernandez  
Principal

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

Jorge Aguilar  
SCUSD Superintendent  
Sacramento City Unified School District