

**SECOND AMENDMENT TO CHARTER FOR SARASOTA MILITARY ACADEMY, INC.**

THIS SECOND AMENDMENT is entered into this 21<sup>st</sup> day of June, 2016, by and between **The School Board of Sarasota County, Florida**, a body corporate under the laws of the State of Florida (the "Sponsor"), and **Sarasota Military Academy, Inc.**, a nonprofit organization organized under the laws of the State of Florida ("School").

**WHEREAS**, the Parties hereto entered into a Charter Contract for the school operating as the Sarasota Military Academy (the "Charter") on May 8, 2013, with a term commencing July 1, 2013, and expiring on June 30, 2028; and

**WHEREAS**, the Parties entered into an Amendment to the Charter on March 4, 2014 to change the enrollment application period; and

**WHEREAS**, the Parties now wish to further amend the Charter to specify the level of service provided by the School for students with disabilities and to clarify the process the School will follow to determine if the School can meet the special needs of the student as a condition for enrollment or continued enrollment in the School; and

**WHEREAS**, the Parties hereto desire to amend the Charter under the following terms and conditions.

**NOW, THEREFORE**, the parties hereby agree as follows:

1. Section 3 (G) (2) of the Charter is amended to delete the last sentence in paragraph (2) and delete sub-paragraphs (2) (a) and (2) (b) and replace with the following sentence:

The School will provide the programs and services, including supplemental supports and services, modifications and accommodations, to ensure the academic success of students with disabilities whose education needs can be met in a regular classroom environment with at least 80% of instruction occurring in a class with non-disabled peers.

2. Section 3 (G) (3) is deleted in its entirety and replaced with:

The School shall clearly delineate in its parent handbook and all registration materials the levels of special education, including required related service, available at the School in order to assist parents in making informed decisions regarding enrollment of students with disabilities. Unless the School is specifically for students with disabilities, the School shall not request through the School's application a student's IEP or other information regarding a student's special needs, nor shall the School access such information prior to the enrollment lottery.

Parents of students with disabilities will be afforded procedural safeguards in their native language, consistent with the manner that those safeguards are provided in the Sponsor's traditional schools or using the Sponsor's materials.

Those students whose needs cannot be adequately addressed at the School, as determined by the School's IEP team, will be referred, in consultation with the District, to an appropriate placement within the District. Upon enrollment, or notice of acceptance sent to the student, the School shall obtain from the student's prior school or shall request from the Sponsor information related to the student's program and needs, including the student's most recent IEP, which shall be provided within 10 days. If the School believes, upon review of the IEP, that the student's needs cannot be met at the School, an IEP meeting shall be convened within 10 days. The Sponsor shall be invited to and may attend the meeting, at which time the IEP team shall determine whether the School is an appropriate placement for the student. The Sponsor retains the right to determine whether or not to send a representative to such meetings.

3. All other provisions of the Charter, as Amended, shall remain in full force and effect.

IN WITNESS WHEREOF, the parties have executed this Second Amendment as of the date first above written.

THE SCHOOL BOARD OF  
SARASOTA COUNTY, FLORIDA

SARASOTA MILITARY ACADEMY,  
INC.

BY: \_\_\_\_\_  
Shirley Brown, Chair

BY: \_\_\_\_\_ (Ret)  
LTG Howard Crowell, Jr.  
Governing Board Chair

Approved for Legal Content  
May 25, 2016, by Matthews, Eastmoore  
Hardy, Crauwels & Garcia, Attorneys for  
The School Board of Sarasota County, Florida  
Signed: ASH