

DOUGLAS COUNTY SCHOOL DISTRICT RE-1  
APPROVAL OF CONTRACT FOR  
THE BEN FRANKLIN ACADEMY

WHEREAS, on September 8, 2010, the Board of Education ("Board") of the Douglas County School District Re. 1 ("District") received a charter school application from the founding board of the Ben Franklin Academy, a Colorado nonprofit corporation ("Applicant"), for the establishment of the Ben Franklin Academy, a K-8 School ("the School") as a district charter school, and;

WHEREAS, the School has met all relevant conditions to date set by the District in its conditional approval of the Ben Franklin Academy Charter School Application, and

WHEREAS, approval of a Contract subject to Pre-Opening Conditions will facilitate the opening of the School for the 2011-2012 School year, and

WHEREAS, the District and the School have worked cooperatively to develop a Contract establishing the terms and conditions of the granting of a charter and the relationship between the District and the School.

NOW THEREFORE, BE IT RESOLVED by the Board that the Contract between the District and the School is approved, with an initial term beginning July 1, 2011 and ending June 30, 2014.

BE IT FURTHER RESOLVED, that District Legal Counsel shall amend the Pre-Opening Conditions in Attachment 2 to include the following language:

- That by March 1, 2011, the Superintendent, in her sole discretion, will certify to the Board that the Ben Franklin Academy construction plans and timeline are realistically calculated to open the school by the beginning of September, 2011.
- By April 15, 2011, the Superintendent, in her sole discretion, will certify to the Board that the Ben Franklin Academy construction project is making sufficient progress for the school to open by the beginning of September, 2011.

BE IT FURTHER RESOLVED, that the Pre-Opening Conditions contained in Attachment 2 of the Contract as amended shall be fulfilled in a timely manner by the School. Failure to meet any or all of the Pre-Opening Conditions will be grounds for revocation of the Charter as provided in the Contract and applicable law.

Approved this 1<sup>st</sup> day of February, 2011

DOUGLAS COUNTY SCHOOL DISTRICT RE.1

By: John K. Cannon  
President  
Board of Education

Attest:

By: [Signature]

