

FLORIDA DEPARTMENT OF EDUCATION



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October 8, 2007

MEMORANDUM

TO: Members, State Board of Education

FROM: Jeanine Blomberg

SUBJECT: Status of Charter School Exclusivity Activities

The following information is provided as an update on issues relating to the State Board of Education's consideration of school district applications to retain the exclusive authority to sponsor charter schools.

Summary of Actions Taken to Date

On Tuesday, September 18, 2007, the State Board of Education voted to deny exclusive authority to eight Florida school districts that had no discernable history of sponsoring charter schools within the past four years. Those districts included: Baker, Charlotte, Clay, DeSoto, Gilchrist, Hardee, Jefferson, and Suwannee. The Board's action on each application has been incorporated into a written final order. The statute allows for an appeal of the decision to the district court of appeal.

In addition, after hearing testimony from some district and charter school representatives at the September 18 meeting, the State Board of Education requested additional information and subsequently postponed further action. Overall, 31 school district applications remain pending for consideration at the upcoming October 16, 2007, State Board of Education meeting.

Update of Materials and Commissioner's Recommendations

Attachment A is a revised chart of data, organized sequentially by factor, intended as a tool that you may use in considering whether or not to grant exclusive authority to a school district. The chart was revised to reflect final considerations by the reviewers of the school district applications. For your convenience, Attachment B lists all factors by their factor number.

Members, State Board of Education
October 8, 2007
Page Two

My interpretation of “fair and equitable treatment” is that the district meets all factors, as determined by the majority of reviewers for each factor, therefore demonstrating evidence of statutory compliance. Based on this interpretation, I recommend the State Board of Education consider granting exclusive authority to sponsor charter schools to Orange, Polk and Sarasota school districts.

Public Testimony and Procedural Actions

Procedurally (as described in greater detail in Attachment C), State Board of Education members will hear my recommendations, consider factors important to them individually, review and accept evidence for the record, and subsequently (together as a board) take final action on each school district application for exclusive authority.

The evidence in the record of each case will consist of:

- The written documents submitted by the District and the charter schools pursuant to the rule;
- The raw and consolidated findings of the review teams; and
- Testimony presented to this Board.

The testimony of school districts and charter schools heard on September 18th is included in the record. If those persons wish to provide additional testimony relating to the revised chart, the Board will allow the party to be heard.

In addition and in accordance with Rule 6A-6.0783, FAC., applicants and currently operating charter schools within the district may request, in writing, to be heard at the October 16th meeting. Written requests must be received by the Agency Clerk by October 9, 2007, using the request form enclosed as Attachment E. The form may be faxed to the Agency Clerk at 850-245-9667 or scanned and e-mailed to Lynn.Abbott@fldoe.org.

I hope you find this information helpful in your deliberations. Please call me if you have comments or questions.

JB/la
Attachments