

STATE BOARD OF EDUCATION

Action Item

October 21, 2008

SUBJECT: Approval of Commissioner's Recommendations on Exclusivity for School Districts to Authorize Charter Schools in their Geographic Areas

PROPOSED BOARD ACTION

For Approval

AUTHORITY FOR STATE BOARD ACTION

Section 1002.335, Florida Statutes

EXECUTIVE SUMMARY

Section 1002.335, Florida Statutes, created the Florida Schools of Excellence Commission, a state-level charter school authorizing entity. It also provided the opportunity for school districts to apply for exclusive authority to sponsor charter schools within their own geographic boundaries. The State Board of Education adopted Rule 6A-6.0783, FAC., as amended at the April 15, 2008 meeting. The rule outlines the application, review process, appeals process, and recommendation requirements for school districts applying for exclusive authority. The application as incorporated in rule required school districts to score 50 out of 50 points (100%) in order to be recommended to the Board for exclusive authority to be granted.

A total of 36 districts applied. Eight of those districts had no prior year history with charter schools. The remaining 28 were reviewed and scored. None of the 28 districts earned 50 points, therefore, none were recommended for approval at the June 17, 2008 meeting. The State Board of Education did vote to deny exclusive authority to the districts who did not request a hearing. Those districts were: Baker, Bay, Bradford, Citrus, Clay, Duval, Flagler, Gilchrist, Holmes, Indian River, Jackson, Lee, Levy, Manatee, Martin, Pasco, Santa Rosa, Sumter, Suwannee, and Volusia.

The remaining 16 districts requested an informal hearing as provided for in the State Board Rule. Subsequently, Nassau and Putnam did not submit final written statements and did not participate in the hearings. Hearing officers scheduled and conducted the requested hearings July 21 – August 1, 2008. Each provided a Recommended Final Order to the Commissioner. On August 19, 2008, the State Board voted to accept the Commissioner's recommendation to grant exclusive authority to the following school districts: Broward, Hernando, Hillsborough, Polk, and Sarasota. Based on the findings of the hearing officers, the Commissioner recommends to deny exclusive authority to the following school districts: Charlotte, Dade, Lake, Nassau, Orange, Osceola, Palm Beach, Pinellas, Putnam, St. Johns, and St. Lucie.

The decision of the State Board of Education is not subject to Chapter 120, Florida Statutes, and is final action subject to judicial review by the District Court of Appeal.

Supporting Documentation Included: Summary Sheet of District Scores; Rule 6A-6.0783, District School Board Exclusive Authority to Sponsor Charter Schools

Facilitators/Presenters: Michael Kooi, Executive Director, Office of Independent Education and Parental Choice