

**STATE OF FLORIDA
STATE BOARD OF EDUCATION**

PARRISH CHARTER ACADEMY, INC.

Appellant/Applicant,

v.

DOE No. 2017-3470

MANATEE COUNTY SCHOOL BOARD,

Appellee/School Board.

ORDER ON MOTION TO STRIKE PROPOSED EXCEPTIONS

This case is before the undersigned on the Appellant's Motion to Strike Proposed Exceptions, filed on October 5, 2017.

1. The Commissioner of Education is required to rule upon evidentiary, procedural, and non-jurisdictional motions submitted before the State Board regarding charter school appeals. Fla. Admin. Code R. 6A-6.0781(4)(c).

2. The School Board submitted Proposed Exceptions to the Recommended Order on October 3, 2017. The School Board's Proposed Exceptions were submitted pursuant to the authority in Rule 28-106.217, Florida Administrative Code; however, that rule pertains to the uniform administrative procedures for proceedings subject to Chapter 120 of the Florida Statutes. This proceeding is not subject to Chapter 120 of the Florida Statutes. Fla. Stat. ss. 1002.33(6)(c)3.a. and (e)2.

3. To the extent that the School Board filed exceptions in order to preserve the argument that new evidence was improperly submitted to the Appeal Commission, that argument was made before the Appeal Commission, and may be renewed in the School Board's summary before the State Board.

4. Accordingly, it is ORDERED that the Appellant's Motion to Strike Proposed Exceptions is granted. The Parties will have an opportunity to address the State Board of Education at the meeting on October 18, 2017.

DONE AND ORDERED this 5 day of October, 2017, in Tallahassee, Leon County, Florida.

A handwritten signature in cursive script that reads "Pam Stewart". The signature is written in black ink and is positioned above a horizontal line.

PAM STEWART
Commissioner of Education

Copies furnished via email to:
Melissa Gross-Arnold, Esq.
Mitchell Teitelbaum, Esq.