

August 28, 2002

Education
Mercedes Toural, Associate Superintendent

SUBJECT: REQUEST FOR SCHOOL BOARD APPROVAL OF AN AMENDMENT TO THE APPLICATION AND AN AUTHORIZATION TO ENTER INTO CHARTER SCHOOL CONTRACTUAL AGREEMENTS WITH MIAMI-DADE CHARTER SCHOOLS, INC.

COMMITTEE: ELEMENTARY AND SECONDARY EDUCATION AND SCHOOL OPERATIONS

On December 13, 2000, the School Board approved two charter school applications submitted by United Teachers of Dade on behalf of Miami-Dade Charter Schools, Inc. One application requested a maximum of seven charter schools and the second application, a maximum of two charter schools. The Board authorized the Superintendent to negotiate a maximum of nine charter school contractual agreements for a term of five years beginning with the 2002-2003 school year. Subsequently, on April 17, 2002, one contractual agreement was approved by the School Board for the Bayard Rustin Charter School. The school will be operated through a management agreement with Edison Schools, Inc., beginning with the 2003-2004 school year.

On June 18, 2002, an amended application to supersede the previously-approved application for seven charter schools was submitted by Miami-Dade Charter Schools, Inc. As one charter school contractual agreement has already been negotiated under the original application, the applicant proposes to establish six charter schools for grades kindergarten through eight, each serving a maximum of 1,200 students. The six proposed charter schools will operate without a management agreement with Edison Schools, Inc.

The original application for Miami-Dade Charter Schools, Inc., requested and received approval of the 4% waiver of the 5% administrative fee permitted by Statute in exchange for compliance with all of the following conditions:

1. Miami-Dade Charter Schools, Inc. will not use the credit rating of the District or its tax-exempt status to finance the new schools (i.e., the District will not be the issuer of the securities);
2. The charter school facilities will be either new or renovated, but not third-party leases and will be maintained pursuant to the requirements of Chapter 5 of the State Requirements for Educational Facilities (SREF);
3. The District will agree to the locations where the charter schools will open;
4. The District will have the right of first refusal to acquire the school properties in the event of default or breach of the charter school contractual agreement; and

5. The charter schools will be built and maintained in accordance with the requirements of the Florida Building Code and all applicable provisions of Chapter 423 (including Type 4 non-combustible construction for new facilities), and the Florida Fire Prevention Code.

The Miami-Dade County Public Schools' Charter School District Review Committee met on August 12, 2002. By a majority vote, the committee made a recommendation for approval of the amended application to the Superintendent of Schools.

The following is the Founding Board of Miami-Dade Charter Schools, Inc.: Mr. Pat L. Tornillo, President; Dr. Shirley Johnson, Secretary-Treasurer; Ms. Merri Mann, Director; and Ms. Annette Katz, Director. The Founding Board has appointed the following to serve on the initial Governing Board: Mr. Anthony M. Davis, Educator; Ms. Lourdes Blanco-Lopez, Educator; Mr. Carlos Seales, PTA/PTSA; Ms. Eugenia B. Thomas, Metro-Dade Department of Justice Assistance; Mr. Harris Reibel, Accountant; and Mr. Stephen K. Katz, Attorney. A parent representative will be elected to serve on the Governing Board.

Copies of the amended charter school application will be placed on file and will be available for inspection in the School Board Members' office, the Office of Board Recording Secretary, and in the Citizen Information Center.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, approve:

1. the amended application submitted by Miami-Dade Charter Schools, Inc., and
2. authorize the Superintendent to negotiate with the approved applicant a maximum of six charter school contractual agreements, each for a term of five years, beginning with the 2003-2004 school year, which reflect the contents of the application, as approved by the School Board.

Any pending issues identified by the Miami-Dade County Public Schools Charter School District Review Committee in the recommended application, including minimizing the impact on District schools that are under-enrolled, will be addressed satisfactorily in the development of the charter school contractual agreement. The charter school contractual agreement will be submitted for School Board consideration at a subsequent meeting at which time a public hearing will be held to provide for community input.

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