

Education
Mercedes Toural, Associate Superintendent

SUBJECT: REQUEST FOR SCHOOL BOARD APPROVAL OF THE CHARTER SCHOOL CONTRACTUAL AGREEMENT WITH MIAMI-DADE CHARTER SCHOOLS, INC., ON BEHALF OF TOBIAS SIMON CHARTER SCHOOL

COMMITTEE: ELEMENTARY AND SECONDARY EDUCATION AND SCHOOL OPERATIONS

On September 12, 2002, the School Board approved a charter school application submitted by Miami-Dade Charter Schools, Inc. The Board authorized the Superintendent to negotiate a maximum of six charter school contractual agreements with the applicant for a term of five years commencing with the 2003-2004 school year. The Charter School Contract Review Committee met on October 3, 2002, and by unanimous vote of the committee members present, made a recommendation for approval of the charter school contractual agreement with Miami-Dade Charter Schools, Inc., on behalf of Tobias Simon Charter School.

The 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; that is, 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 of the charter schools.
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.
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.

Tobias Simon Charter School will be located at 24400 SW 137 Avenue, Miami, Florida. The charter school will serve a maximum of 1,200 students in grades kindergarten through eight commencing in its first year of operation. The proposed site was approved by the School Board on October 24, 2001.

The following is the Founding Board for 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. The Governing Board will hold an election to secure parental representation.

Tobias Simon Charter School will be open to any student in grades kindergarten through eight residing in Miami-Dade County. District schools in close proximity to the charter school include:

School	Student Population	% Utilization (Permanent Capacity)	% Utilization (Permanent and Relocatable Capacity)	Number of Relocatables
W.A. Chapman Elem.	888	84	78	9
Naranja Elem.	834	114	91	7
Pine Villa Elem.	706	115	81	12
Redland Elem.	1069	105	105	0
Mays Middle	1094	95	92	2
Redland Middle	1765	122	117	6

Source: M-DCPS Report T0500P08-R1 dated September 28, 2002

Section 228.056, Florida Statutes, Charter Schools, requires that the major issues involved in the operation of charter schools be considered in advance and written into a charter school contractual agreement between the charter school and the Sponsor, following a public hearing to ensure community input.

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

RECOMMENDED: Recognizing that The School Board of Miami-Dade County, Florida, has previously approved this site and application, it is recommended that the Board grant approval of the charter school contractual agreement with Miami-Dade Charter Schools, Inc., on behalf of Tobias Simon Charter School, for a term of five years, commencing with the 2003-2004 school year.

MB:dcr