

August 27, 2004

Mercedes Toural, Deputy Superintendent
Curriculum and Instruction

**SUBJECT: REQUEST SCHOOL BOARD AUTHORIZATION FOR THE
SUPERINTENDENT TO ENTER INTO A SECOND INTERLOCAL
AGREEMENT WITH MIAMI-DADE COUNTY, FLORIDA, TO ISSUE
FINAL DEVELOPMENT ORDERS FOR PUBLIC CHARTER
SCHOOL FACILITIES**

COMMITTEE: EDUCATION AND SCHOOL OPERATIONS

At the Board Meeting of July 10, 2002, the School Board approved Agenda Item Replacement B-10 and authorized the Superintendent to enter into an interlocal agreement with Miami-Dade County for enforcement of building, fire, zoning, and land use regulations in connection with charter schools.

Miami-Dade County, through its Building Department and its Department of Planning and Zoning, has jurisdiction over the permitting, inspection, and occupancy of structures and land use within unincorporated Miami-Dade County.

Section 1002.33, Florida Statutes, Charter Schools, authorizes the creation of charter schools as part of the state's program of public education. It is the intent of the interlocal agreement to ensure that the use of charter schools is consistent with the Florida Building Code, as set forth in Section 1102.33(18), Florida Statutes, and with applicable regulatory requirements relating to use and occupancy of school facilities.

The parties, jointly committed to the protection of the health, safety, and welfare of the students and other occupants of charter school facilities, wish to enter into a second interlocal agreement for the purpose of delineating the responsibilities of each of the parties in order to establish a process by which final development orders for charter school facilities within the unincorporated areas of Miami-Dade County will be issued. The second interlocal agreement shall be in accordance with Article XI, Public Charter Schools Facilities, in Chapter 33 (Zoning Code), Code of Miami-Dade County, Florida, pursuant to ordinance number 04-108 and enacted by the Board of County Commissioners on June 8, 2004.

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RECOMMENDED: That The School Board of Miami-Dade County, Florida, authorize the Superintendent to enter into a second interlocal agreement by and between Miami-Dade County, Florida, and The School Board of Miami-Dade County, Florida, to issue final development orders of public charter schools, in accordance with Article XI, Public Charter Schools Facilities, in Chapter 33 (Zoning Code), Code of Miami-Dade County, Florida, pursuant to ordinance number 04-108 and enacted by the Board of County Commissioners on June 8, 2004.

RKF/MB/CR:dcr