

Education
Mercedes Toural, Associate Superintendent

SUBJECT: AUTHORIZATION TO TERMINATE THE CONTRACTUAL AGREEMENT BETWEEN THE SCHOOL BOARD OF MIAMI-DADE COUNTY, FLORIDA, AND SPIRAL TECH ELEMENTARY CHARTER SCHOOL, EFFECTIVE AUGUST 1, 2002

On June 10, 1998, The School Board of Miami-Dade County, Florida, approved a contractual agreement with Spiral Tech Elementary Charter School for a three-year period, from July 1, 1998 through June 30, 2001. On July 19, 2000, the School Board approved an amendment extending the contract dates to a five-year period from July 1, 1998 through June 30, 2003.

Pursuant to Section 229.056(10)(a)(d), Florida Statutes, Charter Schools, a charter school contractual agreement may be terminated if the Sponsor determines that good cause has been shown, or if the health, safety, or welfare of the students is threatened. Spiral Tech Elementary Charter School is in default of the charter school contractual agreement because Spiral Tech Elementary Charter School has failed to establish and maintain conditions which ensure the proper health, safety and welfare of the students at the school and for other good cause shown.

The District has notified parents and/or guardians of students currently enrolled at Spiral Tech Elementary Charter School of the school's impending closure concomitant with the last day of school of the 2001-2002 school year and has referred them to their home schools for enrollment. Additionally, the District has notified the region offices and principals of all elementary schools that may be impacted by the enrollment of the students currently attending Spiral Tech Elementary School.

Pursuant to Section 228.056(10)(c), Florida Statutes, Charter Schools, 90 days prior to terminating a charter, the Sponsor shall notify the governing body of the school of the proposed action in writing. To that end, a Notice of Continuing Default and Termination was sent to Spiral Tech Elementary Charter School on February 14, 2002. The Notice stated the grounds for the proposed action and provided an opportunity for the charter school's governing board to request an informal hearing before the Sponsor. The informal hearing took place on March 11, 2002, at which time Ms. Barbara Rodriguez, Chairperson of Spiral Tech Elementary Charter School, agreed to provide the District with documentation to prove compliance with the charter school contractual agreement by the close of day Wednesday, March 13, 2002.

Due to the charter school's failure to meet the agreed-upon deadline and in light of new information that corroborates the District's concerns regarding the health, safety, and welfare of the students at the charter school, the Charter School Contract Review Committee convened on April 15, 2002, and by a majority vote recommended the termination of the charter school contractual agreement for Spiral Tech Elementary Charter School.

Subsequent to the recommendation of the Contract Review Committee, Spiral Tech Elementary Charter School entered into a temporary compliance agreement with Miami-Dade County to correct all code violations and building deficiencies by June 21, 2002. In order to minimize the adverse impact to parents and students, additional time is being afforded the school to achieve full compliance with all aspects of their contractual agreement, until August 1, 2002.

A complete detailing of the of Spiral Tech Elementary Charter School deficiencies will be provided to the School Board members under separate cover.

RECOMMENDED: That The School Board of Miami-Dade County, Florida, terminate the charter school contractual agreement with Spiral Tech Elementary Charter School, effective August 1, 2002 unless by such time the school is in full compliance with their contractual agreement.

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