



POLICY 2.56

5-B I recommend that the Board approve development of the proposed repeal of Policy 2.56, entitled “Number of Charter Schools.”

[Contact: Dr. Janice Cover, PX 46000.]

Repeal-Development CONSENT ITEM

- This policy is being repealed in light of more comprehensive policy 2.57.

POLICY 2.56

NUMBER OF CHARTER SCHOOLS

- 1
2
3 ~~1. **Exemption.** Pursuant to Fla. Stat. § 1003.62(2), this Policy implements Waiver #~~
4 ~~1 under charter district status, approved by the State Board of Education ("SBE")~~
5 ~~on January 21, 2003, exempting the School Board from the statutory cap on the~~
6 ~~number of charter schools in the District as set forth in Fla. Stat. § 1002.33(13)(a),~~
7 ~~which would otherwise limit the number of charter schools in the District to 28. The~~
8 ~~scope of the exemption and the practices authorized to replace the waived~~
9 ~~statutory limitations are set forth below, substantially as presented to the SBE. This~~
10 ~~Policy should be revised as necessary to maintain consistency with the Charter~~
11 ~~School District Contract with the SBE and should be repealed if charter district~~
12 ~~status is not renewed, provided that such repeal should not affect charter schools~~
13 ~~already in existence under this Policy at the time of repeal.~~

- 14 ~~2. **Approved Alternative Practice.** The District School Board will determine the~~
15 ~~additional number of charter schools above 28. The Board has the authority to~~
16 ~~determine if a charter school application meets the requirements of law to become~~
17 ~~a charter school and to determine, on a case-by-case basis, if the addition of the~~
18 ~~charter school serves the needs of the student population in the District.~~

- 19 ~~3. **Criteria.** The criteria used to determine the number of charter schools will be~~
20 ~~acceptable applications approved by the District School Board upon its~~
21 ~~determination, on a case-by-case basis, that the addition of the charter school~~
22 ~~serves the needs of the student population of the District.~~
 - 23 ~~a. Pursuant to Fla. Stat. § 1002.33(1)(a), the applicant must demonstrate that the~~
24 ~~charter school would:~~
 - 25 ~~i. improve student learning and academic achievement;~~
 - 26 ~~ii. increase learning opportunities for all students, with special emphasis on~~
27 ~~low performing students;~~
 - 28 ~~iii. create new professional opportunities for teachers, including ownership of~~
29 ~~the learning program at the school site;~~
 - 30 ~~iv. encourage the use of innovative learning methods; and~~
 - 31 ~~v. require the measurement of learning outcomes.~~
 - 32 ~~b. Consistent with Fla. Stat. § 1002.33(1)(b), the applicant should demonstrate~~
33 ~~that the charter school would:~~

- 34 i. ~~create innovative measurement tools;~~
- 35 ii. ~~provide rigorous competition within the public school district to stimulate~~
36 ~~continual improvement in all public schools; and~~
- 37 iii. ~~expand the capacity of the public school system.~~
- 38 e. ~~Additionally, to demonstrate that the addition of the charter school would serve~~
39 ~~the needs of the student population of the District, the applicant should show~~
40 ~~that the proposed charter school would:~~
- 41 i. ~~provide relief to overcrowding of one or more existing regular public~~
42 ~~schools in the District; and/or~~
- 43 ii. ~~provide unique programs to meet the needs of an identified student~~
44 ~~population in the District.~~
- 45 d. ~~As further evidence that the addition of the charter school would serve the~~
46 ~~needs of the student population of the District, an applicant~~
47 ~~person/organization which already has a charter from the Board would need to~~
48 ~~demonstrate that such person/organization has a track record of success in~~
49 ~~operating an exemplary charter school for the past two (2) fiscal years. An~~
50 ~~exemplary charter school would be characterized by:~~
- 51 i. ~~remaining in full compliance with its charter;~~
- 52 ii. ~~demonstrating fulfillment of the statutory purposes of charter schools, as~~
53 ~~quoted in subsections (3)(a), (b) above; and,~~
- 54 iii. ~~for schools subject to state performance grades, maintaining a~~
55 ~~performance grade of at least B or demonstrating significant annual~~
56 ~~learning gains.~~

57 4. ~~**Impact on Students.** It is anticipated that implementation of this Policy will create~~
58 ~~more opportunities for parent and student school choice.~~

59 5. ~~**Monitoring and Reporting.** The School Board will receive semi-annual progress~~
60 ~~reports of all existing charter schools, to include any areas of deficiency.~~

61 STATUTORY AUTHORITY: Fla. Stat. §§ 1001.41(2); 1003.62(2)

62 LAWS IMPLEMENTED: Fla. Stat. §§ 1001.41(1), (3); 1002.33(13)(c); 1003.62(2) and
63 exemption from § 1002.33(13)(a)

64 HISTORY: 4/28/03 To Be Repealed: ___/___ 2011

Legal Signoff:

The Legal Department has reviewed the proposed repeal of Policy 2.56 and finds it legally sufficient for repeal-development by the Board.

Attorney

Date
