

TO: STATE BOARD OF EDUCATION (SBOE)

RECOMMENDATION: #5 (Waive letter of intent only for May 1, 2008)

FROM: CHARTER ADVISORY COMMITTEE (CAC)

DATE OF ACTION: 12/05/08

MEMBERS PRESENT: Otis Brumby, Brian Cooksey, Dr. Holly Robinson, Mark Whitlock, Linda Zechmann

MEMBERS ABSENT: Dr. Charles Knapp, Dr. Ben Scafidi

MOTION OFFERED AND APPROVED: The CAC recommends that the SBOE waive the 2008-9 Charter System letter of intent deadline (May 1, 2008) so that Charter System petitions received (on time) before November 1, 2008 will be considered during the 2008-9 year.

VOTE: 4 approve, 1 abstain

RATIONALE: This CAC recommendation is based on an affirmative vote of CAC members who participated in a regularly scheduled meeting on 12/05/08. CAC members noted the following rationale for their vote.

1. Precedent for one-time waiver

The SBOE provided an initial opportunity for the successful implementation of the Charter Systems Act when it waived the November 1, 2007 deadline for submission of Charter System petitions. This was a one-time waiver, provided by request. CAC believes that the SBOE's waiver of the petition submission deadline for 2007-8 was critical to the successful implementation of the statute.

2. Subsequent Petitions Received on time

Charter System petitions received in 2008-9 by the State Department of Education were received prior to the November 1, 2008 petition submission deadline. The CAC will begin reviewing these petitions and expects to find a high level of community involvement in preparations to become Charter Systems.

3. Letter of intent deadline preceded approval of any petitions under new Charter Systems Act

There were no Charter System petitions approved by the SBOE by May 1, 2008. It was impossible for aspiring Charter Systems to understand the make-up of an "approved Charter System petition" on May 1, 2008. This will not be the case on May 1, 2009. Waiver of the letter of intent deadline would not be required in subsequent years.

PRACTICAL APPLICATION/ABILITY TO DELIVER RECOMMENDATION:

CAC believes that the SBOE's action to waive the 2007-8 petition submission deadline was critical and was "one time." Likewise, CAC believes that the SBOE's (recommended) action to waive the 2008-9 letter of intent deadline is both critical and "one time." One waiver for each of these deadlines will have created a successful full year implementation cycle for the Charter Systems Act.