

RESOLUTION

A RESOLUTION OF THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA PURSUANT TO THE PROVISIONS OF HB 135, CHAPTER 2006-302 LAWS OF FLORIDA 2006, AND SEC. 1002.335(5)(c), FLA. STAT. (2006), INDICATING THE INTENT OF THE SCHOOL BOARD OF CLAY COUNTY, FLORIDA TO RETAIN EXCLUSIVE AUTHORITY TO AUTHORIZE CHARTER SCHOOLS WITHIN THE GEOGRAPHIC BOUNDARIES OF THE SCHOOL DISTRICT OF CLAY COUNTY, FLORIDA

Whereas, HB 135, Chapter 2006-302, Laws of Florida 2006, and Sec. 1002.335(5)(c), Fla. Stat. (2006) authorize The School Board of Clay County, Florida to submit an application to the State Board of Education for the purpose of retaining exclusive authority to authorize charter schools within the geographic boundaries of the School District of Clay County, Florida; and

Whereas, The School Board of Clay County, Florida desires to retain the exclusive authority to authorize charter schools within the geographic boundary of the School District of Clay County, Florida;

Whereas, this resolution is being submitted as required by law to retain and ensure the School Board's exclusive authority to operate, control and supervise the free public schools within the geographic boundaries of Clay County, Florida as granted to it by Article IX of the Constitution of the State of Florida and Chapter 1001, Florida Statutes. The submission of this resolution cannot be construed as a waiver of any conflicts with the School Board's authority granted to it by the Constitution and general law and the creation of the Florida Schools of Excellence Commission,

Now be it resolved by The School Board of Clay County, Florida as follows:

1. That the District School Superintendent for the School District of Clay County, Florida is hereby authorized to file this resolution with the State Board of Education as provided by law and directed to distribute a copy of this resolution to each of the district's charter schools, to wit: NONE.
2. That this resolution shall constitute an application to retain the exclusive authority to authorize charter schools within the geographic boundary of the School District of Clay County, Florida for the fiscal year 2008-2009 and thereafter unless and until such authority shall be terminated in the manner prescribed by law.
3. That the School Board of Clay County, Florida is fully in compliance with the provisions of sec. 1002.33 Fla.Stat.
4. That the School Board of Clay County, Florida has complied with the requirement for full and accurate accounting practices and charges for central administrative overhead costs.
5. That the School Board of Clay County, Florida is prepared to permit any charter school which operates in the school district to purchase various goods and services from the school district or through the school district at the actual cost to the district, including but not limited to transportation services and food services and purchase from the School District's warehouse, and other like purchases or transfers of surplus equipment and furniture.
6. That the School Board has never imposed a moratorium regarding charter schools or imposed a district-wide charter enrollment limit.

7. That the School Board of Clay County, Florida is in compliance with all valid orders of the state board.
8. That the School Board of Clay County, Florida, though it has not been called upon to do so, is prepared to provide assistance to any approved charter school to meet its facilities needs.
9. That the School Board of Clay County, Florida is prepared to transfer all pro-rata shares of federal and state grants received by the School Board to the extent that such funds are due to each of its charter school, should they come to exist in the future.
10. That the School Board will provide adequate staff and other resources to service the charter schools authorized by the School Board, at a cost to the charter school that does not exceed their actual cost to the district school board.
11. That the School Board has not imposed individual charter school enrollment limits.
12. That the School Board has never evidenced any anti-charter bias. The School Board has always provided maximum opportunities for student choice which includes an openness to establishment of charter schools
13. That a conformed copy of this Resolution shall be filed with the records of the School Board of Clay County, Florida in lieu of the original which shall be filed with the State Board of Education.

Adopted this 21 day of February 2008.

The School Board of Clay County, Florida

Carol Studdard, Chairman

Attests:

David Owens, Superintendent

