

FRIENDS OF THE BAY ARTS AND
SCIENCE PUBLIC CHARTER SCHOOL,

Appellants

v.

CALVERT COUNTY BOARD OF EDUCATION,

Appellee

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

ORDER NO. 08-02

ORDER

The State Board of Education, in Executive Session on February 26, 2008, considered this appeal. After reviewing the extensive record filed in this case and after significant deliberation of the two major issues presented in this case, i.e., the fairness of the application process and the fairness of the evaluation of the application, the State Board concluded that the application submitted by Friends of the Bay Arts and Science Public Charter School demonstrates a thoroughness and capability in its detail, but that some deficiencies remain that can be and should be addressed.

First, there is a deficiency in the area of instruction and curriculum, particularly curriculum alignment with the Voluntary State Curriculum. Second, there is some confusion on the part of the applicant concerning budget matters, particularly the purpose of the two percent administrative fee. Third, while progress on obtaining a permanent facility appears significant, there is some question about the availability of the temporary facility.

The State Board was impressed with the work and commitment of the local school system and the charter school throughout the application and evaluation process. Therefore, rather than bring this productive process to a halt by issuing a definitive ruling in this case, the State Board hereby directs the parties to enter into a brief cooperative process to address the deficiencies in the application, particularly those set forth herein. In this regard, the State Board

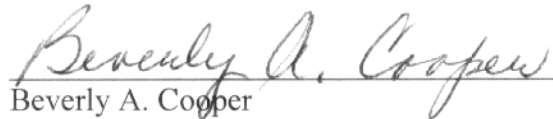
also directs the Director of Charter Schools, Maryland State Department of Education, and other staff as appropriate, to coordinate with and provide assistance to the parties during the cooperative process.

The State Board acknowledges that this Order is unusual, but we find that this is an unusual case because, unlike most charter school applications, the application here appeared thorough and well-developed. We, of course, do not stand in the shoes of the local school system, but we believe that additional good faith efforts of both parties and the assistance of the Maryland State Department of Education staff may eliminate the problems that are extant in the application.

Therefore, we direct the parties to report to this Board at our April 29-30, 2008 meeting concerning progress made in bringing this charter school application into approval.




Dunbar Brooks
President



Beverly A. Cooper
Vice President



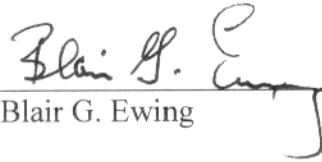
RECUSED
Lelia T. Allen



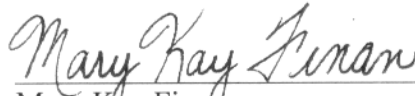
J. Henry Butta



Charlene M. Dukes



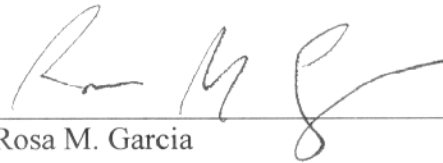
Blair G. Ewing



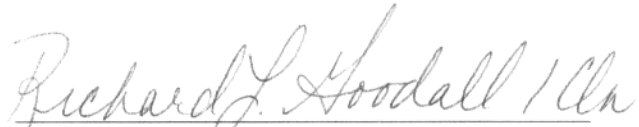
Mary Kay Finan



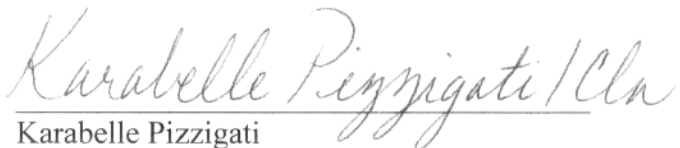
Renford Freemantle



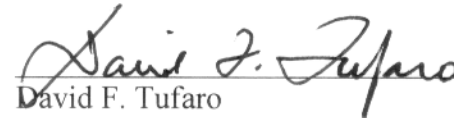
Rosa M. Garcia



Richard L. Goodall



Karabelle Pizzigati



David F. Tufaro

February 26, 2008