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

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February 26, 2008