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MEMORANDUM

TO: District School Superintendents

FROM: Dr. Eric J. Smith

DATE: January 5, 2009

SUBJECT: District Exclusivity Hearings

As you may know, on December 2, 2008, the First District Court of Appeal issued an opinion that the law that created the Florida Schools of Excellence Commission was in conflict with Florida's Constitution.

As a result of the court's ruling, school districts will no longer be required to apply for exclusive authority to approve and oversee charter schools within their districts.

The Department will continue to work with districts, charter schools and members of the School Choice community to foster successful charter schools that serve Florida's growing needs. Thank you for your continued commitment to educational excellence. If you have additional questions, please contact Mike Kooi, Executive Director of the Office of Independent Education and Parental Choice, at (850) 245-0502, via email at Mike.Kooi@fldoe.org.

cc: Chancellor Frances Haithecock