

Executive Summary

N.E.W. Generation Preparatory High School of Performing Arts, Inc. N.E.W. Generation Preparatory High School of Performing Arts - 5390 Termination of Charter Agreement

The terms and conditions for the operation of a charter school are set forth by the governing board of the charter school and by The School Board of Broward County, Florida, in a written contractual agreement that constitutes a school's charter. On May 21, 2013, N.E.W. Generation Preparatory High School of Performing Arts, Inc., (N.E.W. Generation Preparatory High School of Performing Arts – 5390), entered in to a Charter School Agreement with The School Board of Broward County, Florida, that became effective July 1, 2013, and covers a term of five years commencing on July 1, 2013, and ending June 30, 2018.

Pursuant to Section 1002.33(8)(a)(4), Florida Statutes, a Sponsor may terminate a charter agreement for failure to meet requirements set forth in the charter. In accordance with the Charter School Agreement: *The School is approved by the Sponsor to provide educational services in accordance with the terms of a Charter School Agreement.*

Pursuant to Section 1002.33(8)(b) Florida Statutes: At least 90 days prior to renewing or terminating a charter, the Sponsor shall notify the governing board of the school of the proposed action in writing. The notice shall state in reasonable detail the grounds for the proposed action and stipulate that the school's governing board may, within 14 calendar days after receiving the notice request a hearing.

On December 2, 2013, The School board of Broward County, Florida, authorized the Superintendent to notify N.E.W. Generation Preparatory High School of Performing Arts, Inc., (N.E.W. Generation Preparatory High School of Performing Arts – 5390), of its intent to terminate the Charter School Agreement. N.E.W. Generation Preparatory High School of Performing Arts, Inc., (N.E.W. Generation Preparatory High School of Performing Arts - 5390), has failed to request a hearing.

AREAS OF DEFICIENCY

Section 6.C.1: Temporary Facility: *The School may only use a temporary facility when the facilities approved within this agreement are temporarily not suitable for student use under all applicable laws, ordinances, and codes of federal, state, and local governance. Approved use of a temporary facility for a period of more than sixty (60) calendar days will require the amendment of this Charter by the parties;*

The School's failure to comply with the above noted statutory and contractual obligations constitutes a material breach of the charter agreement.

Organizational:

- The school has failed to secure a valid certificate of occupancy for the permanent facility specified in its charter agreement located at 2890 N.W. 62nd Street, Fort Lauderdale, Florida 33309.
- The school has failed to secure a valid certificate of occupancy for the temporary facility located at 600 S.W. 3rd Street, Pompano Beach, Florida 33060.

N.E.W. Generation Preparatory High School of Performing Arts, Inc., (N.E.W. Generation Preparatory High School of Performing Arts – 5390), was allowed to open the school at a temporary facility located at 600 S. W. 3rd Street, Pompano Beach, Florida 33060, for a period of sixty (60) days due to the permanent facility not being approved for occupancy at the opening of the 2013-2014 school year. The sixty day time frame has expired and N.E.W. Generation Preparatory High School of Performing Arts, Inc., (N.E.W. Generation Preparatory High School of Performing Arts – 5390), has not been able to secure a certificate of occupancy for its permanent or temporary facility. Therefore, it is requested that The School Board of Broward County, Florida, authorize the Superintendent of Schools to provide N.E.W. Generation Preparatory High School of Performing Arts, Inc., (N.E.W. Generation Preparatory High School of Performing Arts – 5390), notification of the termination of the Charter School Agreement. An Executive Summary is attached which provides in reasonable detail the grounds for the termination.

In addition, Section 1002.33(8)(b), Florida Statutes, permits a sponsor to choose between one of two available procedures in the event that a hearing is to be conducted upon the termination. It is recommended that The School Board of Broward County, Florida, select the hearing process before the Division of Administrative Hearings that is available under Section 1002.33(8)(b)(2), Florida Statutes, in the event that a hearing should be required.

N.E.W. Generation Preparatory High School of Performing Arts, is located in District 3.

The governing board members of N.E.W. Generation Preparatory High School of Performing Arts, Inc. reside in Broward and Miami-Dade Counties, Florida.