

FRIENDS OF THE BAY ARTS AND
SCIENCE PUBLIC CHARTER SCHOOL,

Appellants

v.

CALVERT COUNTY BOARD OF EDUCATION,

Appellees

BEFORE THE

MARYLAND

STATE BOARD

OF EDUCATION

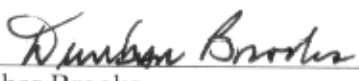
ORDER NO. 08-03

ORDER

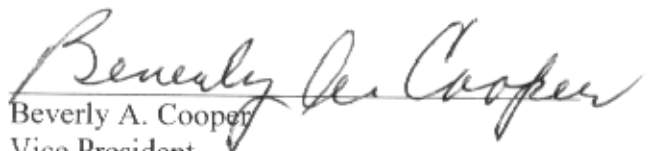
On February 26, 2008, this Board issued Maryland State Board of Education Order No. 08-02 which directed the parties in this charter school appeal to engage in a "brief cooperative process" of discussion to address certain deficiencies in the application. Both the local board and the charter school applicant filed Motions for Reconsideration of that Order. On March 25, 2008, the State Board heard oral argument on the Motions.

In reconsidering the issuance of the Maryland State Board of Education Order No. 08-02, this Board emphasizes that its intent was, acting within its authority, to find a way for the parties to work out their differences over what, in our opinion, was a thorough application, albeit one with deficiencies. Recognizing, however, that such an Order cannot fulfill that intent, we now vacate Maryland State Board of Education Order No. 08-02. We will issue forthwith a Final Decision in this matter affirming the decision of the local board.

It is so ORDERED, this 26th day of March, 2008.



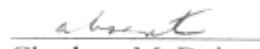
Dunbar Brooks
President

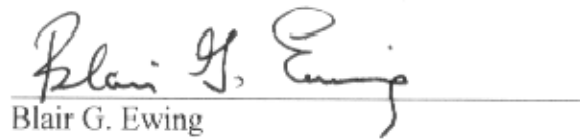

Beverly A. Cooper
Vice President

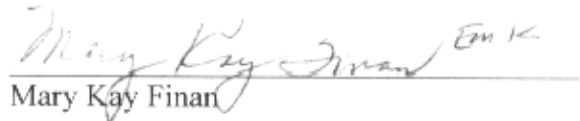
RECUSED


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

DISSENT

I dissent in this decision and will explain my dissent further in the Opinion that will be issued in this case.


David F. Tufaro

March 26, 2008