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June 16, 2016

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DIVISION OF
ADMINISTRATIVE
HEARINGS
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Ms. Melissa Ley, Board Chair
Florida Virtual Academy at Hillsborough County
2878 24th Avenue North
St. Petersburg, FL 33713

Dear Ms. Ley:

This letter is sent pursuant to Florida Statutes, Section 1002.33(8)(b) which states:

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 the school's governing board may, within 14 calendar days after receiving the notice, request a hearing.

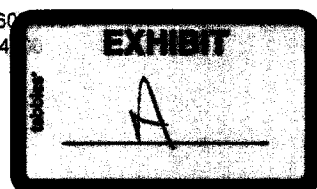
It is my intent to recommend the termination of the Charter School Contract with Southwest Florida Virtual Charter School Board, Inc. (hereinafter "FLVA"). As detailed below, the grounds for this recommendation are: (1) Violations of law pursuant to section 1002.33(8)(a)3 and (2) Other good cause shown pursuant to section 1002.33(8)(a)4.

The school has not complied with FS 1002.33(17)(a) and the Charter School Contract Part 1, General Provision, #24-Record Keeping in the following ways:

- Student enrollment has not been entered into the student information system accurately or in a timely manner.
- Attendance has not been reported on a regular basis.
- Grade reporting has been incomplete and inaccurate.
- Student medical information has not been maintained and up to date in the system.
- Cumulative folders have not been sent to receiving schools in a timely manner.
- Employee data has not been updated and accurate in the Lawson system.

The school has not complied with FS 1003.22 and the Charter School Contract Part 3, Students, #3-Enrollment Compliance of the Charter in the following ways:

- All students are not in compliance with enrollment criteria for school entry health examinations and immunizations.
- Students have not had the appropriate screenings as required by law.



The school has not complied with FS 1002.33(12)(g) and the Charter School Contract Part 7, Human Resources, #7-Fingerprinting in the following manner:

- All teachers have not been fingerprinted prior to beginning employment with the school.

The school has not complied with FS 1002.33(16)(a)3 and FS 1003.57 and the Charter School Contract Part 3, Students, #6-Students with Disabilities in the following ways:

- The compliance of students' IEPs have not been maintained consistently.
- ESE services are not documented on the students' schedules.
- There is no evidence that students' have received services according to their IEP.
- There is no evidence of the MTSS/Rtl process at the school.

The school has not complied with FS 1002.33 and the Charter School Contract Part 3, Students, #11-English Language Learners (ELL) in the following manner:

- All ELL student plans have not been updated in a timely manner.

The school has not complied with FS 1002.33(7)(d), FS 1002.33(7)(d)2, FS 617.0804, and Part 8, Governance Structure in the following ways:

- The Board failed to convene meetings of the governing board on the dates and at the locations previously disclosed to the District.
- The Board failed to maintain at least three (3) members.
- The Board failed to convene two legitimate public meetings with a legal quorum of members physically present.
- The Board failed to properly elect members to the governing board.
- The Board failed to timely and appropriately comply with the requirements of the FS 1002.33 and the Charter as demonstrated by the district's January 20, 2016 correspondence.
- The Board took action regarding the charter school at a meeting of the governing board not in compliance with Florida law, the Charter, and its own bylaws. (ie., Purporting to change the name of the school)

The school has not complied with FS 1002.33(9)(p) in the following manner:

- The school has not maintained a website that enables the public to obtain information regarding the school.

The school has not complied with FS 1002.33(6)(a)3 and the Charter School Contract Part 1, General Provisions, # 20-Annual Reports, and Part 4, Financial Accountability, #12 (c)-Other Reports in the following ways:

- The school has not provided compliance documents on time.
- The school has never submitted the Annual Goals for the 2015-2016 school year.

The school has not complied with FS 1002.33(12)(f)3 and the Charter School Contract Part 7, Human Resources, #3-Certification in the following ways:

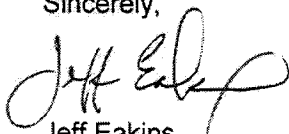
- The school did not follow procedures for notifying parents of teachers who were teaching out-of-field.
- The out-of-field teachers were not approved by the Board prior to the FTE survey period.

The school has not complied with Rule 6A-1.09981(6)(a)1, School District Accountability and the Charter School Contract Part 2, Academic Accountability, #1-Implementation in the following ways:

- The school has not met the required 95% participation rate for the state assessment in 2014-2015 or 2015-2016.
- The 2014-2015 school grade was withheld and designated as incomplete (I). It is projected that the 2015-2016 school grade will be designated as incomplete as well, due to not meeting the required 95% participation rate for the state assessment.

The above listed deficiencies involve blatant mismanagement and gross neglect by the Board of FLVA. Moreover, these issues have been brought to FLVA's attention on numerous occasions over the past school year without any serious follow-up by the school. There can be no doubt that these deficiencies have negatively impacted academic achievement of the students of FLVA. You are entitled to request a hearing. If you request such a hearing, it will be conducted pursuant to Florida Statutes Section 1002.33(8)(b)(1) which provides for a direct hearing to be conducted by the School Board pursuant to Florida Statutes, Sections 120.569 and 120.57 within 60 days after receipt of a request for the hearing. Your request for a hearing must be received within 14 calendar days after your receipt of this notice. The request should be directed to my attention at, Raymond O. Shelton School Administrative Center, 901 East Kennedy Boulevard, Tampa, Florida 33602.

Sincerely,



Jeff Eakins,
Superintendent

- c: School Board Members
Dr. Alberto Vazquez, Chief of Staff
Dr. Larry Sykes, Chief of Schools
Jenna Hodgins, General Director, Charter Schools
Dr. Cinzia DeLange, Supervisor, Charter Schools
Jeffrey Gibson, Esq., District Counsel
Florida Virtual Academy at Hillsborough County Board Members
Matthew Scott, Esq., FLVA Board