



# Approval of New Rule 6A-6.0791, F.A.C., Special Magistrate for Unresolved Student Welfare Complaints at Charter Schools

**State Board of Education  
October 19, 2022**



# Special Magistrate for Unresolved Student Welfare Complaints at Charter Schools

- The purpose of this rule is to support parental rights by providing information about the process for a parent of a student enrolled in a charter school to request appointment of a Special Magistrate for the expedient resolution of certain disputes involving the student's health, welfare, or safety, as described in s. 1001.42(8)(c), F.S.

## Special Magistrate

- When a parent complaint is not resolved to the parent's satisfaction at the local level, the parent may request the appointment of a Special Magistrate by the Commissioner of Education.
- The Special Magistrate is an attorney who will hold a state-level hearing with the parent and the school district and prepare a recommended decision.
- The State Board must approve or reject the recommendation.

## Resolution by Charter School and School District

- Before seeking the appointment of a special magistrate, a parent must follow charter school and school district procedures for resolution.
  - Attempted resolution by charter school principal within 7 days.
  - Attempted resolution by school district within 30 days.

## Recommended Decision of Special Magistrate

- Special Magistrate holds a hearing.
- Special Magistrate provides a recommended decision of the dispute to the State Board of Education.
- State Board must approve or reject the recommended decision at its next regularly scheduled meeting that is more than 7 calendar days and no more than 30 days after the date the recommended decision is transmitted.

# District Rule and Charter Rule

## Major differences

- Who bears the cost?
  - District pays for the special magistrate, but can recoup the cost from the charter school.
- District policies
  - Charter must fully cooperate in the district's resolution procedures and comply with district's decision for resolution of complaint.



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