

September 13, 2006

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Dear Counsel:

IN THE MATTER OF THE REFUSAL TO GRANT FINAL APPROVAL TO THE
CHARTER SCHOOL APPLICATION OF THE BENCHMARK ACADEMY CHARTER
HIGH SCHOOL, ATLANTIC COUNTY, STATE BOARD DOCKET #35-06

This is to advise you that at its public meeting on September 13, 2006, the State Board of Education voted unanimously to remand the above-titled matter to the Acting Commissioner of Education so that she could provide the State Board with additional information regarding Benchmark Academy Charter High School. The motion adopted by the State Board directed that the Acting Commissioner submit the additional information to the State Board of Education by the end of the business day on Friday, September 15, 2006, that the matter be reviewed by the Legal Committee of the State Board at its meeting on September 20, 2006, and that the State Board of Education make a final decision at its regularly scheduled meeting on September 20, 2006.

Sincerely,

Dr. Arnold G. Hyndman, President
State Board of Education

Josephine Hernandez, Chairperson
Legal Committee of the State Board

c: Members of the State Board of Education
RN/s:roslynne/subject/Benchmark 3