

IN THE DISTRICT COURT OF APPEAL OF THE STATE OF FLORIDA
FIFTH DISTRICT

JULY TERM 2006

REMINGTON COMMUNITY
DEVELOPMENT DISTRICT,

Appellant,

v.

Case No. 5D05-2271

EDUCATION FOUNDATION OF
OSCEOLA, etc., et al.,

Appellee.

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Opinion filed November 3, 2006

Appeal from the Circuit Court
for Osceola County,
R. James Stroker, Judge.

Scott D. Clark and Mitchell E. Albaugh
of Scott D. Clark, P.A., Winter Park,
for Appellant.

Charles W. Sell of Shuffield, Lowman &
Wilson, P.A., Orlando, for Appellee.

ON MOTION FOR REHEARING

PER CURIAM.

The court denies Appellee's, Education Foundation of Osceola, Inc.'s, motion for rehearing. The court partially grants Appellee's motion to certify questions of great public importance and, as rephrased, certifies the following two questions:

1. ARE CHARTER SCHOOLS, WHICH ARE DEEMED BY STATUTE TO BE PUBLIC SCHOOLS, EXEMPT FROM SPECIAL ASSESSMENTS?
2. IF NOT, CAN MANDAMUS BE USED TO COMPEL A PRIVATE CORPORATION OPERATING A CHARTER SCHOOL TO USE PUBLIC SCHOOL BOARD FUNDS TO SATISFY SPECIAL ASSESSMENTS?

QUESTIONS CERTIFIED.

PLEUS, C.J., ORFINGER and TORPY, JJ., concur.