

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, February 17, 2004

ACADEMIES OF EXCELLENCE, INC. D/B/A OSCEOLA COUNTY
ACADEMIES OF EXCELLENCE ELEMENTARY SCHOOL
Petitioner,

v.

SCHOOL BOARD OF
OSCEOLA COUNTY

DOE Case No. 2003-952

RECOMMENDATION

On October 21, 2003, the School Board of Osceola County (School Board) voted to deny the charter application of Academies Of Excellence, Inc. d/b/a Osceola County Academies of Excellence Elementary School (Charter applicant). The School Board's letter of denial was dated October 28, 2003. The Charter applicant filed this appeal on December 8, 2003. On January 28, 2004, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 8 to 0 to recommend to the State Board of Education to grant the appeal of the Charter applicant.** The Commission's justifications for its recommendation were as follows:

1. The Commission voted 7 to 1 to recommend that the Applicant's appeal **not be denied as untimely** under Florida Statute §1002.33(6)(c).
2. The Commission voted 8 to 0 to recommend that the School Board's denial of the charter application based on perceived inadequate charter school (capital outlay) funding by the state of Florida **does not constitute statutory good cause for denial** under Florida Statute §1002.33.

Commissioner Jim Horne, Chair
Charter School Appeal Commission

FILED with the Agency Clerk of the Department of Education this _____ day of February, 2004.

AGENCY CLERK