

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, March 16, 2004

FLAGLER ACADEMIES OF EXCELLENCE ELEMENTARY SCHOOL

Petitioner,

v.

SCHOOL BOARD OF
FLAGLER COUNTY

DOE Case No. 2003-967

RECOMMENDATION

On November 18, 2003 the School Board of Flagler County (School Board) voted to deny the charter application of Flagler Academies of Excellence Elementary School (Charter applicant). The School Board's letter of denial was dated December 1, 2003. The Charter applicant filed this appeal on January 16, 2004. On February 27, 2004, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 8 to 1 to recommend to the State Board of Education to deny the appeal of the Charter applicant.**

The Commission's justifications for its recommendation were as follows:

- A. The Commission voted 8 to 1 to recommend that the School Board **did** act on the application in a **timely manner**, as required by Florida Statute §1002.33 (6)(b)3.
- B. The Commission voted 9 to 0 to recommend that the School Board **did not** provide written **good cause reasons for denial** in a timely manner, as required by Florida Statute §1002.33 (6)(b)3.
- C. The Commission voted 8 to 1 to that the School Board's review process of the Applicant's Charter Application **was** consistent with the **statutory requirements** under Florida Statute §1002.33 (6)(b)(c).
- D. The Commission voted 9 to 0 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Mission & Purpose** area of the application was not sufficient.
- E. The Commission voted 9 to 0 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Academic Design** area of the application was not sufficient.
- F. The Commission voted 9 to 0 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Student Performance** area of the application was not sufficient.

- G.** The Commission voted 8 to 1 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Accountability & Design** area of the application was not sufficient.
- H.** The Commission voted 9 to 0 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **ESE Education Plan** area of the application was not sufficient.
- I.** The Commission voted 8 to 1 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Finances** area of the application was not sufficient.
- J.** The Commission voted 6 to 3 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Audit & Accountability** area of the application was not sufficient.
- K.** The Commission voted 8 to 1 to recommend that the School Board **did not** have competent substantial evidence to support its finding that the **Planning & Establishment** area of the application was not sufficient.
- L.** The Commission voted 8 to 1 to recommend that the School Board **had** competent substantial evidence to support its finding that the **Governance & Management** area of the application was not sufficient.
- M.** The Commission voted 8 to 1 to recommend that the School Board's denial of the charter application based on the insufficient Governance & Management area **is statutory good cause for denial** under Florida Statute §1002.33.
- N.** The Commission voted 8 to 1 to recommend that the School Board **had** competent substantial evidence to support its finding that the **Community Responsiveness** area of the application was not sufficient.
- O.** The Commission voted 8 to 1 to recommend that the School Board's denial of the charter application based on the insufficient Community Responsiveness area **is statutory good cause for denial** under Florida Statute §1002.33.

Kim McDougal, Commissioner's Designee
Charter School Appeal Commission

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

AGENCY CLERK