

THE FLORIDA DEPARTMENT OF EDUCATION  
CHARTER SCHOOL APPEALS COMMISSION

# Technical Assistance Paper

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APPEAL OF THE PROGRESSIVE RANCH SCHOOL, INC.  
APPLICATION DENIAL

APPLICANT: THE PROGRESSIVE RANCH SCHOOL, INC.

SCHOOL BOARD: SCHOOL BOARD OF SARASOTA COUNTY

## INTRODUCTION

On November 18, 2003, The School Board for the School District of Sarasota County (hereinafter "School Board") voted to deny the charter application for The Ranch School, (hereinafter "Charter Application") made by The Progressive Ranch School, Inc. (hereinafter "Applicant"). Written notice of denial was provided to the Applicant in a letter dated November 26, 2003 (hereinafter "Letter of Denial"). Applicant filed an appeal of the application denial to the State Board of Education on December 24, 2003 (hereinafter "Notice of Appeal"). The School Board filed a Response to the Notice of Appeal on January 20, 2004 (hereinafter "Appeal Response").

Based upon the available evidence presented by the parties, the following is a summary of the research findings in relation to the issues raised.

## ISSUE ONE

### **WHETHER THE SCHOOL BOARD'S DENIAL OF THE CHARTER APPLICATION BASED UPON THE INSUFFICIENT "EDUCATIONAL PROGRAM" AREA IS STATUTORY GOOD CAUSE FOR DENIAL UNDER FLORIDA STATUTE §1002.33.**

- The findings show that the School Board's Letter of Denial seven (7) reasons for finding the Educational Program area insufficient: the educational design contains too many approaches; the failure to show documentation of one years growth in reading; lack of measurable goals and objectives; lack of preparation for FCAT; lack of a reading program demonstrating effective teaching strategies grounded in scientifically based reading research; the Admissions procedures fail to comply with state statute, and the lack of specifics for serving ESE and LEP students.
- Florida Statute §1002.33(2) provides, in pertinent part:
  - “(a) Charter schools in Florida shall be guided by the following principles:
    - (3) Provide parents with sufficient information on whether their child is reading at grade level and whether the child gains at least a year's worth of learning for every year spent in the charter school.
  - (b) Charter schools shall fulfill the following purposes:
    - (5) Require the measurement of learning outcomes.” (Emphasis added.)
- Florida Statute §1002.33(6) provides, in pertinent part:

“(a) A person or entity wishing to open a charter school shall prepare an application that:

- (1) Demonstrates how the school will use the guiding principles and meet the statutorily defined purpose of a charter school.
- (2) Provides a detailed curriculum plan that illustrates how students will be provided services to attain the Sunshine State Standards.
- (3) Contains goals and objectives for improving student learning and measuring that improvement. These goals and objectives must indicate how much academic improvement students are expected to show each year, how success will be evaluated, and the specific results to be attained through instruction.
- (4) Describes the reading curriculum and differentiated strategies that will be used for students reading at grade level or higher and a separate curriculum and strategies for students who are reading below grade level. A sponsor shall deny a charter if the school does not propose a reading curriculum that is consistent with effective teaching strategies that are grounded in scientifically based reading research.” (Emphasis added.)

## ISSUE TWO

### **WHETHER THE SCHOOL BOARD’S DENIAL OF THE CHARTER APPLICATION BASED UPON CONCERNS RELATING TO “BUSINESS / MANAGEMENT CONCERNS” IS STATUTORY GOOD CAUSE FOR DENIAL UNDER FLORIDA STATUTE §1002.33.**

- A. Whether concerns relating to “the proposed lines of authority conflict between board members and operating officers” is statutory good cause for denial under Florida Statute §1002.33.**
- B. Whether concerns relating to “the evidence of community support and need is still vague and evasive” is statutory good cause for denial under Florida Statute §1002.33.**
  - In its Letter of Denial, School Board lists two (2) Business / Management concerns: 1) The proposed lines of authority conflict between board members and operating officers, and 2) The evidence of community support and need is still vague and evasive.
  - Applicant disputes that there is a conflict of authority between board members and operating officers, stating that the Organizational Chart demonstrates that the

ultimate responsibility for the school lies with the corporate board of directors (Applicant Exhibit 1, Section II(2)). The Charter Application requires members of the Board of Directors to avoid the appearance of conflict of interest at all times. Any member of the board of directors who is also an employee must be an ex-officio (non-voting) member of the board of directors while also an employee (Applicant Exhibit 1, Appendix L).

- No further explanation or discussion in support of the allegation of conflict of authority is provided by School Board in its Appeal Response or Letter of Denial.
- Applicant disputes that its evidence of community support and need is vague and evasive, stating that the Charter Application included over 125 letters of support from individuals and 12 letters from people in organizations. Applicant also argues that community support is not one of the criteria required for application approval under section 1002.33(7), FS.
- No further explanation or discussion in support of its concern that community support evidence is vague and evasive is provided by School Board in its Appeal Response or Letter of Denial.