

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, May 18, 2004

KREATIVE KIDS YOUTH FOUNDATION, INC.

Petitioner,

v.

SCHOOL BOARD OF
DUVAL COUNTY

DOE Case No. 2003-985

RECOMMENDATION

On February 3, 2004, the School Board of Duval County (School Board) voted to deny the charter renewal application of Kreative Kids Youth Foundation, Inc. (Charter applicant). The School Board's letter of denial was dated February 11, 2004. The Charter applicant filed this appeal on March 8, 2004. On April 23, 2004, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 10 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 10 to 0 to recommend that the District did deny the Applicant's renewal application on February 3, 2004.
2. The Commission voted 10 to 0 that the School Board **did not provide the 90-day notice** required by Section 1002.33(8)(c), Florida Statutes.
3. The Commission voted 10 to 0 that the School Board's **failure to provide the 90-day notice** required by Section 1002.33(8)(c), Florida Statutes, **did prejudice the applicant** in a way that would require overturning the School Board's decision to deny the renewal application.
4. The Commission voted 10 to 0 that given the School Board's failure to provide the 90-day notice required by Section 1002.33(8)(c), Florida Statutes, the Commission finds that it **cannot fairly evaluate and make a recommendation** as to whether the School Board had competent substantial evidence to justify its determination of good cause in the areas of fiscal management, academic improvement, and alleged deficiencies in the renewal application.

Kim McDougal, Commissioner's Designee
Charter School Appeal Commission

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

AGENCY CLERK