

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, February 15, 2005

FLAGLER ACADEMIES OF
EXCELLENCE, INC.

Petitioner,

v.

SCHOOL BOARD OF
FLAGLER COUNTY

DOE Case No. 2004-1025

RECOMMENDATION

On October 19, 2004, the School Board of Flagler County (School Board) voted to deny the charter application of Flagler Academies of Excellence, Inc. (Charter applicant). The School Board's letter of denial was dated October 20, 2004. The Charter applicant filed this appeal on November 18, 2004. On January 24, 2005, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 7 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:

- A. The Commission voted 7 to 0 to recommend that the School Board **did not** provide written good cause reasons for denial of the Charter Application, as required by Florida Statute §1002.33(6)(b)(3).
- B. The Commission voted 6 to 1 that the School Board's failure to provide written good cause reasons for denial of the Applicant's Charter Application in a timely manner **was not** harmless error.
- C. The Commission voted 7 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Academic Design section was not sufficient.
- D. The Commission voted 7 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the ESE/ESOL Education Plan section was not sufficient.
- E. The Commission voted 7 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Finance section was not sufficient.
- F. The Commission voted 6 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Facilities section was not sufficient.

- G.** The Commission voted 6 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Audit and Accountability section was not sufficient.
- H.** The Commission voted 7 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Recruiting and Marketing section was not sufficient.
- I.** The Commission voted 7 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Transportation section was not sufficient.
- J.** The Commission voted 7 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the Governance and Management section was not sufficient.

Kim McDougal, Commissioner's Designee
Charter School Appeal Commission

FILED with the Agency Clerk of the Department of Education this _____ day of February 2005.

AGENCY CLERK