

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

THE LEARNING CURVE, INC.

Petitioner,

v.

SCHOOL BOARD OF
LAKE COUNTY

DOE Case No. 2004-1042

RECOMMENDATION

On October 25, 2004, the School Board of Lake County (School Board) voted to deny the charter application of The Learning Curve, Inc. (Charter applicant). The School Board's letter of denial was dated November 14, 2004. The Charter applicant filed this appeal on December 15, 2004. On February 24, 2005, 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 deny the appeal of the Charter applicant.** The Commission's justifications for its recommendation were as follows:

- A. The Commission voted 8 to 0 to recommend that the School Board **did not** provide written good cause reasons for denial of the Charter Application in a timely manner, as required by Florida Statute §1002.33(6)(b)(3).
- B. The Commission voted 5 to 3 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 8 to 0 that the School Board **did** have competent, substantial evidence to support its finding that the applicant failed to demonstrate the necessary skills and abilities to operate a charter school in its prior attempt.
- D. The Commission voted 7 to 1 that the School Board's denial of the Charter Application based on its findings that the applicant's failure to demonstrate the skills and abilities to operate a charter school in its prior attempt is statutory good cause for denial.

E. The Commission voted 8 to 0 that the School Board **did not** have competent, substantial evidence to support its finding that the financial information and budget projections provided in the Charter Application 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 March 2005.

AGENCY CLERK