

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, February 21, 2006

CHALLENGE FOUNDATION

Petitioner,

v.

SCHOOL BOARD OF
SARASOTA COUNTY

DOE Case No. 2005-1128

RECOMMENDATION

On October 18, 2005, the School Board of Sarasota County (School Board) voted to deny the charter application of Challenge Foundation (Charter School). The Charter School filed this appeal on November 22, 2005. On February 2, 2006, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 5 to 1 to recommend to the State Board of Education to deny the appeal of the Charter School.** The Commission's justifications for its recommendation were as follows:

1. The Commission voted 3 to 3 with the Chair casting the deciding vote that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in "its inability to differentiate between school and another charter school in Sarasota County".
2. The Commission voted 3 to 3 with the Chair casting the deciding vote that the School Board's denial of the Application based on its finding that the Application was statutorily deficient in "its inability to differentiate between school and another charter school in Sarasota County" **is** statutory good cause for denial.

Kim McDougal, Commissioner's Designee
Charter School Appeal Commission

FILED with the Agency Clerk of the Department of Education this _____ day of February, 2006.

AGENCY CLERK