

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, April 18, 2006

BAYPOINT SCHOOLS, INC.

Petitioner,

v.

SCHOOL BOARD OF
MIAMI-DADE COUNTY

DOE Case No. 2006-1167

RECOMMENDATION

On December 14, 2005, the School Board of Miami-Dade County (School Board) voted to deny the charter application of Baypoint Schools, Inc. (Charter School). The Charter School filed this appeal on February 6, 2006. On March 31, 2006, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 6 to 0 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 4 to 2 that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of "Curriculum".
2. The Commission voted 4 to 2 that the School Board's denial of the Application based on its finding that the Application was statutorily deficient in the area of "Curriculum" **is not** statutory good cause for denial.
3. The Commission voted 4 to 2 that the School Board **did not** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of "Student Assessment".
4. The Commission voted 6 to 0 that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of "Goals and Objectives for Improving and Measuring Student Learning".
5. The Commission voted 6 to 0 that the School Board's denial of the Application based on its finding that the Application was statutorily deficient in the area of "Goals and Objectives for Improving and Measuring Student Learning" **is** statutory good cause for denial.
6. The Commission voted 6 to 0 that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of "Finances".
7. The Commission voted 6 to 0 that the School Board's denial of the application based on its finding that the Application was statutorily deficient in the area of "Finances" **is** statutory good cause for denial.

8. The Commission voted 4 to 2 that the review process employed by the School Board **did not** violate the Applicant's rights of due process.

Kim McDougal, Commissioner's Designee
Charter School Appeal Commission

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

AGENCY CLERK