

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, December 12, 2006

RICHARD MILBURN ACADEMY

Petitioner,

v.

SCHOOL BOARD OF
HILLSBOROUGH COUNTY

DOE Case No. 2006-1231

RECOMMENDATION

On July 25, 2006, the School Board of Hillsborough County (School Board) voted to terminate the charter contract of Richard Milburn Academy (Charter School). The Charter School filed this appeal on August 24, 2006. On November 3, 2006, 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 deny the appeal of the Charter School.** The Commission's justifications for its recommendation were as follows:

1. The Commission voted 7 to 0 that the School Board **did not** violate the School's due process rights during the charter contract termination proceedings.
2. The Commission voted 6 to 1 that the School Board **did** have competent, substantial evidence to support its finding that the School failed to meet the requirements for student performance stated in the charter.
3. The Commission voted 4 to 3 that the School Board's termination of the School's charter contract based on a failure to meet the requirements for student performance stated in the charter **is** statutory good cause for termination.

Dr. Kim McDougal, Commissioner's Designee
Charter School Appeal Commission

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

AGENCY CLERK