

## STATE BOARD OF EDUCATION

### Action Item

December 11, 2007

**SUBJECT: Accept or Reject Charter School Appeal Commission Recommendations**

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### **PROPOSED BOARD ACTION**

Accept or Reject the Recommendations of the Charter School Appeal Commission

### **AUTHORITY FOR STATE BOARD ACTION**

Section 1002.33, Florida Statutes, requires the Charter School Appeal Commission to make written recommendations to the State Board of Education to accept or reject the decision of a district school board to terminate a charter school contract.

### **BACKGROUND INFORMATION**

The Charter School Appeal Commission was created pursuant to Section 1002.33(6), Florida Statutes, to assist the Commissioner and the State Board of Education with a fair and impartial review of appeals by applicants whose charters have been denied or whose charter contracts have not been renewed by their sponsors.

The Commission is responsible for providing a "written recommendation" to the Commissioner of Education stating whether the appeal should be upheld or denied and includes the reasons for the recommendation being offered. The State Board must consider the Commission's recommendation, but is not bound by the recommendation. By majority vote, the State Board must accept or reject the decision of the district school board no later than 90 calendar days after an appeal is filed.

The Charter School Appeal Commission met on November 16, 2007, to consider the charter school appeals filed on August 27, 2007, by The City of Palm Bay, Palm Bay Elementary School, The City of Palm Bay, Palm Bay Middle School, and The City of Palm Bay, Palm Bay High School, and has since provided its recommendations to the Commissioner of Education (attached).

**Appeal Commission Recommends Denying the Charter School Appeal** (i.e., uphold the school board decision)

City of Palm Bay, Palm Bay Elementary School vs. Brevard County School Board

Final Vote: 3:2

City of Palm Bay, Palm Bay Middle School vs. Brevard County School Board

Final Vote: 4:1

**Appeal Commission Recommends Granting the Charter School Appeal** (i.e., overturn the school board decision)

City of Palm Bay, Palm Bay High School vs. Brevard County School Board

Final Vote: 5:0

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**Supporting Documentation Included:** Charter School Appeal Commission Recommendation and Technical Assistance Paper.

**Facilitators/Presenters:** Shan Goff, Commissioner's Designee as Chair, Charter School Appeal Commission