

STATE BOARD OF EDUCATION
Action Item
June 17, 2008

SUBJECT: Charter School Appeal Commission Recommendations

PROPOSED BOARD ACTION

Accept Recommendations

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 deny a charter application or 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 or terminated 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 May 21, 2008, to consider the charter school appeal filed in the fall of 2007 of Imagine – Palm Beach County, LLC. vs. Palm Beach County School Board and Life Skills Center, Palm Springs Inc. vs. Palm Beach County School Board.

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

Imagine – Palm Beach County, LLC. vs. Palm Beach County School Board
(Final vote: 5:1)

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

Life Skills Center, Palm Springs Inc. vs. Palm Beach County School Board
(Final vote: 6:0)

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

Facilitator/Presenter: Dr. Kim McDougal, Commissioner’s Designee as Chair
Charter School Appeal Commission