

STATE BOARD OF EDUCATION

Action Item

March 17, 2009

SUBJECT: Charter School Appeal Commission Recommendation - New Alternative Education - Hernando

PROPOSED BOARD ACTION

Accept Recommendation

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.

EXECUTIVE SUMMARY

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 February 24, 2009, to consider the charter school appeal of New Alternative Education High School of Hernando County, Inc. vs. Hernando County School Board.

Charter School Appeal Commission Recommends Overturning the Decision of the Hernando County School Board by Granting the Appeal of New Alternative Education High School of Hernando County, Inc.

(Final Commission vote: 7:1)

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

Facilitator/Presenter: Lois S. Tepper, Esq., Commissioner's Designee as Chair, Charter School Appeal Commission