

STATE BOARD OF EDUCATION

Action Item
May 19, 2009

SUBJECT: Charter School Appeal Commission Recommendation – Excel Academy Inc. – Miami Dade

PROPOSED BOARD ACTION

Accept Recommendation

AUTHORITY FOR STATE BOARD ACTION

Section 1002.33, Florida Statutes

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 April 17, 2009, to consider the charter school termination of Excel Academy Inc., Excel Academy Charter School and Excel Academy Inc., Excel Academy Middle Charter School vs. Miami-Dade School Board.

Charter School Appeal Commission Recommends Upholding the Decision of the Miami-Dade County School Board by Denying the Appeal of Excel Academy Inc., Excel Academy Charter School .

(Final Commission vote: 8:0)

Charter School Appeal Commission Recommends Upholding the Decision of the Miami-Dade County School Board by Denying the Appeal of Excel Academy Inc., Excel Academy Middle Charter School.

(Final Commission vote: 8:0)

Supporting Documentation Included: Charter School Appeal Commission Recommendations and Technical Assistance Paper (copies of the appeal and response to the appeal available upon request)

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