

GULF COAST ACADEMY  
CHARTER SCHOOL  
APPEAL COMMISSION  
ANALYSIS &  
RECOMMENDATIONS

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APPEAL OF “GULF COAST ACADEMY  
CHARTER SCHOOL” APPLICATION

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**SUMMARY OF PROCEDURAL TIME LINE**

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Prior to Oct. 1, 2002	Applicant submits proposal for Gulf Coast Charter School.
Dec. 20, 2002	Applicant/district workshop
Jan. 14, 2003	Hernando County School Board votes to deny Gulf Coast Academy Charter School Application three to two
Jan. 17, 2003	District Superintendent issues letter of reasons for denial to Applicant.
Jan. 30, 2003	Notice of Administrative Appeal filed.
Feb. 26, 2003	District School Board Responds to Appeals

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**SUMMARY OF THE REASONS FOR DENIAL BY THE SCHOOL BOARD OF  
HERNANDO COUNTY**

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- (1) Budget
  - a. Insufficient reserves based upon assumptions of student enrollment
  - b. Insufficient budget for support staff
  - c. Insufficient budget for special services such as guidance and therapies
  - d. No budget allocation for second and third year cost of inflation
  - e. No financial plan to accommodate unforeseen expenses
- (2) Human Resources – Staffing plan does not include sufficient clerical, custodial, guidance and therapies staff
- (3) Articles of Incorporation fail to comply with Florida Government in the Sunshine Laws
- (4) Application does not benefit community
- (5) Application does not demonstrate services to ESE students
- (6) Application does not demonstrate services to ESOL students
- (7) Application does not include adequate transportation plan
- (8) Applicant demonstrates lack of regard for the letter of the law

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**EVIDENCE TO SUPPORT AND/OR REFUTE OBJECTIONS RAISED BY THE SCHOOL  
BOARD OF HERNANDO COUNTY**

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**(1) BUDGET**

- a) Applicant presented several budgets to the district school board for each of the three school years. Reserves for the final revision were as follows: \$55,450 for first year; \$92,515 for second year; and \$35,303 for third year. In addition, Applicant provided documentation for \$25,000 line of credit.
- b) Staffing plan for support services (secretarial and custodial) is developed by Applicant to maximize use of school resources and the time of each staff member, so that there will be shared responsibilities associated with daily operations of the school.
- c) Staffing plan for special services (ESE and guidance related) is developed by Applicant to maximize use of school resources and the expertise of each staff member, so that students are offered services by dually certified instructional staff and outside contractors.
- d) While there was no allocation in the budget for inflationary costs, there was also no allocation for inflationary revenue.
- e) Risk contingency relates back to concerns articulated in 1(a) above.

**(2) HUMAN RESOURCE**

District school board's reason for denial based on inadequate support staff relates back to the budgetary concerns in 1(b) and (c). Staffing plan is designed to do what charter schools are charged with legislatively and that is to "create a new form of accountability" by doing more with less.

**(3) GOVERNANCE**

- In as much as the Articles of Incorporation are generally "boiler plate" and that specific language relating to Charter School Law must be written into the Charter contract between the two parties, it is expected that this district concern may be addressed in contract.
- While it is not "best practice" for a charter school board to include paid staff as voting members, it is not contrary to charter school law. In addition, there was nothing in the proposal to indicate that the applicant did not intent to abide by Florida in the Sunshine Laws. On the contrary, the application speaks to following Florida statutes.

**(4) BENEFIT TO COMMUNITY**

Public schools which are non-discriminatory, non-sectarian and improve student learning and academic achievement may be considered beneficial to a community. In addition, Applicant included many letters of community support and a survey with multiple signatures of endorsement.

**(5) LACK OF SERVICES FOR ESE STUDENTS**

Application speaks to compliance with federal, state and district ESE regulations and guidelines as well as the intent to hire an ESE certified teacher.

**(6) LACK OF SERVICES FOR ESOL STUDENTS**

Application speaks to compliance with ESOL regulations and guidelines as well as the intent to hire certified personnel.

**(7) INADEQUATE TRANSPORTATION PLAN**

Applicant agrees to ensure that transportation is not a barrier and has provided for same in budget.

**(7) LACK OF REGARD FOR LETTER OF THE LAW**

It appears that the district school board is making assumptions here about Applicant's future behavior based on perceived past uncooperativeness.

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### SUMMARY OF FINDINGS

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Based on the available evidence to support and/or refute the objections outlined in the School Board's "Written Reasons for Denial" and its "Arguments in Response to Notice of Appeal," the following is a summary of findings:

- (1) BUDGET - Reserves of final budget revision demonstrate between eight and six percent of the total budget.
- (2) HUMAN RESOURCES - Staffing plan demonstrates an attempt to use available funds in the most efficient manner possible.
- (3) GOVERNANCE - Articles of Incorporation may be amended to reflect charter school law and may be considered in the Charter Contract. While not "best practice," it is not against charter school law to include salaried individuals as voting members of a charter school board.
- (4) COMMUNITY BENEFIT - Application demonstrates support from the community and a commitment to improve student learning and academic achievement.
- (5) LACK OF SERVICE FOR ESE AND ESOL STUDENTS - Application speaks to compliance with federal, state and district ESE and ESOL regulations and guidelines as well as the intent to hire certified teachers in these areas.
- (6) TRANSPORTATION - Applicant agrees to ensure that transportation is not a barrier and has provided for same in budget.
- (7) DISREGARD FOR THE LAW - This reason for denial does not speak to "good cause."

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### APPEALS COMMISSION RECOMMENDATIONS

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Rendered this 7<sup>th</sup> day of March, 2003

It is recommended that the decision of the School Board of Hernando County to deny the Gulf Coast Charter School Application be overturned as the Appellee was unable to provide "good cause" evidence for denial.