

STATE BOARD OF EDUCATION
Action Item
May 20, 2015

SUBJECT: The Arts Academy of Jacksonville Preparatory School vs. School Board of Duval County

PROPOSED BOARD ACTION

Accept Recommendation to Deny the Appeal

AUTHORITY FOR STATE BOARD ACTION

Section 1002.33, Florida Statutes

EXECUTIVE SUMMARY

This is an appeal by The Arts Academy of Jacksonville Preparatory School of the decision of the School Board of Duval County to deny the charter application submitted by the Applicant.

ISSUE:

Whether the School Board had good cause to deny the application based on the Applicant's failure to comply with Section 1002.33(6), Florida Statutes.

STANDARD OF REVIEW: Competent substantial evidence

The School Board's determination must be based on good cause. The standard by which the State Board is to review the School Board's decision is whether the School Board had competent substantial evidence to make that determination. The question, therefore, is whether the evidence upon which the School Board based its determination is sufficiently relevant and material that a reasonable mind would accept it as adequate to support the conclusion reached. If so, the School Board's decision must be upheld.

SCHOOL BOARD'S GROUNDS FOR DENIAL:

The School Board of Duval County based its denial on the following pursuant to Section 1002.33, Florida Statutes:

- Application failed to meet the requirements of the Educational Plan
 - Mission, Guiding Principles and Purpose: Sections 1002.33(2)(a); 1002.33(2)(b); 1002.33(2)(c); 1002.33(6)(a)1., Florida Statutes
 - Target Population and Student Body: Sections 1002.33(10)(e); 1002.33(6)(b)2.; 1002.33(7)(a)1.; 1003.03, Florida Statutes
 - Educational Program Design: 1002.33(7)(a)2., Florida Statutes
 - Curriculum Plan: Sections 1002.33(6)(a)2.; 1002.33(6)(a)4.; 1002.33(7)(a)2.; 1002.33(7)(a)4., Florida Statutes
 - Student Performance, Assessment and Evaluation: Sections 1002.33(6)(a)3.; 1002.33(7)(a)3.; 1002.33(7)(a)4.; 1002.33(7)(a)5., Florida Statutes
 - Exceptional Students: Section 1002.33(16)(a)3., Florida Statutes
- Application failed to meet the requirements of the Organizational Plan
 - Governance: Sections 1002.33(7)(a)15.; 1002.33(9), Florida Statutes
 - Management: Sections 1002.33(7)(a)9., 1002.33(7)(a)14., Florida Statutes

- Employment: Sections 1002.33(7)(a)14.; 1002.33(12), Florida Statutes
- Student Recruitment and Enrollment: Sections 1002.33(7)(a)7.; 1002.33(7)(a)8.; 1002.33(10), Florida Statutes
- Application failed to meet the requirements of the Business Plan
 - Facilities: Sections 1002.33(7)(a)13.; 1002.33(18), Florida Statutes
 - Food Service: Section 1002.33(20)(a)1., Florida Statutes
 - Budget: Sections 1002.33(6)(a)5.; 1002.33(6)(b)2., Florida Statutes
 - Action Plan: Section 1002.33(7)(a)5., Florida Statutes

CONCLUSION:

The School Board did have good cause to determine that the Applicant failed to meet the requirements of Section 1002.33, Florida Statutes, for failure to:

Meet the requirements of the Educational Plan, Organizational Plan and Business Plan.

CSAC RECOMMENDATION:

The Charter School Appeal Commission recommends upholding the decision of the School Board of Duval County by denying the appeal of The Arts Academy of Jacksonville Preparatory School.

Supporting Documentation Included: Charter School Appeal Commission Recommendation

Facilitator/Presenter: Adam Miller, Executive Director, Office of Independent Education and Parental Choice

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, May 20, 2015

THE ARTS ACADEMY OF
JACKSONVILLE PREPARATORY
SCHOOL

v.

SCHOOL BOARD OF DUVAL COUNTY

DOE Case No. 2014-3081

FILED AGENCY CLERK
2015 APR 29 AM 9:11

DEPT OF EDUCATION
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RECOMMENDATION

On November 4, 2014, the School Board of Duval County (School Board) voted to deny the application of The Arts Academy of Jacksonville Preparatory Academy (Charter Applicant). The School Board's letter of denial was dated November 14, 2014. The Charter Applicant filed this appeal on December 12, 2014. Thereafter, the School Board timely filed its Response with the State Board of Education. On April 27, 2015, the Charter School Appeal Commission met and heard the appeal of this matter. **Thereafter, the Commission voted 4 to 0 to recommend that the State Board of Education deny the appeal of the Charter School.** The Commission's justifications for its recommendation were as follows:

Issue One

The Commission voted 4 to 0 that the School Board did have competent substantial evidence to support its denial of the Charter School Application based on the Applicant's failure to meet the standards for the Educational Plan pursuant to Section 1002.33, Florida Statutes, and State Board of Education Rule 6A-6.0786, Florida Administrative Code.

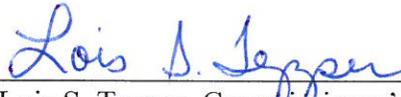
- The Commission voted 4 to 0 that the School Board's denial of the Charter School Application based on the Applicant's failure to meet the standards of Section 1002.33, Florida Statutes, and State Board of Education Rule 6A-6.0786, Florida Administrative Code, regarding the Educational Plan, was statutory good cause for denial.

Issue Two

- The Commission voted 4 to 0 that the School Board did have competent substantial evidence to support its denial of the Charter School Application based on the Applicant's failure to meet the standards for the Organizational Plan pursuant to Section 1002.33, Florida Statutes, and State Board of Education Rule 6A-6.0786, Florida Administrative Code.
- The Commission voted 4 to 0 that the School Board's denial of the Charter School Application based on the Applicant's failure to meet the standards of Section 1002.33, Florida Statutes, and State Board of Education Rule 6A-6.0786, Florida Administrative Code, regarding the Organizational Plan, was statutory good cause for denial.

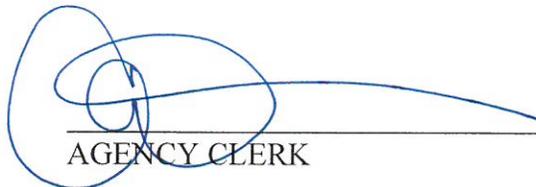
Issue Three

- The Commission voted 4 to 0 that the School Board did have competent substantial evidence to support its denial of the Charter School Application based on the Applicant's failure to meet the standards for the Business Plan pursuant to Section 1002.33, Florida Statutes, and State Board of Education Rule 6A-6.0786, Florida Administrative Code.
- The Commission voted 4 to 0 that the School Board's denial of the Charter School Application based on the Applicant's failure to meet the standards of Section 1002.33, Florida Statutes, and State Board of Education Rule 6A-6.0786, Florida Administrative Code, regarding the Business Plan, was statutory good cause for denial.



Lois S. Tepper, Commissioner's Designee
Chair, Charter School Appeal Commission

FILED with the Agency Clerk of the Department of Education this 29 day of April, 2015.



AGENCY CLERK