

STATE BOARD OF EDUCATION
Action Item
October 20, 2021

SUBJECT: Red Hills Academy, Inc., v. School Board of Leon County

PROPOSED BOARD ACTION

Accept the Recommendation of the Charter School Appeal Commission to grant the Appeal.

AUTHORITY FOR STATE BOARD ACTION

Section 1002.33, Florida Statutes

EXECUTIVE SUMMARY

This is an appeal by Red Hills Academy, Inc., of the decision of the School Board of Leon 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, Florida Statutes.

STANDARD OF REVIEW:

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 Leon County based its denial on the following pursuant to section 1002.33, Florida Statutes:

- Application failed to meet the requirements of the Educational Plan
 - Educational Program Design: Section 1002.33(7)(a)2., Florida Statutes
 - Curriculum and Instructional Design: 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: Sections 1002.33(10)(f); 1002.33(16)(a)3., Florida Statutes
 - English Language Learners: Section 1002.33(10)(f), Florida Statutes
 - School Culture and Discipline: Sections 1002.33(7)(a)7.; 1002.33(7)(a)11., 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 and Staffing: Sections 1002.33(7)(a)9.; 1002.33(7)(a)14., Florida Statutes

- Human Resources and Employment: Sections 1002.33(7)(a)14.; 1002.33(12), Florida Statutes
- Professional Development: Section 1002.33(7)(a)14., 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., and 1002.33(18), Florida Statutes
 - Transportation: Section 1002.33(20)(c), Florida Statutes
 - Food Service: Section 1002.33(20)(a)1., Florida Statutes
 - School Safety and Security: Section 1002.33(7)(a)11.; 1002.33(16)(b)8.; 1002.33(16)(b)9.; 1002.33(16)(b)12., Florida Statutes
 - Budget: Sections 1002.33(6)(a)5.; 1002.33(6)(b)2., Florida Statutes
 - Start-Up Plan: Section 1002.33(7)(a)16., Florida Statutes

CSAC CONCLUSION:

The School Board of Leon County did not have competent, substantial evidence to support its denial of the application based on the Applicant’s failure to meet the standards for the Educational Plan, Organizational Plan, or the Business Plan.

CSAC RECOMMENDATION:

The Charter School Appeal Commission recommends overturning the decision of the School Board of Leon County by granting the appeal of Red Hills Academy, Inc.

Supporting Documentation Included: Charter School Appeal Commission Recommendation. Appeal of Charter School; Response; and CSAC Transcript (under separate cover)

Facilitator/Presenter: Dr. Dakeyan C. Graham, Executive Director, Office of Independent Education and Parental Choice