

**STATE BOARD OF EDUCATION**  
**Action Item**  
April 9, 2025

**SUBJECT:** American Academy of Palm Beach K-8 Charter School vs. The School Board of Palm Beach County

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**PROPOSED BOARD ACTION**

Accept the recommendation of the Charter School Appeal Commission (CSAC) to grant the appeal and overturn the School Board's denial of the application

**AUTHORITY FOR STATE BOARD ACTION**

Section 1002.33, Florida Statutes

**EXECUTIVE SUMMARY**

This is an appeal by American Academy of Palm Beach K-8 Charter School, of the decision of The School Board of Palm Beach County to deny the charter application submitted by the applicant.

**ISSUE:**

Whether the School Board's failure to act on the application within 90 days deems the application approved and 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 of Education 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 Palm Beach County based its denial on the following pursuant to section 1002.33, Florida Statutes:

- Application failed to meet the requirements of the Educational Plan
  - Target Population and Student Body
  - Student Performance
  - Exceptional Students
  
- Application failed to meet the requirements of the Business Plan
  - Budget

**CSAC CONCLUSION:**

The CSAC recommends that the State Board of Education find that the School Board's failure to act on the application within 90 days does not deem the application approved and find that The School Board of Palm Beach County did not have competent, substantial evidence to support denial of the application based on the applicant's failure to meet the standards for the Educational Plan or the Business Plan.

**CSAC RECOMMENDATION:**

The CSAC recommends overturning the decision of The School Board of Palm Beach County by granting the appeal of American Academy of Palm Beach K-8 Charter School.

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

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