

STATE BOARD OF EDUCATION
Action Item
February 18, 2014

SUBJECT: Renaissance Charter School at Central Florida, School B vs. School Board of Orange County

PROPOSED BOARD ACTION

Accept Recommendation to Grant the Appeal

AUTHORITY FOR STATE BOARD ACTION

Section 1002.33, Florida Statutes

EXECUTIVE SUMMARY

This is an appeal by Renaissance Charter School at Central Florida, School B of the decision of the School Board of Orange 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 Charter School'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 Orange 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), (b) and (c), 1002.33(7)(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 – Section 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 – Sections 1002.33(6)(a)3., 1002.33(7)(a)3-5, 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
 - Education Service Provider – Section 1002.33(7)(a)9., Florida Statutes
 - Employment – Sections 1002.33(7)(a)14., 1002.33(12), Florida Statutes
 - Student Recruitment and Enrollment – Sections 1002.33(7)(a)7.,8.,10, Florida Statutes

CONCLUSION:

The School Board did not have good cause to determine that the Charter School failed to meet the requirements of Section 1002.33, Florida Statutes, for failure to:

- Meet the requirements of the Educational Plan
- Meet the requirements of the Organizational Plan

CSAC RECOMMENDATION:

The Charter School Appeal Commission recommends overturning the decision of the School Board of Orange County by granting the appeal of Renaissance Charter School at Central Florida, School B.

Supporting Documentation Included: Charter School Appeal Commission Recommendation. The Charter School Appeal Commission transcript, appeal, and response of the school board are under separate cover.

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

CHARTER SCHOOL APPEAL COMMISSION
Recommendation to State Board of Education, February 18, 2014

RENAISSANCE CHARTER SCHOOL, INC.,
and RENAISSANCE CHARTER SCHOOL
AT CENTRAL FLORIDA B.

v.

SCHOOL BOARD OF ORANGE
COUNTY

DOE Case No. 2013-2884

DEPT OF EDUCATION
TALLAHASSEE FLA

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FILED AGENCY CLERK

RECOMMENDATION

On October 8, 2013, the School Board of Orange County (School Board) voted to deny the application of Renaissance Charter School, Inc., and Renaissance Charter School at Central Florida B (Charter Applicant). The School Board's letter of denial was dated October 10, 2013. The Charter Applicant filed this appeal on November 12, 2013. Thereafter the School Board timely filed its Response with the State Board of Education. On January 24, 2014, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 4 to 0 to recommend that the State Board of Education grant 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 not 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.

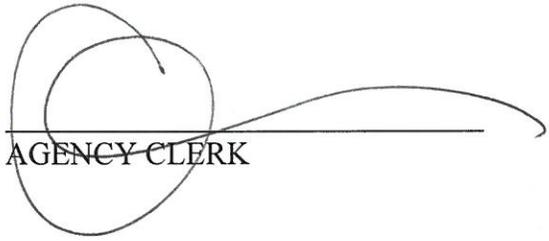
Issue Two

- The Commission voted 4 to 0 that the School Board did not 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.

Lois Tepper

Lois Tepper, Commissioner's Designee
Charter School Appeal Commission

FILED with the Agency Clerk of the Department of Education this 28th day of January
2014.


AGENCY CLERK