

STATE BOARD OF EDUCATION
Action Item
February 18, 2014

SUBJECT: Golden Gate Scientific Leadership Academy, Inc., vs. School Board of Polk 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 Golden Gate Scientific Leadership Academy, Inc., of the decision of the School Board of Polk 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 Polk County based its denial on the following pursuant to Section 1002.33, Florida Statutes:

- Application failed to meet the requirements of the Educational Plan
 - Student Performance – Sections 1002.33(6)(a)3., 1002.33(7)(a)3-5, Florida Statutes
 - Exceptional Students – Section 1002.33(16)(a)3., Florida Statutes
 - English Language Learners – Section 1002.33(16)(a)3., Florida Statutes
- Application failed to meet the requirements of the Organizational Plan
 - Management – Section 1002.33(7)(a)9., 1002.33(7)(a)14., Florida Statutes
 - Student Recruitment and Enrollment – Sections 1002.33(7)(a)7.,8., 1002.33(10), Florida Statutes
- Application failed to meet the requirements of the Business Plan
 - Budget – Sections 1002.33(6)(a)5., 1002.33(6)(b)2., Florida Statutes
 - Financial Management and Oversight – Sections 1002.33(6)(a)5., and 1002.33(7)(a)9., 1002.33(7)(a)11., Florida Statutes

CONCLUSION:

The School Board did 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
- Meet the requirements of the Business Plan

CSAC RECOMMENDATION:

The Charter School Appeal Commission recommends upholding the decision of the School Board of Polk County by denying the appeal of Golden Gate Scientific Leadership Academy, Inc.

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

GOLDEN GATE SCIENTIFIC
LEADERSHIP ACADEMY, INC.

v.

SCHOOL BOARD OF POLK
COUNTY

DOE Case No. 2013-2886

DEPT OF EDUCATION
TALLAHASSEE FLA

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FILED AGENCY CLERK

RECOMMENDATION

On October 8, 2013, the School Board of Polk County (School Board) voted to deny the application of Golden Gate Scientific Leadership Academy, Inc. (Charter Applicant). The School Board's letter of denial was dated October 18, 2013. The Charter Applicant filed this appeal on November 18, 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 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 Educational Plan, was statutory good cause for denial.

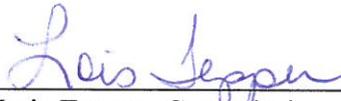
Issue Two

- 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 Organizational Plan, was statutory good cause for denial.

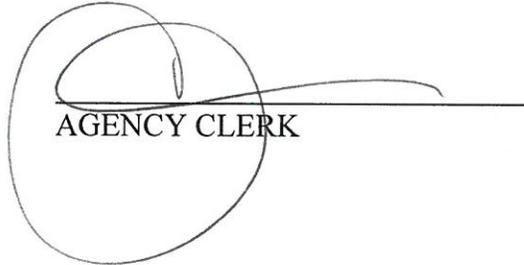
Issue Three

- 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 Business Plan, was statutory good cause for denial.



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