

STATE BOARD OF EDUCATION
Action Item
January 17, 2024

SUBJECT: Navigator Academy of Leadership High School Davenport v. School Board of Polk County

PROPOSED BOARD ACTION

Accept the Recommendation of the Charter School Appeal Commission (CSAC) to grant the Appeal.

AUTHORITY FOR STATE BOARD ACTION

Section 1002.33, Florida Statutes

EXECUTIVE SUMMARY

This is an appeal by Navigator Academy of Leadership High School Davenport, 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 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 Polk County based its denial on the following pursuant to section 1002.33, Florida Statutes:

- Application failed to meet the requirements of the Business Plan
 - Transportation
 - Budget
- Application failed to meet the requirements of the Organizational Plan
 - Management and Staffing

CSAC CONCLUSION:

The CSAC recommends that the State Board of Education find that the School Board of Polk 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 Organizational Plan or the Business Plan.

The vote of the CSAC was unanimous regarding transportation, as well as management and staffing. The vote of the CSAC was 3 to 2 regarding the school's budget; two CSAC members representing school districts voted in favor of the Polk County School Board. Overall, the CSAC voted 3 to 2 to grant the appeal, meaning the School Board's denial of the application would be overturned.

CSAC RECOMMENDATION:

The Charter School Appeal Commission recommends overturning the decision of the School Board of Polk County by granting the appeal of Navigator Academy of Leadership High School Davenport.

Supporting Documentation Included: Charter School Appeal Commission 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