

CITY OF PALM BAY – PALM BAY MUNICIPAL CHARTER HIGH SCHOOL

V.

SCHOOL BOARD OF BREVARD COUNTY

ISSUE ONE:

A. Whether the School Board had statutory good cause to deny the Application based upon: “Curriculum Plan.”

MOTION:

SECONDED:

I move that the Commission find that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of “Curriculum Plan.”

VOTE: Yes _____

No _____

B. If the Commission finds that the School Board **did** have competent, substantial evidence to support its finding, a vote must be taken on whether that finding constitutes **statutory good cause** for denial.

I move that the Commission find that the School Board’s denial of the Application based on its finding that the Application was statutorily deficient in the area of “Curriculum Plan” **was** statutory good cause for denial.

VOTE: Yes _____

No _____

ISSUE TWO:

A. Whether the School Board had statutory good cause to deny the Application based upon: “Reading Curriculum.”

MOTION:

SECONDED:

I move that the Commission find that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of “Reading Curriculum.”

VOTE: Yes _____

No _____

B. If the Commission finds that the School Board **did** have competent, substantial evidence to support its finding, a vote must be taken on whether that finding constitutes **statutory good cause** for denial.

I move that the Commission find that the School Board’s denial of the Application based on its finding that the Application was statutorily deficient in the area of “Reading Curriculum” **was** statutory good cause for denial.

VOTE: Yes _____

No _____

ISSUE THREE:

A. Whether the School Board had statutory good cause to deny the Application based upon: "Financial Plan."

MOTION:

SECONDED:

I move that the Commission find that the School Board **did** have competent, substantial evidence to support its finding that the Application was statutorily deficient in the area of "Financial Plan."

VOTE: Yes _____

No _____

B. If the Commission finds that the School Board **did** have competent, substantial evidence to support its finding, a vote must be taken on whether that finding constitutes **statutory good cause** for denial.

I move that the Commission find that the School Board's denial of the Application based on its finding that the Application was statutorily deficient in the area of "Financial Plan" **was** statutory good cause for denial.

VOTE: Yes _____

No _____

ISSUE FOUR:

A. Whether the School Board denied the Appellant due process in the evaluation of the Application.

MOTION:

SECONDED:

I move that the Commission find that the School Board **did** deny the Appellant due process in the evaluation of the Charter Application.

VOTE: Yes _____

No _____

B. If the Commission finds that the School Board **did** deny the Appellant due process in the evaluation of the Application, the Commission must determine whether such action **was** harmless error.

I move that the Commission find that the School Board's denial of due process in the evaluation of the Application **was** harmless error.

VOTE: Yes _____

No _____

FINAL MOTION:

MOTION:

SECONDED:

I move the Commission provide a written recommendation to grant / deny the appeal.

VOTE: Yes _____

No _____