

**IN THE CIRCUIT COURT OF COLE COUNTY
STATE OF MISSOURI**

GORDON PARKS ELEMENTARY)	
SCHOOL,)	
)	
Plaintiff,)	
vs.)	Case No. 13AC-CC00308
)	
MISSOURI STATE BOARD OF)	
EDUCATION, <i>et al.</i>,)	
)	
Defendants.)	

AMENDED FINAL JUDGMENT

This case is brought by Gordon Parks Elementary School (“Gordon Parks”) challenging the decision of the State Board of Education (“State Board”) to disapprove a renewal of charter issued to Gordon Parks by its sponsor, the University of Central Missouri (UCM).

UCM first entered into a charter contract with Gordon Parks in 2000. In 2005, UCM proposed to renew the charter contract for five years, and the State Board approved. In 2009, UCM approved a further 3-year extension. That renewal expired in June, but was extended by order of this Court.

Per § 160.405.9(3)(a), for Gordon Parks’ charter to be renewed, UCM had to “demonstrate” to the State Board that Gordon Parks is in compliance with both state and federal law and with the requirements of its charter contract. § 160.405.9(3)(a). If UCM “demonstrated” compliance, the Board

was to approve the renewal at its next meeting. § 160.405.9(3)(c);
§ 160.405.9(3)(d).

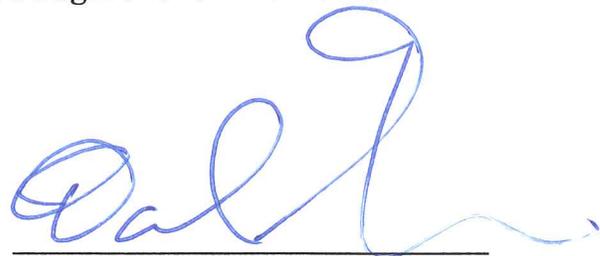
The Board delegated responsibility for receiving and analyzing the UCM “demonstration” to its staff at the Department of Elementary and Secondary Education (DESE). Having made that choice, the Board is deemed to have received everything that DESE received.

The Court has reviewed what UCM presented to DESE. The Court finds that UCM demonstrated that Gordon Parks is “in compliance with federal and state law as provided in sections 160.400 to 160.425 and section 167.349 and the school’s performance contract including but not limited to those requirements specific to academic performance.” § 160.405.9(3)(a). The Board’s decision to nonetheless disapprove the renewal was thus “unlawful, unreasonable, arbitrary, or capricious or involve[d] an abuse of discretion.” § 536.150.1.

The Court, then, “render[s] judgment accordingly,” declaring the Gordon Parks charter renewal application to have been approved and ordering the Board and DESE to treat it as having been renewed in all respects and shall take no actions inconsistent with approval of the renewal application.

The Court vacates its July 29, 2013 Final Judgment for Plaintiffs.

Dated this 9 day of September, 2013.

A handwritten signature in blue ink, appearing to read "D.R. Green", written over a horizontal line.

Honorable Daniel R. Green