

**CHARTER SCHOOL APPEAL COMMISSION**  
**Recommendation to State Board of Education, August 17, 2004**

MESTA CHARTER SCHOOLS, INC.

Petitioner,

v.

SCHOOL BOARD OF  
ORANGE COUNTY

DOE Case No. 2004-982

RECOMMENDATION

On February 10, 2004, the School Board of Orange County (School Board) voted to terminate the charter of MESTA Charter School, Inc. (Charter School). The Charter School filed this appeal on February 23, 2004. The Charter School filed a Motion to Amend Notice of Appeal on April 30, 2004. On July 20, 2004, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 7 to 0 to recommend to the State Board of Education to deny the appeal of the Charter School.** The Commission's justifications for its recommendation were as follows:

1. The Commission voted 7 to 0 that the District **did not** violate the Applicant's right to due process by failing to provide Applicant reasonable notice and an opportunity to respond, in violation of Section 1002.33 (8) (d), Florida Statutes.
2. The Commission voted 7 to 0 that the District **did** have competent, substantial evidence to support its finding that the Applicant failed to meet generally accepted standards of fiscal management.
3. The Commission voted 7 to 0 that the immediate termination of the charter based upon Applicant's failure to meet generally accepted standards of fiscal management **is** statutory good cause under Section 1002.33 (8) (d), Florida Statutes.
4. The Commission voted 7 to 0 that the District **did** have competent, substantial evidence to support its finding that the Applicant failed to manage the school.
5. The Commission voted 7 to 0 that the immediate termination of the charter based upon Applicant's failure to manage the school **is** statutory good cause under Section 1002.33 (8) (d), Florida Statutes.
6. The Commission voted 7 to 0 that the specific grounds given in the District's notice of termination **are** statutory good cause for immediate termination.

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Kim McDougal, Commissioner's Designee  
Charter School Appeal Commission

FILED with the Agency Clerk of the Department of Education this \_\_\_\_\_ day of August, 2004.

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AGENCY CLERK