

**CHARTER SCHOOL APPEAL COMMISSION**  
**Recommendation to State Board of Education, January 18, 2005**

EASTSIDE MULTICULTURAL  
COMMUNITY SCHOOL, INC.

Petitioner,

v.

SCHOOL BOARD OF  
HILLSBOROUGH COUNTY

DOE Case No. 2004-1009

RECOMMENDATION

On February 10, 2004, the School Board of Hillsborough County (School Board) voted to terminate the charter of Eastside Multicultural Community 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 June 30, 2004. On November 18, 2004, the Charter School Appeal Commission heard the appeal of this matter. **Thereafter, the Commission voted 6 to 3 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 5 to 4 that the District **did not** violate procedural due process, the charter contract and/or applicable law with regard to providing the charter reasonable notice and opportunity to respond in violation of Section 1002.33 (8) (d), Florida Statutes.
2. The Commission voted 7 to 1 that the District **did** have competent, substantial evidence to support its finding that the charter school exhibited continued low student performance.
3. The Commission voted 7 to 2 that the immediate termination of the charter based upon the charter's continued low student performance is statutory good cause under Section 1002.33 (8) (d), Florida Statutes.

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Dr. Kim McDougal, Commissioner's Designee  
Charter School Appeal Commission

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

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AGENCY CLERK