

MASON CLASSICAL ACADEMY



3073 Horseshoe Drive South
Naples, Florida 34104
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Minutes Board of Directors Meeting: Wednesday, July 8, 2020 @ 9:30 AM

Board and Staff Present	Absent	Late
Kelly Lichter – President Dave Bolduc - Treasurer Laura Miller Mlinarich - Secretary Pearline Foster – Director Natalie Epperson - Director David Hull – Executive Director Annaleah Miravalle DeMasi- Parent Liaison Joe Whitehead – Principal Designee for Today’s Meeting		

Opening Items

Agenda Item	Action	Who
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Call to Order 9:32 AM A quorum being present, the meeting was called to order.		Kelly Lichter
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Review and Adoption of Agenda

Motion to Adopt Agenda with the Addition by Mrs. Lichter of Item F in New Business: “Board Vote Regarding Declaratory Action”

Moved:	Laura Mlinarich
Second:	Pearline Foster
Vote:	Unanimous

Motion to Approve Mr. Whitehead as Principal Designee for Today’s Meeting.

Moved:	Laura Mlinarich
Second:	Pearline Foster
Vote:	Unanimous

Motion to adopt consent agenda including BOD Meeting Minutes from 3/3/2020, 3/19/20, 3/23/20, 3/26/20.

Moved: Dave Bolduc
Second: Natalie Epperson
Vote: Unanimous

Reports of Officers and Standing Committees

(No Reports)

Community Comments

Margaret Longo:

Expressed concern regarding graduation requirements and choices of electives to satisfy those requirements. She requested a meeting to evaluate her daughter's options. (Mrs. Lichter stated that staff would be addressing her concerns.)

Tamara Switken:

Expressed concern regarding mold remediation in the building, requesting an update.

New Business

Mental Health Allocation:

-Kelly Lichter: Mental Health Allocation needs to be submitted by 7/17/20. Typographical errors will be corrected by Ms. Westervelt (dates will be updated to today's date.)

Motion to Adopt Mental Health Allocation Plan (with Corrections.)

Moved: Dave Bolduc
Second: Natalie Epperson
Vote: Unanimous

COVID Waiver:

-Kelly Lichter- Upon approval, Mrs. Lichter requested that the school's registrar send the waiver to all current parents of MCA students.

Motion to COVID Waiver.

Moved: Natalie Epperson
Second: Laura Mlinarich
Vote: Unanimous

Executive Order / Opening of School:

-Kelly Lichter- Governing Boards of charter schools are to submit a re-opening plan to their sponsor. Mrs. Lichter sought clarification from counsel and had a call scheduled after the board meeting to discuss with MCA's legal team what re-opening would look like for MCA.

Mr. Bolduc, after researching recent articles addressing re-opening plans, found that there wasn't much substantive detail available yet. He suggested that certain items be discussed by the board, such as whether or not some items of protocol outlined by the District would be appropriate for the needs of our students, faculty and staff as an independent charter school. There may be aspects of the District's re-opening plan that do not

align with MCA's mission.

Mrs. Epperson described specific details of the plan which need to be addressed:

LUNCH and distancing between students. Since students in normal circumstances eat with their classmates, would distancing be necessary?

MASKS could be detrimental in the classrooms, especially for little kids who are learning to pronounce words. How do you teach them when their teachers' and their own mouths are covered? She would like for the plan to be detailed and would like to get counsel's input regarding specifics.

Ms. Foster also expressed concern. Her own son is required even in normal circumstances to wear a mask to school. He will need to be on a 504 plan, as a child who is in a higher risk category than others.

Mrs. Lichter discussed temperature checks at drop-off at all entrances and other protocols being developed with staff, administration, and legal counsel. When the specifics have been addressed and outlined, a plan will be presented to the board for input.

Mr. Bolduc felt it was important to thoroughly document with peer-reviewed research, the reasoning for the decisions made in finalizing a plan.

Annual Election of Officers:

Kelly Lichter –

Motion to Approve

Kelly Lichter as President;

Dave Bolduc as Treasurer;

Natalie Epperson as Secretary;

Pearline Foster as Director;

Laura Mlinarich as Director:

Moved: Laura Mlinarich

Second: Pearline Foster

Vote: Unanimous

Mold Remediation Update:

Mr. Whitehead-

In response to the request in public comment for an update, Mr. Whitehead explained the current situation regarding water intrusion in the building. A couple of months ago, there were points of water intrusion discovered in the building. Where water has intruded, particularly in Florida, the condition has the potential to develop into mold. Upon a more thorough investigation in conjunction with the building owner, all points of water intrusion were identified and evaluated, and exterior points needing reinforcement were resealed. Subsequently, interior areas that were affected needed to be repaired, with thorough drying, drywall replacement, and re-painting. The process must be done from the outside/in and must be done in specific orderly stages. While we are completing the work as fast as possible, there are many factors involved, including receiving and evaluating bids of contractors, scheduling contractors, coordinating with the owner, etc. Work will continue over the summer until it is thoroughly completed.

Kelly Lichter: Once the board was informed of the potential issue of mold in the building, we immediately had a mold expert come to the building to assess the situation and identify any affected areas. It was necessary for the board to question the facility maintenance manager about his report, as fiduciaries of the school. We addressed the issue the moment it was made known to us. Staff has worked closely with the remediation experts and the building owner to ensure resolution of the situation. To be clear, rumors and criticisms of the board of directors by Jon Fishbane and others, claiming that these issues were left unresolved were factually incorrect.

Closed Attorney/Client Meeting:

Mr. Raul Valles, Esq., as counsel for Mason Classical Academy, needed to get advice from the MCA board of directors and discuss settlement negotiations and/or strategy related to litigation expenditures regarding a lawsuit pending in the Twentieth Judicial Circuit, Case No. 11- 2019-CA-004705, Mason Classical Academy, Inc. v. The District School Board of Collier County, Florida, a/k/a Collier County Public Schools. MCA School Board members Kelly Lichter, David Bolduc, Laura Miller Mlinarich, Pearline Foster, Natalie Epperson along with Raul Valles, Esq. and Lisa MacClugage, Esq. attended. A court reporter recorded the session.

The Public Board Meeting Resumed at 10:34 AM.

Mrs. Lichter – After a shade session with counsel, Mrs. Lichter summarized the need for a declaratory action on behalf of the board of directors. The CCPS District, school board members as well as Jon Fishbane, had stated that MCA’s relationship with Hillsdale College was a necessary component of its charter contract with CCPS as its sponsor. MCA staff worked tirelessly, preparing the charter modification, which was submitted in October, removing Hillsdale from the original application. However, the modification was not immediately approved by CCPS. MCA elected to preemptively have a judge decide the issue via a declaratory action. After many months, at the June CCPS Board meeting, the board did finally approve MCA’s charter modification. Since the issue appears to have been resolved for the time being, the board called for a vote regarding dismissal of the Declaratory Action without prejudice.

Mr. Bolduc stated that Jon Fishbane had often commented that the original 2020 application is an integral part of Mason Classical Academy and is incorporated by reference into our 15-year extension. Now that the original 2020 Application has been approved by the Collier County School Board, removing any reference to Hillsdale College, their actions spoke for themselves, fulfilling the objective intended by the declaratory action without the need for further immediate legal action in this specific matter.

Motion to Dismiss the Declaratory Action Without Prejudice:

Moved:	Kelly Lichter
Second:	Laura Mlinarich
Vote:	Unanimous

Policy Updates

Board Comments

Board Comments:

Mr. Bolduc asked whether the board should consider consolidating the roles of executive director and principal, in the absence of an approved candidate. However, Mr. Hull stated that the principal had been selected that morning and an announcement was to be anticipated within a few days.

Mrs. Epperson commented regarding the mold situation. As an insurance agent, she knows that a final air test is performed after mold remediation is completed as standard procedure before school resumes. She wanted the public to be aware of this and be reassured that safety precautions were being carefully taken.

Mrs. Mlinarich stated for the record that she and Mrs. Epperson would be meeting to hand off the minutes duties and template, prior to Mrs. Epperson taking on that role as Secretary.

Mr. Bolduc reinforced Mrs. Epperson's comment. Mold remediation is very thorough and professional. In South Florida, where there is water, there is the chance for mold, but the situation is being very well handled.

Mrs. Lichter reviewed the status of legal matters with the board. Our charter attorney submitted a letter to Misters Fox and Fishbane basically stating that we are no longer engaging in a 'back-and-forth' with the district. It seems clear that the district has no interest in looking at the facts and the truth. They just make false accusations. So, our legal counsel has placed the honos on the district to follow the dispute resolution process, per our contract with them, (which they have never followed). The district's response was that the district wanted an extension. The attorneys gave them 10 days to sit down and resolve these issues – whatever issues they still have with MCA – let's get them on the table so that we can all move forward in the best interest of the students. Mrs. Lichter is disappointed that at this time, we still have not heard from CCPS, but she feels it speaks volumes...

The other issue she brought to the board's attention was that during the June CCPS School Board Meeting, regarding the MCA Agenda item, not even one of the nearly 40 public comments were read, all but one of which were positive in favor of the school. It's interesting that MCA's board has been accused of blocking the public from speaking, which is a patently false accusation. All speakers at every MCA meeting have been given the opportunity to speak in public comment, on any agenda item, etc. But, unfortunately, the MCA Community was not afforded that opportunity. The idea was proposed that MCA be placed on a "Probationary Status" at that same meeting. Charter Contract nor Charter Statute allow for such a status. "Probationary Status" does not exist; there is no such thing. The threat of "probation" appears to be yet another attempt to create fear, unrest and division. It is unfortunate that this kind of thing continue, even through the COVID pandemic.

Last summer was pure hell for everyone on MCA's Board, for the parents, teachers, administration, and students. Especially for our families, it was hell we were put through. Considering more evidence that is uncovered day by day, it is incredible that we have survived. It's amazing the level of coordinated effort that went into destroying such a wonderful institution as Mason Classical Academy. She appreciates the strength, perseverance, and courage it has taken to stand up to this evil. We will continue on.

Prior to the June 3rd Fishbane "Report" that was launched, this school on a trajectory to even greater status than we accomplished in the first five years. This last year, in her opinion, was an incredibly challenging year. There has been a lot of clean-up that has been required because of the attacks. There is still a great deal that needs to be accomplished this summer, preparing for our August opening.

She is excited to see what we as a school will accomplish in the coming year. In conclusion, there is again no

such thing as probation and hopefully the District can move forward with the best interests of the students and everyone involved here at Mason at heart. We are unified as a board. We have strong leadership in our executive director who is leading his team in preparation for the year. We have an incredible staff. Mr. Becker is new to our business office and doing a tremendous job. Mr. Whitehead is returning to handle discipline issues, support with teachers and facility issues. Ms. Westervelt is joining our administrative team, focused on compliance. Mrs. Miravalle DeMasi is returning as our academic dean. There are so many great people in place, and we have a strong board ready to take on the 2020/21 School Year.

Mrs. Mlinarich said on behalf of the board that we look forward to the announcement of MCA's new principal!

Meeting Adjourned
10:46 AM

Secretary

Date