

MASON CLASSICAL ACADEMY



3073 Horseshoe Drive South (via Zoom)
Naples, Florida 34104
(239) 227-2838 | WWW.MASONACADEMY.COM

Minutes Board of Directors Emergency Meeting: Friday, June 5, 2020 @ 9:00 AM

Board and Staff Present

Kelly Lichter – President
Dave Bolduc - Treasurer
Laura Mlinarich - Secretary
Pearline Foster – Director
Natalie Epperson - Director
Steven Read – Principal Designee
Annaleah Miravalle DeMasi- Parent
Liaison

Absent

Late

Opening Items

Agenda Item	Action	Who
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Call to Order	9:05 AM	Kelly Lichter
A quorum being present, the meeting was called to order.		

Motion to Appoint Mr. Steven Read as Principal Designee for this Meeting

Moved:	Laura Mlinarich
Second:	Dave Bolduc
Vote:	Unanimous

Review and Adoption of Agenda

Motion to Adopt Agenda (Minutes Moved to Next Meeting Since This is an Emergency Meeting)

Moved:	Dave Bolduc
Second:	Pe
Vote:	Unanimous

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Reports of Officers and Standing Committees

President's Report

(See attached.)

Kelly Lichter prepared a report in rebuttal to Jon Fishbane's response to the Coleman Report, including 91 pages of exhibits answering his false accusations. Each of his statements was followed by her response, enumerating real evidence disproving his claims. Mrs. Lichter is expressed grave concern regarding Mr. Fishbane's gross abuse of power. He has defamed the leadership of MCA on behalf of a sponsor (CCPS) that is acting unreasonably.

Mr. Bolduc expressed appreciation to Mrs. Lichter for devoting such extensive time and thorough attention to the document. He agreed with her statements and accurate summary of the false accusations of the CCPS via Fishbane, who refuse to go through the contractual dispute resolution process. Any dispute or concern with MCA, via contract, is to be informally contacted to resolve the issue. Only after such an attempt is made and is unsuccessfully resolved, a four-step process is to be undertaken for resolution and cure. CCPS continually ignore and refuse to honor that contract, an agreement that we have had in place with them from Day 1, which has not been acknowledged or utilized. Instead, Fishbane on behalf of the CCPS administration and board continually gathered concerns, manufactured false evidence, or trusted only one-sided unproven allegations, and then publicly announce and publicize their propagandized "reports" as "fact" to the public and to their board. These continual practices are an enormous abuse of power and a huge abuse of the role of the district counsel.

Mrs. Mlinarich also applauded Mrs. Lichter's response and thanked her for the in-depth reply to district counsel, on behalf of Mason Classical Academy. She said that she did not understand how it was possible for these smear campaigns to continue. How is it not obvious what Fishbane is doing, especially to our elected board members. She asked if MCA's attorney's response as well as Mrs. Lichter's response would be sent directly to the CCPS board members to ensure that they are aware of the truth, despite the claims of their rogue attorney. Simply claiming that they trusted Superintendent Patton's attorney while making these attacks against our school will not excuse their accountability. They should be doing their own investigation into the facts of the matter.

Mrs. Lichter stated that MCA's counsel sent a letter backed with solid irrefutable evidence and documentation to Jim Fox, (legal counsel representing CCPS) in response to his most recent letter. Upon receiving consensus from the board, she volunteered to send her report to the CCPS school board members.

Mrs. Mlinarich also asked that our legal team's response be sent to the CCPS school board members prior to their next board meeting. (Our attorneys can only reply to their attorneys, but since their response is now part of the public record, it can be sent by our school to their board members.)

Mrs. Lichter wished to publicly address these concerns:

- CCPS June 9th School Board Meeting Agenda, an informational agenda item has been added, related to "Issues with MCA."
- The CCPS District took an anonymous complaint that they received at the end of April, never sent it to the school, and only revealed it to MCA when they posted it on their agenda. This is in clear violation of the Mediation Settlement Agreement. Our legal counsel asked Jim Fox to have them remove the document (which has still not been removed)

These are further examples of the CCPS's blatant disregard for the Mediation Settlement Agreement, the charter contract, and any level of basic respect.

Community Comments

(No Comments)

Unfinished Business

Statement of Particulars and Response by Pam Vickaryous:

Kelly Lichter -

In summary, the MCA Board voted to send a Notice of Particulars to Pam Vickaryous, related to concerns regarding the permanent deletion of public records belonging to MCA. Per her contract, Vickaryous had the opportunity to meet with the board to discuss the matter, but she chose not to do so. Instead, she responded to the Statement of Particulars with a brief letter to our board chair. The board met to evaluate the sufficiency of her response and to determine further action which may include termination of her contract.

Dave Bolduc stated that he had reviewed the issue with our legal counsel seeking the best course of action, and that our attorneys found that Principal Vickaryous' intentions and actions – permanently deleting MCA public records – constituted gross misconduct; dishonesty; fraud; and gross insubordination as defined by state and federal law as well as the MCA Employee Handbook. He felt that Vickaryous' response was entirely insufficient.

Laura Mlinarich concurred with Mr. Bolduc's statement and said that she knew that Executive Director Hull had acted in good faith, doing his best to assist and support the principal in her role. But we continued to see evidence of her egregious behavior which undermined his cooperative efforts. She stated that she did not see a way forward with Vickaryous as an employee.

Pearline Foster agreed that Vickaryous' response was inadequate, as it did not address the concerns. The fact that she refused to speak to the board was also disrespectful.

Kelly Lichter agreed. She had the expectation that Vickaryous would schedule a meeting with the board to have a conversation about this. The fact that she apparently dismissed it and did not take it very seriously said a lot about her character. She also thought that her mention of "retaliation" and "blowing the whistle" in the last sentence of her letter was preposterous and unfortunate. If anyone was retaliating it was Pam Vickaryous. She also could not envision a way forward and made the recommendation to terminate Pam Vickaryous' employment.

Natalie Epperson said that she agreed with the board's decision. She always likes to hear both sides of a story, and the fact that Vickaryous did not meet with the board to present her side said a lot.

Motion to Terminate Pam Vickaryous as Principal of Mason Classical Academy:

Moved:	Pearline Foster
Second:	Laura Mlinarich
Vote:	Unanimous

New Business

Policy Updates

(No Updates)

Board Comments

Dave Bolduc:

What the school district is doing, continually spending unlimited tax payer dollars looking for any minute item that might suggest any wrongdoing, without supporting documentation, just fabricated from nothing, is an unconscionable way to act as the sponsor of the number one elementary, middle and high school in Collier County. As a school, we are taking stronger steps in response. He appreciates the current direction of the board, addressing items early in the process rather than allowing the court of public opinion to weigh into the accusations.

Laura Mlinarich:

She agreed with Mr. Bolduc's statement and is glad MCA's board is taking a strong stand against corruption and lies. She sees it as insane that MCA has been forced to take on this battle for so many years. She brought the focus back to the commencement exercises. She is proud of the 24 graduates and their accomplishments as scholars and citizens. She thanked the entire community for their support of the school and their support of this senior class.

Pearline Foster:

She encouraged the community to remember that what does not kill us makes us stronger. Last Summer, she began her experience with these heated debates. She is excited that we are becoming so much stronger and is glad we are being proactive. We will be seeing greater things coming out of MCA. She looks forward to being part of the graduation ceremony and encouraging the bright future of our 24 graduating scholars and their continuing to pave the way for future graduates.

Natalie Epperson:

She said that she was grateful to be part of this wonderful board, and that MCA was going to do great things.

Kelly Lichter:

She read from a statement published by Superintendent Kam Patton which was sent out the day prior on behalf of the district. Patton wrote,

“Let’s commit ourselves to talking with one another, listening to one another, and learning from one another. If an individual or group comes forward and informs us they believe they have not been heard, we need to respect that and we need to listen.”

MCA has not been heard. The leadership, the teachers, the families from MCA that support our amazing institution have NOT been heard. So, she encouraged anyone willing to go to the June 9th School Board Meeting next Tuesday at 4:30 PM to speak up and ask the district to hear us, because here we are a year later and it's the same behavior from the district.

She congratulated the graduates and looked forward to the ceremony. She also wanted to remind everyone that had she, Mrs. Mlinarich and Dave Bolduc resigned a year ago when they tried to intimidate us into doing, we would have never found out what was really going on behind the scenes. She read from an email to remind the community of the details of the plan:

Mr. Matt Mathias wrote, “Please understand; this is not about closing MCA. This is about reconstituting the board of directors, even if it means terminating the contract for MCA and passing the school along to another newly approved Hillsdale College affiliated charter school. This is a pathway to accomplish everyone’s objectives. This needs to be the communicated narrative to the entire universe. The notion of anyone trying to close the school is utter nonsense.”

Is that so, Mr. Mathias? If you look at all the evidence we have uncovered, just as regular citizens... (it's not

just the board members, but also supportive parents who put considerable time into exposing the truth of what was really happening. Matt Mathias was having private meetings with Jon Fishbane just prior to the termination meeting notice. Matt Mathias had foreknowledge of Fishbane's intention to recommend MCA's charter termination. The plan is all spelled out, right here. In fact, Mathias shared this plan with the chancellor of the FDOE as well. We have exposed a lot without even entering officially into discovery.

We will continue to take a more aggressive approach. We have come a long way and as Ms. Foster said, we are so much stronger now. We have the truth on our side.

Laura Mlinarich:

Hearing the quote just presented, it struck her that "everyone" referred to by Matt Mathias in his email was in reality everyone who stands to profit from the illegal takeover of this school. That's a lot of people, apparently. A lot of people feel that if they have a megaphone, deep pockets or the ability to manipulate from behind the scenes, that they can just steal whatever they want. She is also happy that MCA is taking a stand, saying, "NO!"

Kelly Lichter:

She again congratulated the 2020 Graduating Seniors and wished them the best on their upcoming adventures, on behalf of the board.

Meeting Adjourned

9:31 AM

Secretary

Date