

From: **Michael Coleman** <Michael@chtlegal.com>

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Subject: Mason Classical Academy, Inc. v General

To: Kelly Lichter <klichter@masonacademy.com>, David Bolduc <dbolduc@masonacademy.com>, Laura Miller <lmiller@masonacademy.com>, Conrad Willkomm <conrad@swfloridalaw.com>

Cc: Reuben Doupe <RDoupe@chtlegal.com>, Sarah Oquendo <SOquendo@chtlegal.com>, Tina M. Day <TDay@chtlegal.com>

Dear Kelly, Laura, Conrad & David:

Reuben, Shawn and I were invited to attend a phone conference with representatives of FDOE earlier today. On the call were: Jacob Olivia, ___ Hall and Lois Tepper. They wanted to talk about three things:

1. When Bilecka (sic) would be appointed to the board;
2. David Hull's continued involvement with the school; and,
3. The requirement that parents had to waive FERPA rights to enter the grievance process.

Lets take them one at a time.

1. Bilecka(sic): It was made VERY clear to us that the Commissioner wants Bilecka to be put on the board as the chair. I asked the question whether we could add him as a regular board member. The answer was "no". FDOE looks at it this way. Kelly asked for FDOE to help the school. FDOE thinks it made it very clear to Kelly that the price of its involvement was two things: (a) Bilecka as board chair and (b) Hillsdale remains involved with the school. I was not a party to any discussions with FDOE before the mediation conference and do not know what was said about Bilecka's involvement at the mediation conference. I do know that requirement is not part of the Settlement Agreement. The important thing is that FDOE believes that Kelly committed to do the two things and it wants MCA to honor her agreement. It was made REALLY, REALLY clear to all of us that if Bilecka is not made board chairman that FDOE will withdraw its support for MCA and MCA can face the District by itself. I have talked with each one of you individually about my views on the benefits of FDOE supporting MCA in this battle and will not reiterate them.

I asked the question how important was it to the Commissioner for Hillsdale to remain involved. The answer was “very important”. I was not given a reason why. We told the group that we are focused on starting the school year, finding teachers and finding a new principal. I told them that I thought that Hillsdale’s actions were egregious and that before MCA had any further involvement with Hillsdale, it was going to have to mend some fences with MCA. So far we have not seen any effort by Hillsdale to do so. I threw that out there to try and find out how much contact Hillsdale has with the Commissioner. If we hear from Hillsdale next week we will know there is a line of communication between Hillsdale and the Commissioner.

The bottom line is that if MCA does not appoint Bilecka as board chair and at least “pretend” to have a relationship with Hillsdale (my words, not FDOE’s) that FDOE will withdraw its support for MCA.

2. David Hull’s continued involvement: Of course someone told the Commissioner that David is still using his old office, is acting as the principal and told a student that he is still the principal. I informed the group that I met with David on his last day as principal and it was clear to me that David knew that he would no longer be the principal the next day. Reuben informed the group that he met with Joe Whitehead last week and it was clear to Reuben that Joe is the acting principal. I asked the group “After all that has happened to Mr. Hull, do you honestly believe that he would tell a student that he was ‘still the principal’, knowing it would go right back to Jon Fishbane??” I told them “Give the man some credit. I think he is a bit smarter than that.” I also pointed out that there is a humane/moral component to David’s continued involvement with the school. I pointed out that he has 5 children, one of whom is in college, that he needs a job, that he took a substantial pay cut to stay as a teacher, and, that the beginning of August is not exactly the premium time to search for a principal’s job. That seemed to satisfy them.

3. FERPA issue: We explained that this issue came up as part of the process of creating the grievance procedure. We went over all the things that I set forth on this issue in my letter to Jim Fox. They seemed satisfied with the explanation. I also pointed out that this is a perfect example of the problems the board is experiencing. I told them that there have been 3 board meetings about the grievance policy and not one member of the public has spoken at a meeting. However, they are more than happy to “tattle” to Fishbane and now the Commissioner. Both Fishbane and the Commissioner need to stop listening to this nonsense.

I apologize for any spelling errors. My spell check is not working and I wanted to send this to all of you today. If you would like to respond please email me and do not hit "reply all".



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