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July 3, 2019

Jon Fishbane
School Board Attorney/District General Counsel
Collier County Public Schools
5775 Osceola Trail
Naples FL 34109

Dear Mr. Fishbane:

Our office received a letter recently from Mason Classical Academy requesting that the Florida Department of Education (the Department) provide mediation services pursuant to section 1002.33(7)(b), Florida Statutes. This mediation would work to resolve several disputes between Collier County Public Schools (the District) and Mason Classical (the School).

The relevant portion of the statute reads, “The Department of Education shall provide mediation services for any dispute regarding this section subsequent to the approval of a charter application and for any disputes relating to the approved charter, except disputes regarding charter school application denials. If the Commissioner of Education determines that the dispute cannot be settled through mediation, the dispute may be appealed to an administrative law judge appointed by the Division of Administrative Hearings. The administrative law judge may rule on...any other matter regarding this section except a charter school application denial, a charter termination, or a charter nonrenewal, and shall award the prevailing party reasonable attorney’s fees and costs incurred to be paid by the losing party. The cost of the administrative hearing shall be paid by the party whom the administrative law judge rules against.”

Specifically, the School is seeking mediation to resolve the following disputes: 1.) those surrounding the District’s investigative report of Mason Classical Academy, released in late May, and 2.) those pertaining to the School’s administration of the Best and Brightest Scholarship Program and its eligible teachers.

If the District agrees to participate, the Department will identify a mediator agreeable to both parties. Potential dates for mediation will then be identified, a location secured, and times confirmed. Mediation may occur via a conference call.

Please respond by Friday, July 12, 2019, indicating if the District will participate in the mediation process. Your response may be submitted via e-mail and/or U.S. Mail, and should be directed to my attention. My contact information is included below.

If you have any questions, please contact me at Adam.Emerson@fldoe.org. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in cursive script, appearing to read "Adam Emerson".

Adam Emerson
Charter Schools Director
Florida Department of Education
325 West Gaines Street
Tallahassee, FL 32399
Adam.Emerson@Fldoe.org

cc: Lois Tepper, Florida Department of Education
Matthew Mears, Florida Department of Education
Alex Kelly, Florida Department of Education
Judith Delgado, Collier County Public Schools
Shawn Arnold, Arnold Law Firm