

**From:** douglasantlewis@gmail.com  
**Sent:** Wednesday, December 4, 2019 3:57 PM  
**To:** Charter Schools  
**Cc:** Commissioner; ron.desantis@eog.myflorida.com  
**Subject:** RE: Expanding Education Choice for Collier Families  
**Attachments:** NCAL.pdf; M. Mathias - B. Rommel Letter shared with Fox - Fox sent to Fishbane.pdf; FW: Formal Notice Of Complaint Filing--Board Policy 9130 (27.9 KB); Investigative Report of Allegations Made Against MCA 10.30.2019-2.pdf

Thank you Mr. Emerson. The attached and below do *not* involve issues pertaining to charter school accountability for academic and financial results.

As you are aware, a formal complaint has been filed (by over 120 MCA parents and stakeholders) against the attorney for CCPS (and anyone authorizing his conduct). The number of parents and stakeholders who have filed this formal complaint against the School District is historic and more are joining in on the complaint daily as they learn about what occurred. See the attached again for your reference.

According to an explosive investigative report, released on November 5, 2019 by the highly regarded, Martindale AV rated and Florida Super Lawyer and Best Lawyers in America rated J. Michael Coleman (see attached), Mr. Fishbane's recommendations pertaining to unlawfully taking control of the MCA Board are "far outside the power of the District ...", and Mr. Coleman also concluded that the Fishbane MCA dossier was "stridently one-sided regarding the persons." Additionally, Mr. Coleman concludes and describes in great factual and legal detail how Mr. Fishbane and the District denied MCA due process and violated both the MCA contract and the Florida Charter Statute during Mr. Fishbane's yearlong investigation into MCA and also when the District posted the agenda item this year to discuss MCA's termination.

Additionally and just subsequent to the formation of Phoenix Education Network, a written statement (see attached) from Matthew Mathias ... Chair of the Phoenix Education Network as owner of NCA ... confirms his stated intention of "terminating the contract for MCA...and passing the school along to another newly approved...HILLSDALE COLLEGE AFFILIATED...charter school."

Members of our local community are rightly concerned about whether or not a new Collier County charter applicant (NCA/Optima) and the District are improperly conspiring and colluding to terminate the MCA charter contract and pass MCA school along to NCA, all without any due process or full and fair consideration of the facts in relation to the law (you can see the real issues/concerns being raised in the below email chain and the attached) and also without a School Board vote or approval as of this date, unless this issue was decided outside of the sunshine.

Again, we respectfully ask FDOE to step in and investigate so that we can all get to the bottom of what is really going on down here. However, I am concerned that this might not happen given the very powerful and well connected players involved, not to mention the big money involved, none of which has anything to do with what is best for our children.

It is my prayer that our leaders will do what is right, follow the law and protect the rights of our wonderful public school children.

Best,

Doug Lewis, Parent

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**From:** douglasantlewis@gmail.com <douglasantlewis@gmail.com>

**Sent:** December 4, 2019 2:43 PM

**To:** 'Douglas Lewis' <douglasantlewis@gmail.com>

**Subject:** FW: Expanding Education Choice for Collier Families

Please see the below and attached. We have some massive issues in Collier County, and MCA charter school parents, like myself, are understandably very concerned about stated efforts to terminate MCA and pass our school along to another newly approved HILLSDALE COLLEGE AFFILIATED...charter school, all without a School Board vote or approval, unless this issue was decided outside of the sunshine and without any due process or full and fair consideration of the facts in relation to the law.

I love the free market and fully support free market competition and expanding education choice for Collier families, but I and Collier County voters have a real issue with any improper use of government (and powerful tools like charter termination) to pick winners and losers.

FDOE really needs to step in and investigate so that we can all get to the bottom of what is really going on down here. However, I am concerned that this might not happen given the very powerful and well connected players involved, not to mention the big money involved, none of which has anything to do with what is best for our children.

It is my prayer that our leaders will do what is right, follow the law and protect the rights of our wonderful public school children.

Doug Lewis, Parent

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**From:** [douglasantlewis@gmail.com](mailto:douglasantlewis@gmail.com) <[douglasantlewis@gmail.com](mailto:douglasantlewis@gmail.com)>

**Sent:** December 4, 2019 1:46 PM

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**Subject:** RE: Expanding Education Choice for Collier Families

Dr. Alves,

I attended a parent open house last night at MCA and can confirm that MCA parents (excepting several parents new to the school this year) were in deed contacted by NCA by email soliciting them directly to enroll in NCA. It appears that NCA has unlawfully and/or improperly appropriated Collier County Public School email address and used this list for its own commercial purposes.

As a follow-up to the below, can you investigate this deeply concerning issue and let me know what you discover? Again, this email from NCA to me and MCA parents was unsolicited and is unwelcome. There have been other charter start-ups in Collier County since MCA, but this it the first time that I am aware of that an unapproved (or otherwise) charter school has directly solicited parents of another charter school seeking to enlist the youth of such parents as part of its student recruitment plan to enable NCA to attract its targeted population.

Also, kindly confirm whether or not NCA's apparent intent and actual use of such MCA email list as part of its recruitment plan was disclosed to and approved by you as part of the NCA application?

Additionally, when will NCA start and where will it be located? Other than the existing MCA site, are you aware of any existing site in North Naples or otherwise that would permit a Fall 2020 start date? If not and if NCA will need to buy land, rezone it, build, etc. what would be the earliest possible start date and shouldn't the NCA application be fixed by the applicant to reflect the same before presenting the NCA application to the Board? If not, why not?

Dr. Alves and Ms. Zinser, can you provide me (well in advance of the meeting next week assuming that it has not already been pulled from the agenda), all of the following that has been obtained by CCPS so that the public can see a realistic sense of NCA's facility needs.

1. A plan and timeline for securing a facility that is appropriate and adequate for the school's program and targeted population.
  - a. In this regard, if a site is not under contract, can you provide me with a list of all of the proposed NCA sites and the anticipated cost for each site? What happens if NCA cannot obtain a site? What is the NCA contingency? Is NCA bound or obligated to open its school in a specific geographic area like North Naples? If so, can you define North Naples? If not, how does the fact that NCA could open up in any geographic area in Collier impact staff's review of the NCA application?
2. Reasonable projections of facility requirements.
3. Evidence that the school has the necessary resources to fund the facilities plan.
  - a. In this regard, land prices in North Naples are much higher than for example the Estates. Please provide the market study, list of all possible NCA sites with land and building costs, etc.
4. Adequate facilities budget based on demonstrated understanding of fair market costs.
  - a. How can staff determine this without knowing the land costs and considering available sites together with appraisals, property listings or a comparative market analysis on all of the potential NCA school sites?

In regard to the foregoing, is the existing MCA site one of the sites that NCA is looking to use on either a temporary or permanent basis? If so, that would be unlawful. Agreed? If not, can NCA and the District put this commitment in writing as part of its application and approval review and prior to any Board review of the same? If not, why not, especially given the stated purpose of terminating the contract for MCA...and passing the school along to another newly approved HILLSDALE COLLEGE AFFILIATED...charter school?

Regarding, "Reviewers will look for an outline of a reasonable transportation plan that serves all eligible students and will not be a barrier to access for students residing within a reasonable distance of the school." What has been obtained by CCPS to confirm compliance with this and reasonable distances? Also, how can you evaluate this requirement without a location or a firm commitment by NCA in the application to a specific geographic area like North Naples?

Regarding, "Budgetary projections that are consistent with and support all key aspects of the application, including the school's mission, educational program, staffing plan, and facility." and "A realistic assessment of projected sources of revenue and expenses that ensure the financial viability of the school." What has been obtained by CCPS to confirm compliance with this? Also, how can you evaluate this requirement without actual and current land pricing/availability information from the applicant on proposed land/sites for purchase or rental?

Also, regarding, "A sound plan to adjust the budget should revenues not materialize as planned." And given the statement from Matthew Mathias ... Chair of the Phoenix Education Network as owner of NCA ... of his stated intention of "terminating the contract for MCA...and passing the school along to another newly approved ... HILLSDALE COLLEGE AFFILIATED...charter school.", what is NCA's plan to meet its enrollment/revenue projections in the event that MCA is not improperly/unlawfully and subsequently terminated by the Board? For example, it would be wise for NCA to rent a school location for several years first to see if target enrollment/revenue can be obtained before expending millions on a new facility. Agreed? In other markets/Districts in Florida, Optima did not have stiff competition from another classical education charter school, which in this case NCA and Optima would be competing against the top performing public school in Collier County. In fact, what evidence of demand has NCA provided to justify need for another classical education charter school? Can you provide me with the current waiting lists for all of the charter schools in Collier County, including an apples to apples comparison of the NCA projected year one enrollment to the current MCA waiting list? I find it curious that NCA's application does not take this into account in addressing enrollment projections and its plan to adjust the budget. Do you agree with the foregoing? If not, why not?

Also, 12% of gross revenues are being taken from NCA and its future students by Optima. This creates significant overhead that does not exist in schools like MCA, MIA, etc. What diligence has CCPS done to determine whether or not this 12% of gross revenue payment to Optima is viable? For example, could MCA, MIA, etc. operate without this annual 12% of gross revenue and how does NCA's decision to create this type of overhead/drag harm public school students?

On page 97 of the Charter Application, the Applicant describes a planned loan as "Revenue: \$500,000 unsecured loan from the Optima Foundation.", in the interest of full public transparency of the school and its financial health, where is Optima getting this \$500k to loan to NCA? It is my understanding that Optima will obtain an 8% return to be repaid by taxpayer money on this loan. As such, please forward all of the 990s for Optima and copies of the proposed loan documents and terms well in advance of any hearing to consider approval of the NCA charter application.

Finally, what roles have Mr. Fishbane and the District played in connection with Mr. Mathias, NCA, Mrs. Donalds, and Optima? Any potential conflicts of interest and contacts/interactions/plans/agreements between these parties pertaining to the NCA charter application and the plan as expressed by Matthew Mathias ... Chair of the Phoenix Education Network as owner of NCA ... to terminate the contract for MCA...and pass the school along to another newly approved HILLSDALE COLLEGE AFFILIATED...charter school should be fully disclosed to the Board, the public and MCA prior to any consideration of the NCA Charter Application. Agreed? If not, why not? In addition, kindly provide all records pertaining to the foregoing interactions by the parties to Board, the public (by way of agenda item back-up material) by the end of the day on Friday, December 6, 2019 so that we can all be informed of what is really going on with the NCA application. Thank you in advance.

Best,

Doug Lewis, Parent

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**From:** [douglasantlewis@gmail.com](mailto:douglasantlewis@gmail.com) <[douglasantlewis@gmail.com](mailto:douglasantlewis@gmail.com)>

**Sent:** December 3, 2019 1:14 PM

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Cc: [ZinserLe@collierschools.com](mailto:ZinserLe@collierschools.com); [ferree1@collierschools.com](mailto:ferree1@collierschools.com)

Subject: FW: Expanding Education Choice for Collier Families

Dear School Board,

I am a parent of a student attending MCA. I received the below email from NCA. This email was unsolicited and is unwelcome. It is my understanding (based on my review of written statements from Matthew Mathias ... Chair of the Phoenix Education Network as owner of NCA ... and others) that NCA seeks/conspires to improperly replace (and/or take the students from) MCA with the help of the District and sometime after NCA gets approved by the Board next week, notwithstanding contractual and other legal rights held by MCA.

Regarding the below email from NCA, I am writing you for two primary reasons.

First, I am requesting your help to know how NCA obtained my email address including confirmation on whether or not NCA received my email address from the District.

Second, NCA appears to be improperly targeting MCA parents with this mailchimp in order to achieve its enrollment projections. As such, please ask your staff to follow-up with the applicant and confirm whether or not this is occurring. If such is the case, such would be deeply concerning, especially given the well-publicized damage inflicted on MCA by some of the very parties that are now behind the NCA application, and the financial benefits that person(s) involved with the NCA application might stand to gain if NCA enrollment projections were achieved with help from the District by taking/recruiting MCA students and/or conspiring to further damage, undermine or terminate MCA.

In regard to the foregoing, kindly provide a copy of:

- (i) "Exhibit T – Evidence of demand for the school" from the NCA application as provided by the application; and
- (ii) Confirm whether or not Dr. Elizabeth Alves and other District staff reviewers were informed by either the applicant or Mr. Fishbane of written statements from Matthew Mathias ... Chair of the Phoenix Education Network as owner of NCA ... of his stated intention of "terminating the contract for MCA...and passing the school along to another newly approved [Note: that would be NCA and the conspiratorial act that you as Board members are looking at taking next week]...HILLSDALE COLLEGE AFFILIATED...charter school."

In addition, if the foregoing information and stated purpose for forming NCA was withheld or hidden from Dr. Elizabeth Alves, other District staff reviewers and the public at large, kindly advise of the reason why and who is going to be held accountable for the same.

Also, by way of this email and in view of the foregoing, I respectfully ask that Dr. Elizabeth Alves and other District staff reviewers provide an updated staff report and/or pull this item from next week's Board agenda until such time as:

- (i) the public understands how this information from Mr. Mathias and others impacts the representations made by NCA in its application and staff's position in relation to the charter application evaluation criteria; and
- (ii) the public receives a full, transparent evaluation and investigation from Dr. Elizabeth Alves, other District staff reviewers and FDOT of any plan to use MCA to meet NCA's enrollment projections.

Florida law requires that NCA demonstrate a “plan and process that will likely result in the school meeting its enrollment projections” and “a student recruitment plan that will enable the school to attract its targeted population.” Approving NCA based on a plan to terminate MCA to achieve NCA enrollment projections is improper and unlawful. If fact, I suspect that it is very possible that the loan money for NCA (making NCA non-feasible) would dry up if NCA and the District formally rejected any plan to terminate MCA to achieve NCA enrollment projections. As such, there is a heightened need for the public to see “Exhibit T – Evidence of demand for the school” and also for NCA to demonstrate a real “plan and process that will likely result in the school meeting its enrollment projections” and “a student recruitment plan that will enable the school to attract its targeted population.”, all based on written assurances from NCA and the District that MCA will not be terminated or undermined to allow NCA to achieve its enrollment projections.

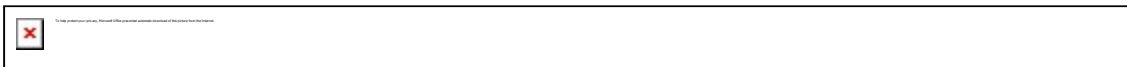
Finally, do you agree with the applicant Matthew Mathias ... Chair of the Phoenix Education Network as owner of NCA ...that NCA, a “pathway to accomplish EVERYONE’s objectives” and are CCPS Board members part of this conspiracy as stated by Mr. Mathias and others?

I look forward to your response and the requested documents (I am copying Ms. Zinser on the records requests) on or before the end of the day on Friday, December 6, 2019. Thank you in advance. Best,

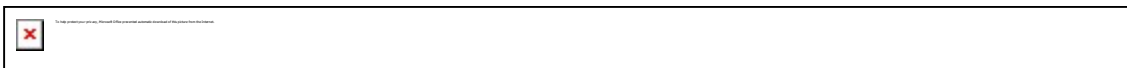
Doug Lewis, Parent

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**From:** Naples Classical Academy <[info@naplesclassical.org](mailto:info@naplesclassical.org)>  
**Sent:** December 3, 2019 6:40 AM  
**To:** [douglasalewis@me.com](mailto:douglasalewis@me.com)  
**Subject:** Expanding Education Choice for Collier Families



# New Classical Charter School Coming to North Naples!



# Announcing, Naples Classical Academy!

Naples Classical Academy is a brand new non-profit classical education charter school opening in northern Collier County, seeking to serve the North Naples community. Established as an alternative to the current school choice options, NCA will provide a world-class education choice for thousands of families in North Naples, where many desirable public schools are at or above capacity.

Only 6.8% of Collier County's 48,171 students are currently attending charter schools, many of which have long waiting lists. NCA's board of directors believes that many more Collier families will embrace an additional classical education option in our community, and we are excited to bring this brand new school to fruition. Please see below for updates on our progress!

- **Facility** - NCA recently made an offer on a permanent facility, which will house 70,000 square feet of classroom and multipurpose space, a regulation size athletic field, and space for an eventual gymnasium. We hope to announce the location and share the site plan by year-end.
- **Charter Application Approval** - NCA's charter application has been recommended for approval at the December 9, 2019 Collier County School Board Meeting at 5775 Osceola Trail, Naples, FL 34109. *Please attend the meeting at 5pm to show your support!*
- **Principal Search** - NCA is conducting a nationwide Principal search with a proven executive search firm. Interested candidates may apply [here](#). Resumes for other faculty positions are also being accepted at [info@naplesclassical.org](mailto:info@naplesclassical.org).
- **Enrollment** - Information about enrollment will be posted prior to December 31st. Sign up [here](#) to stay informed about our enrollment dates and process.

Follow NCA on Facebook!



### *Our Partner*

NCA has partnered with The Optima Foundation, a 501(c)(3) non-profit which provides professional, charter school management and oversight services to classical education charter schools in Florida. Learn more at [OptimaEd.org](https://www.optimaed.org).

- [Treasure Coast Classical Academy](#) opened in Martin County, Florida in 2019 with nearly 600 students in grades K-6. TCCA will move into its newly constructed 65,000 square foot permanent facility over winter break. TCCA is affiliated with the Hillsdale College Barney Charter School Initiative (BCSI).
- [Jacksonville Classical Academy](#) is also affiliated with BCSI, and is opening in downtown Jacksonville in Fall 2020. JCA's 88,000 square foot facility is currently under construction, with expected completion in July 2020.





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