



MASON
CLASSICAL
ACADEMY

NAPLES, FLORIDA

FOUNDED 2014

Dear MCA Community,

Since its founding in 2014, Mason Classical Academy (MCA) has garnered respect and accolades for our great curriculum, caring faculty, staff and superior results. Every year since opening, MCA has received an "A" rating and is currently ranked in the top 2% of all schools in the state. It is also the highest-rated elementary, middle and high school in Collier County and has been a pillar of academic excellence for our students. In addition to our academics, MCA has passed its rigorous independent audit from McCrady and Associates, focused on its finances, oversight and policies and procedures. Each of our annual audits were sent to the District-and there have never been any questions or concerns with the auditor's findings.

In the five years since MCA opened, our reputation has never come into question, until about a year ago when Collier County Public Schools (CCPS) General Counsel Jon Fishbane undertook an "investigation" of MCA based on unfounded complaints from Joseph Baird, a former MCA parent who also spent two months as the school's Treasurer in 2016. Mr. Baird's original complaints came via a letter he sent to the Florida Department of Education (FDOE) that was forwarded to the CCPS Board, because the agency had no jurisdictional purview in the matter. It might not be coincidental that this letter, containing multiple allegations against MCA, was sent two weeks following MCA advising the Baird family that their children, former MCA students then being home schooled, could not participate in the school's sports programs, as dictated by Florida

statute. Prior to his complaint, the records show he sent multiple emails praising Mr. Hull and the school's leadership.

It is important to note; it is still unclear who ordered this investigation. What we do know, based on public records requests and inquiries with CCPS is, the School Board did not vote to have Mr. Fishbane conduct an investigation. However, that did not stop Mr. Fishbane from conducting one-even without informing MCA that he was doing so. What resulted was an unfair, biased, inaccurate report regarding our school.

On June 13, 2019, directly following the release of the Fishbane report on MCA, our governing board retained the law firm of Coleman, Hazard, Taylor, Klaus, Doupe & Diaz to investigate the allegations made in this "investigative report" into MCA. The law firm's comprehensive, independent report (the Coleman Report) exonerates MCA of any wrongdoing, relying on numerous interviews, review of hundreds of emails and documents, and evaluation of the Fishbane report and its allegations against MCA in the context of the governing Charter School Agreement with CCPS and applicable Florida law.

The Coleman Report was just finalized and is attached to this email for your review. Here are a few of the report's most glaring findings:

- Mr. Fishbane failed to afford MCA any due process in this year-long investigation. The Coleman Report confirms that Mr. Fishbane was "...stridently one-sided regarding the persons interviewed and documents collected." and "The entire yearlong investigation, its findings, and the District's move to discuss termination, was conducted in opposition to Florida Statute, Section 1002.33, the "Charter Statute," and MCA's own charter contract." CCPS attempted to terminate the highest performing elementary, middle and high school in Collier County without following the required steps per Florida statute.
- Mr. Fishbane accused MCA of violating the Family Educational and Privacy Act (FERPA). The Coleman Report confirms that no FERPA violations occurred, as the persons with whom MCA shared

personally identifiable student information was shared for a "legitimate educational purpose in providing the information..."

- Mr. Fishbane accused MCA of violating Sunshine Law. The Coleman Report confirms that no Sunshine Law violations occurred, "with the exception of Mr. Baird's September 29, 2016 email to Mrs. Lichter."
- Mr. Fishbane accused MCA of holding meetings without a quorum on January 26, 2018, April 26, 2018, June 30 and December 14, 2018. The Coleman Report confirms that the MCA governing board did not hold or conduct meetings wrongfully or impermissibly. "The Firm finds that a quorum was established on the following dates: January 26, 2018, April 26, 2018, June 30 and December 14, 2018. Any and all business that was voted on during those meetings, including the Fiscal Year 2019 Budget and election of Mr. Bolduc was conducted and voted on appropriately."
- The Fishbane report also addressed a situation from 2015 with former parent, Valerie Parker. Because Coleman's firm sought to protect the privacy of the student, they omitted the actual records between Mrs. Parker and MCA school officials. However, after reviewing the record, the Coleman Report states, "The records reviewed do not support Mrs. Parker's perception of events." Mr. Fishbane was provided with the specific records in Mrs. Parker's own words, which vindicate MCA. However, Mr. Fishbane failed to include them in his report because they would not support his narrative.

What began as an investigation into reported allegations of financial mismanagement, abuse, violations of law and breach of the school's charter contract with CCPS, turned out to be nothing more than a political exercise intended to assassinate the character of MCA's leadership and pressure MCA to reconstitute its governing board by any means necessary.

The Coleman Report exonerates Mr. Hull and MCA governing board members, Kelly Lichter and Laura Miller and concludes, "The firm has found no basis for Mr. Fishbane's recommendation that Mrs. Lichter and Ms. Miller need to be removed as members of the MCA board. Further, there is no provision in either Florida law or the Charter Contract that provides for such a recommendation. Mr. Fishbane's comments are far outside the power of the District as MCA's Sponsor under Florida Law and the Charter Contract." MCA is currently evaluating its available remedies for the harm caused by these baseless claims.

Finally, we want to thank our dedicated students, parents, faculty and staff who have stood in support of MCA and its leadership. We are grateful to have so many incredible people a part of this amazing school community!

Kind regards,
Kelly Lichter
President

Please click [here](#) to read the full Coleman Report.

NONDISCRIMINATORY POLICY

Mason Classical Academy admits students of any race, color, national and ethnic origin to all the rights, privileges, programs and activities generally accorded or made available to students at the Academy. It does not discriminate on the basis of race, color, national and ethnic origin in administration of its educational policies, admissions policies, athletics and other school-administered programs.

Mason Classical Academy is a 501(C)3 Non-Profit Corporation.

Your tax-deductible contribution will fund the Academy so it can prepare its students to be leaders in their homes and communities, entrepreneurs in business, and statesmen in government.

Through your generosity and the Academy's rigorous curriculum, Mason Classical Academy will provide a tuition-free classical K-12 education with a constant view towards developing exceptional American citizens. Thank you for supporting Mason Classical Academy.

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