



The District School Board of Collier County

Everglades City, Immokalee, Marco Island, & Naples, Florida

Special Board Meeting
November 8, 2013 - 3:30 p.m.
Dr. Martin Luther King Jr. Administrative Center
5775 Osceola Trail - Naples, FL 34109

November 8, 2013 - Special Board Meeting

STATEMENT OF MEETING GUIDELINES: All electronic devices, such as pagers, cell phones, and any other wireless communication device, must be turned off while in the Board Room, as they may interfere with the television broadcast. Members of the public wishing to speak on any agenda item must complete a Speaker Registration Card for the Board Secretary. No speaker shall indulge in personal attacks while speaking. All comments and questions are to be addressed directly to the District School Board. Members of the public who wish to address the Board regarding items not on the agenda may do so during Public Comments. Speakers will be limited to three minutes unless granted additional time by the Chair. A yellow caution light will appear on the timer when one minute remains, and a red light will appear when the time expires. The Chair, with the consent of the Board, shall have the right to limit public debate on any agenda item. The Board Parliamentarian shall enforce the Meeting Guidelines.

Call to Order

1. [Call to Order](#)

Minutes: Mrs. Barbara Berry, Board Chair, called the meeting to order at 3:30 p.m.

Roll Call

2. [Roll Call](#)

Minutes: The roll was called by Jennifer Weimer. All members were present with Mrs. Carroll and Mr. Terry participating via telephone.

Statement of Meeting Guidelines

3. [Statement of Meeting Guidelines](#)

Minutes: Mrs. Barbara Berry read the Statement of Meeting Guidelines.

Pledge to the Flag

4. [Pledge to the Flag](#)

Minutes: The Pledge of Allegiance was led by Mrs. Barbara Berry.

Special Meeting Topics for Review and Discussion

5. [Hearing on Notice for Recommended Closing of iGeneration Empowerment Academy](#)

Attachment: [Notice of Hearing.PDF](#)

Minutes:

Attorney Jim Fox shared the procedures for the Quasi-Judicial Hearing. All of the witnesses were sworn in by the Board Secretary.

Ex Parte Disclosures were made by the Board.

Mr. Jon Fishbane, School Board Attorney, District General Counsel, and Dr. Jeffery Baker, President and Board Chair, iGeneration Empowerment Academy, appeared as the Parties for the Record.

Board Chair, Barbara Berry, asked for the Presentation of the Cases-in-Chief.

Presentation of the District

6. [Presentation of the District](#)

Minutes:

Mr. Jon Fishbane submitted documents into evidence and began the presentation of the District. Mr. Fishbane introduced witness Nicole Hughes, Director of Charter Schools for the District, who provided testimony in the case. Dr. Jeffery Baker provided cross-examination of the witness on behalf of iGeneration Empowerment Academy. Mr. Fishbane was given the opportunity to redirect.

Mr. Fishbane then introduced witness Philip McGuire, Budget Director for the District. Based on Mr. McGuire's expertise, Mr. Fishbane asked that Mr. McGuire be qualified as an expert to discuss budget matters, to which there were no objections. Mr. McGuire then provided further testimony in the case. Dr. Baker provided cross-examination of the witness on behalf of iGeneration Empowerment Academy. Mr. Fishbane was given the opportunity to redirect.

The petitioner rested.

Closing statements for the District were provided by Mr. Fishbane.

Presentation of iGeneration Empowerment Academy

7. [Presentation of iGeneration Empowerment Academy](#)

Minutes:

Dr. Jeffery Baker submitted documents into evidence and presented on behalf of iGeneration Empowerment Academy. Mr. Fishbane provided cross-examination of Dr. Baker on behalf of the District.

Dr. Baker introduced Brian Sampson of InterVisual Education Management Services of Florida, LLC, to provide testimony in the case. Mr. Fishbane provided cross-examination of Mr. Sampson on behalf of the District.

Board Chair, Barbara Berry, called for a brief recess. The meeting reconvened at 5:30 p.m., and Dr. Baker introduced Caroline Magliolo of Coleman Yovanovich Koester, attorney for iGeneration Empowerment Academy, to provide testimony in the case. Mr. Fishbane provided cross-examination of Ms. Magliolo on behalf of the District.

Mr. Sampson and Dr. Baker, together, provided further testimony, referencing the exhibits submitted into evidence. Mr. Sampson was allowed to read a letter into evidence from Ms. Synthia LaFontaine, former Campus Director of iGeneration Empowerment Academy.

Dr. Baker then introduced J. Christopher Lombardo of Woodward, Pires & Lombardo, P.A., to provide testimony in the case. Mr. Fishbane provided cross-examination of Mr. Lombardo on behalf of the District.

The following parents were called as witnesses and sworn in by the Board Secretary to provide testimony in support of iGeneration Empowerment Academy:

- Areceli Ramirez
- Sharon Howard

The respondent rested.

Closing statements for iGeneration Empowerment Academy were provided by Dr. Baker.

Questions and Discussion By the Board

8. [Questions and Discussion By the Board](#)

Minutes:

The Board began their deliberation based on the testimony provided and discussion ensued.

Public Comments

9. [Public Comments](#)

Minutes: Public comments were provided by LuAnn Salter, an employee of iGeneration Empowerment Academy.

Superintendent Recommendation

10. [Superintendent Recommendation](#)

Minutes:

Based upon the evidence presented, the Superintendent recommended the termination of iGeneration Empowerment Academy.

Board Decision

11. [Board Decision](#)

Minutes: Board Chair, Barbara Berry, asked for the Board's decision in this case, and the following motion was read into the minutes:

Motions:

Based upon the testimony and evidence presented in Case #13-002, I move that the Board find that the Charter for iGeneration Empowerment Academy of Collier County has:

1. Failed to participate in the state's education accountability system created in s. 1008.31, as required in this section, or failure to meet the requirements for student performance stated in the charter,
 2. Failed to meet generally accepted standards of fiscal management,
 3. Violated the law, and
 4. Should be terminated.
- PASS

I further move that the Charter of iGeneration Empowerment Academy of Collier County be terminated for these reasons;

That the termination be effective as of December 12, 2013; and that

The Chair is authorized to issue a written Order conforming to these determinations.

Vote Results

Motion: Julie Sprague

Second: Kathleen Curatolo

Barbara Berry - Aye

Pat Carroll - Aye

Kathleen Curatolo - Aye

Julie Sprague - Aye

Roy Terry - Aye

Adjournment

12. [Adjournment](#)

Minutes: There being no further business, the meeting was adjourned at 6:21 p.m.

*The Asterisk indicates that additional written supportive material is available in the Board Offices. IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE SCHOOL BOARD WITH RESPECT TO ANY MATTER CONSIDERED, HE/SHE WILL NEED A RECORD OF THE PROCEEDINGS AND, THEREFORE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE. THE RECORD MUST INCLUDE THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.