



Duval County Public Schools

January 22, 2015 - Special Board Meeting - Immediate Termination of Charter for Scholar Preparatory Academy, Inc.

Ms. Cheryl Grymes, Chairman
Ms. Ashley Smith Juarez, Vice Chairman
Ms. Becki Couch
Mr. Jason Fischer
Dr. Constance S. Hall
Mr. Scott Shine
Ms. Paula D. Wright
Dr. Nikolai Vitti, Superintendent

ATTENDANCE AT THIS SPECIAL MEETING OF THE DUVAL COUNTY SCHOOL BOARD: All Board Members were present with the exception of Board Members Ashley Smith Juarez, Becki Couch and Paula Wright. Dr. Nikolai Vitti, Superintendent, and Ms. Karen Chastain, Chief of Legal Services, were also present.

Call Meeting to Order

[Call Meeting to Order](#)

Minutes: The meeting was called to order at 10:02 a.m.

Operations - School Choice & Pupil Assignment

[School Choice & Pupil Assignment](#)

Attachment: [January 23 2015 Updated Termination Notice agenda pdf.pdf](#)

Attachment: [January 22 2015 Termination Notice agendapdf.pdf](#)

Minutes:

COMMENTS FROM THE AUDIENCE

Christopher Norwood
Governance Institute for School Accountability on behalf of Scholar
Preparatory School

Mr. Norwood gave some background information on what has led up to the possible closing of Scholar Preparatory School. A trial was held just before the holidays and the judge's decision has not been made at this point in time. He cited the issues in the case and feels that the Board should not go forward in terminating the school before the judge's decision has come through; to do so would deny the school due process rights. He stated that the recommendation to terminate the school is flawed and proceeded to state why:

- School is to remain open until final disposition.
- Today's decision would not automatically supersede that.
- Even if it did, the law says the district should take over the operation of the school unless doing so would pose a threat to health, safety and welfare of the children.

Approval of Agenda

APPROVAL OF THE JANUARY 22, 2015, AGENDA:

Motions:

That the Duval County School Board approve the January 22, 2015 agenda as submitted on January 20, 2015 with the following changes--revised item and revised attachments:

--PASSED – 4-0

Vote Results

Motion: Jason Fischer

Second: Scott Shine

Cheryl Grymes – AYE

Connie Hall – AYE

Jason Fischer – AYE

Scott Shine – AYE

DISCUSSION AGENDA

While Dr. Vitti agrees that a judge's decision from the hearing mentioned during public comments is still pending, new information has surfaced that indicates the charter school has no record of making insurance payments for the past few months and that has a direct impact on the health and welfare of the children. That is the basis for the expedited hearing. This issue is totally separate from the many other issues that were brought before the judge during the hearing.

Board Member Fischer asked how today's decision by the Board would have an effect, if any, on the pending decision yet to be made by the judge, or vice versa.

Ms. Chastain explained that the lack of payment of insurance by the school is not part of what is before the judge for consideration. They were careful to ensure that there is no overlap in issues being considered in both hearings.

Mr. Fischer asked Mr. Norwood if anything in Dr. Vitti's recommendation is a result of inaccurate information to the Board. Mr. Norwood explained that since the school is located on the property of Bank of America, the school is covered by their insurance and has a letter from Bank of America stating that.

Ms. Chastain said Bank of America no longer owns the office park; they themselves are a tenant. The school is a sub-tenant. The Board has not received any documentation indicating Bank of America has taken on the liability of the school.

Mr. Norwood said they would be ironing out issues they have had with the insurance company they were using about how payments were made to them. The school paid a lump sum to them that they were to spread out over time, but didn't.

Motions:

1. That the Duval County School Board approve the delivery of the immediate termination notice dated January 22, 2015, to Scholar Preparatory Academy, Inc., pursuant to section 1002.33(8)(d), F.S.
2. That the Duval County School Board approve the delivery of the January 23, 2015, immediate termination notice (amending the January 22, 2015 notice) to Scholar Preparatory Academy, Inc., pursuant to section 1002.33(8)(d), F.S., if the additional defaults stated therein remain uncured.
3. That the Duval County School Board authorize the Superintendent or his designee to amend the termination notice or withdraw the termination notice(s) if Scholar Preparatory, Inc., cures all defaults of the charter contract.
4. That the termination of the charter contract and the closure of the charter school would be implemented effective at 11:59 p.m. on January 23, 2015, as set forth in the termination notice(s).
5. If Scholar Preparatory, Inc., timely files a proper appeal, that the Duval County School Board conduct a direct hearing pursuant to section 1002.33(8)(b)1., Florida Statutes.

-- PASSED – 4-0

Vote Results

Motion: Connie Hall
Second: Jason Fischer

Cheryl Grymes – AYE
Connie Hall – AYE
Jason Fischer – AYE
Scott Shine – AYE

Adjournment

[Adjournment](#)

Minutes:

The meeting was adjourned at 10:28 a.m.

LBL

Superintendent

Chairman