

**MINUTES OF THE CAPE CORAL**  
**CHARTER SCHOOL AUTHORITY GOVERNING BOARD**  
**SPECIAL MEETING**

**Tuesday, April 4, 2017**  
**Green Room (Old City Hall)**  
**10:30 a.m.**

**CALL TO ORDER:** The Cape Coral Charter School Authority Governing Board of Lee County, Florida, met on April 4, 2017, in the Green Room (Old City Hall), a Special Governing Board Meeting. Chair Cosden called the meeting to order at 10:31 a.m.

**1. MOMENT OF SILENCE:** Chair Cosden

**2. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA:**

All in attendance

**3. ROLL CALL:** Boyer, Cosden, Fisher, Traiger, Winstead, Zivkovic  
Lucas-Ross – Excused  
McMillan - Excused

**ALSO PRESENT:** Nelson Stephenson, Superintendent, Cape Charter School Authority  
Jacquelin Collins, Principal, Christa McAuliffe Elementary School  
Donnie Hopper, Principal, Oasis Middle School  
Kevin Brown, Assistant Principal, Christa McAuliffe Elementary  
Shannon Treece, Principal, Oasis High School  
Amanda Sanford, Assistant Principal, Oasis High School  
Christopher Fennell, Assistant Principal, Oasis Elementary School  
Penny Faulkner, Bookkeeper, Cape Coral Charter School Authority  
Christine Hoffman, Payroll Supervisor, Cape Coral Charter School Authority  
Danielle Jensen, Director of Procurement and Food Service  
Victoria Bateman, City of Cape Coral Finance Services Director  
Keri Tutterrow, Oasis High School  
Dolores Menendez, City Attorney  
Lisa Sonego, City of Cape Coral, Human Resources  
Vicki McAtee, City of Cape Coral, Human Resources Liaison to Charter Schools  
Britt Martin, Accountant, Cape Coral Charter School Authority  
Marni Sawicki, Mayor, City of Cape Coral  
Eric Feichthaler, Parent  
Gary Cerny, Parent  
Susan Teklitz, Parent  
Samantha Richardson, Parent  
John Bifano, Grandparent  
Marie Scott, Parent  
Jennifer Hoagland, Parent  
Dan Lumadue, Parent

Heather Lovejoy, Parent  
Branden Pearson, OHS Student

#### **4. APPROVAL OF AGENDA: EMERGENCY MEETING**

Motion was made by Member Boyer and seconded by Member Zivkovic to approve the agenda.

All “Aye’s,” motion carries.

#### **5. PUBLIC COMMENT:**

Keri Tutterrow states she hopes the Governing Board will take her thoughts into consideration for hiring a new superintendent.

Keri Tutterrow states she hopes the Governing Board will have discussions with the applicants and see if they’re aware of the growth mind set, deeper learning, and project based learning initiatives.

Keri Tutterrow states if the Board decides to release Stephenson from his duties today and hire someone for the interim, they will be sending the wrong message to stakeholders.

Dan Lumadue states that for many, many years, the Nordstrom motto was the customer is always right. So when a customer complained, they would resolve it by the customer is always right. Then another business came along and said the customer is not always right because we need to protect our employees. During the airline crisis, other airlines struggled but Southwest Airlines thrived. This was due to the downward loyalty to their employees.

Dan Lumadue states there is a chain of command that needs to be followed. He also states that if a person, during public comment, brings up another person’s name, that the person is stopped and asked if they have spoken with that person directly and gone through the chain of command.

Branden Pearson states that the Governing Board needs to find an interim superintendent because it would takes months to find then hire someone for that position.

Branden Pearson states at the City Council meeting last night, Council Member Stout mentioned that she has been in contact with Dr. Lee Bush.

Branden Pearson states Dr. Bush would be a good interim superintendent because he knows our system.

Eric Feichthaler states he has children in our Charter System and is the Vice Chair for the Charter School Foundation.

Eric Feichthaler states that the Charter School System is the greatest achievement the City of Cape Coral has ever had.

Eric Feichthaler states our System is imperfect but the things that need to be repaired are obvious.

Eric Feichthaler states there is a lack of communication between the City of Cape Coral and the Charter School System. The City needs to be a good partner with the Charter System in order for us to thrive and succeed.

Eric Feichthaler states there was a story a few days ago about a Grant that was given to one of the Charter Schools and the superintendent has no authority to approve the Grant. It needed to go to the City staff because it was a contract. These things move at the speed of light, the students are learning at the speed of light. If we have to wait 2, 4, or 6 weeks for something as basic as getting a Grant, there is a fundamental disconnect between the systems.

Susan Teklitz states she is concerned about the AICE Program.

Susan Teklitz states she has a lot of respect for Shannon Treece. She brought in some new teachers that actually teach a tough curriculum. A lot of parents complained so the curriculum was dumbed down. Susan also states she was not happy with that decision.

Susan Teklitz asks the Board to make sure the AICE Program is rigorous and that the students are prepared to work for it.

Shannon Treece states she would like to speak about the spirit of moving forward.

Shannon Treece states there is always room for improvement for everyone.

Shannon Treece states that the Board needs to remember that they are the face of our System and people turn to them for strength and understanding.

Shannon Treece asks the Board to make sure they keep the children the center of the work.

## **6. NEW BUSINESS:**

### **A. Superintendent Nelson Stephenson's June 30, 2017 Resignation – Chair Cosden**

Member Winstead addresses Mr. Stephenson and states they went through contract negotiations and came to an agreement. Why are you not continuing on?

Nelson Stephenson states he has been blessed to have been able to work in our System. At this time he would like to refer to the City Council meeting held last night and the comments that were made by Council Members. He states he would like the public to put themselves in his shoes and ask themselves if they would continue on.

Nelson Stephenson states he is not going to another position. He's not abandoning the schools because he has something better out there. He feels it's best for our students for him to move out so the System can move forward.

Nelson Stephenson states he feels like a lightning rod.

Nelson Stephenson states he will always take the high road.

*Discussion Held*

Vice Chair Zivkovic thanks everyone for coming out.

Vice Chair Zivkovic states we are losing two good leaders.

Vice Chair Zivkovic states school staff do not sign up to be politicians.

Vice Chair Zivkovic states some City leaders are outspoken with very little knowledge and a lot of innuendo.

Vice Chair Zivkovic states he wishes the media could report on positive things.

Vice Chair Zivkovic states the internal Charter School Audit was handled in a joint meeting with the City Council. Last night the Charter School Audit was put on the City Council's Agenda after the fact and no one contacted our Governing Board.

Vice Chair Zivkovic states he understands why people are leaving our System.

Vice Chair Zivkovic states the Governing Board members are all volunteers.

Vice Chair Zivkovic states our Charter School System is succeeding and will continue to succeed.

Vice Chair Zivkovic states the atmosphere is positive for Charter Schools.

Vice Chair Zivkovic states we are not a sinking ship.

Vice Chair Zivkovic states he hopes people will stop using innuendo and start using facts.

Vice Chair Zivkovic states there are staff members in house that can take over the interim superintendent position if need be. Mrs. Collins has tenure, has been with the System since the beginning, and can help with the transition.

Vice Chair Zivkovic states we don't need to rush into finding a replacement for superintendent.

Member Boyer states Nelson Stephenson is under contract until June 30<sup>th</sup> and releasing him will be a cost to us. There is no reason why he cannot continue his obligations under the contract.

Member Boyer states this is her fourth superintendent search in her five years on the Board.

Member Boyer states that the Board hired Ray & Associates to find the last two superintendents and it was not money well spent.

Member Boyer states the Board needs to decide if Nelson Stephenson stays on until his contract ends and begin the search for his replacement.

Member Boyer states Dr. Lee Bush was a great superintendent when he was here but we have enough internal staff that are qualified to cover.

*Discussion Held*

Member Fisher states that no one is more disappointed that Mr. Stephenson is leaving than he is.

Member Fisher states that we need to look ourselves in the mirror. We are losing two great administrators because of what's going on between the City and the Charter School System.

Member Fisher states that we have been held hostage by a few people in our system that have overshadowed the other kids.

Member Fisher states the Board received a message showing a student stating, "Two gone and one to go." This is not acceptable. We should not be putting up with this anymore.

Member Fisher states that we need to foster the environment.

Member Fisher states that an email the Board received shows a student saying, "Ha, ha, he got Mrs. Treece to leave" is garbage. This is something that needs to stop.

Member Fisher states this is a great System and we need to make sure this System continues to thrive.

Member Fisher states that we need to look out for all the students, not just the ones that complain and go around the System.

Member Fisher states he thinks highly of the Governing Board.

Member Campbell states the main priority is to maintain stability.

Member Campbell states whether it's a conflict of personalities, it's affecting our System and students. We should let Mr. Stephenson go and get a tenured principal to fill in that interim role.

Member Traiger states that the cost should be the same if we continue to keep Mr. Stephenson or release him from his contract.

Member Traiger states there is a big budget meeting coming up and feels confident Mary Anne can handle it if the Board decides to release Mr. Stephenson.

Member Traiger recommends the Board putting Jacquelin Collins in as interim superintendent through next school year.

Member Traiger states the search window for the best candidate for the superintendent position has closed.

Member Traiger states we need to hold the fort down and not rush in finding the next superintendent. We need to build on our relationship with the City and work on getting the Board a little more involved with what's happening.

Chair Cosden is concerned with taking a wonderful principal, Mrs. Collins, away from the school to serve as interim superintendent.

Member Traiger states Mrs. Collins has an excellent assistant principal, Mr. Brown, who has been with our System and possibly waiting for an opportunity to step up. We have successful leaders that are within our System that can do these jobs.

Vice Chair Zivkovic states he doesn't believe Christa McAuliffe Elementary will suffer if this is the transition the Board decides on.

Jacquelin Collins states she would be willing to take on the Interim Superintendent Position. She feels confident that she can build a relationship with the City.

Jacquelin Collins states she believes the Governing Board needs to do a whole hearted search and take time in finding the next superintendent.

Member Winstead states he likes the internal interim idea.

Member Winstead states he would like Mr. Stephenson to be available to answer any questions about issues that may come up with our System.

Member Winstead states he would like all the principals to make a joint effort in making the superintendent decisions and Jacquelin Collins would be the leader and signer because of her tenure.

Vice Chair Zivkovic asks Dolores Menendez the City Attorney, if it's possible to negotiate Nelson Stephenson's last few months privately.

Dolores Menendez states there are several options available. Mr. Stephenson can go to work everyday and fulfill his contract until it ends on June 30, 2017. Mr. Stephenson can be put on administrative leave until June 30, 2017. Mr. Stephenson would then be given instructions to be available during all business hours for things like consultations or to answer questions. The Board would continue to pay him during this time just as if he were physically there on campus and the Board can simultaneously enter into a Interim Superintendent Contract. Mr. Stephenson and the Board can negotiate an earlier departure, a clean break, from his contract and he would not have any further responsibilities. Someone on the Board can be appointed to have these negotiations with Mr. Stephenson.

*Discussion Held*

Motion made by Vice Chair Zivkovic and seconded by Member Campbell to approve putting Mr. Stephenson on administrative leave.

*Discussion Held*

Nelson Stephenson states he will not lose a financial component he worked hard to get in any negotiations.

Dolores Menendez states according to Mr. Stephenson's contract, if you terminate him without cause, he is entitled to four months severance pay and a retention payment of \$5,350.00.

Chair Cosden asks Dolores Menendez if the Board terminates Mr. Stephenson, he will get four months severance. If the Board allows Mr. Stephenson's contract to ride out then he will get three months pay plus the retention payment of \$5,350.00.

Dolores Menendez answers, "That's right."

*Discussion Held*

Member Boyer states if the Board is concerned over having control over Mr. Stephenson, she recommends terminating him without cause and put Jacquelin Collins in place as interim superintendent.

Chair Cosden asks Nelson Stephenson, "Do you have a lot of vacation days accrued?"

Nelson Stephenson answers, "Yes."

Chair Cosden asks Nelson Stephenson, "Would you take those days over the next three months?"

Nelson Stephenson answered, "No."

*Discussion Held*

Amended Motion made by Vice Chair Zivkovic and seconded by Member Campbell to terminate Nelson Stephenson without cause effective immediately.

Member Winstead states he's sad about the situation.

*Discussion Held*

Member Fisher states he doesn't like the word termination.

Member Fisher states in previous high level employment, he gave notice and helped the next person who took over for him.

*Discussion Held*

Dolores Menendez asks the Board if they would object to paying Nelson Stephenson in one lump sum. Normally, when you terminate someone you cut all ties with that person.

Mary Anne Moniz states she has no objection to paying Mr. Stephenson in one lump sum.

Nelson Stephenson states he would not like to be paid in one lump sum due to taxes that would be taken out. He would rather be paid in biweekly installments.

Vice Chair Zivkovic states that all Mr. Stephenson would have to do is adjust his withholdings so his lump sum payment wouldn't be taxed so much.

**Board Vote:** Boyer, Campbell, Cosden, Fisher, Traiger, Winstead, Zivkovic

**Ayes:** Boyer, Campbell, Cosden, Traiger, Winstead, Zivkovic

**Opposed:** Fisher

**Motion passes**

Chair Cosden states she would like to discuss Dr. Lee Bush. She received a letter from him stating he was interested in helping out as interim superintendent short term. She spoke with all principals, some teachers, and parents about this. Some said they thought it would be a great idea but the majority did not like it. They think Dr. Bush is a great guy but we are not the same system we were five to ten years ago.

Chair Cosden states her intuition says it is not the best idea to bring Dr. Lee Bush back.

Vice Chair Zivkovic states he came onto the Board during Dr. Lee Bush's last year.

Vice Chair Zivkovic states there were a lot of jobs undone when Dr. Lee Bush retired.

Vice Chair Zivkovic states he feels we are a more mature system and have a strong administration so there's no need to bring someone from the outside to be the interim superintendent.

Member Fisher states he agrees with Member Zivkovic.

Member Fisher states he thinks highly of Dr. Bush but we need to move forward.

Member Winstead states he is fond of Dr. Lee Bush but has seen a lot of things that had to be addressed.

Motion made by Vice Chair Zivkovic and seconded by Member Boyer to approve and appoint Jacquelin Collins as acting Interim Superintendent.

Member Campbell asks Nelson Stephenson when he is away, how does he delegate his authority.

Nelson Stephenson states there is a Delegation Form he signs that authorizes someone to take charge in his absence.



*Discussion Held*

Dolores Menendez recommends the Board needs to appoint one person to work on all of the details with appointing Jacquelin Collins as the Interim Superintendent.

**Board Vote:** Boyer, Campbell, Cosden, Fisher, Traiger, Winstead, Zivkovic  
**All “Aye’s,” motion carries.**

*Discussion Held*

Motion made by Member Campbell and seconded by Member Boyer to approve Vice Chair Zivkovic to work with the City Attorney’s Office, Mrs. Collins, and the City of Cape Coral Charter School Authority staff on the Interim Superintendent contract negotiations.

**Board Vote:** Boyer, Campbell, Cosden, Fisher, Traiger, Winstead, Zivkovic  
**All “Aye’s,” motion carries.**

Member Boyer states the next thing that needs to be discussed is how to advertise the Superintendent position.

Chair Cosden recommends advertising locally and use City of Cape Coral Human Resources Department.

Chair Cosden states the Superintendent Job Description is fine.

Member Boyer states that in the past, there was stakeholder input. Parents and staff were surveyed and there was a meet and greet with the top applicants.

*Discussion Held*

Dolores Menendez recommends the Board should appoint one person to work with Human Resources and bring that information back to the Board at the next meeting on April 21, 2017.

Motion made by Vice Chair Zivkovic and seconded by Member Winstead to approve Chair Cosden to be the point person with the City of Cape Coral Human Resources Department.

**No objections to the motion.**  
**Motion carries.**

*Discussion Held*

Vice Chair Zivkovic thanks everyone for attending the meeting.  
Vice Chair Zivkovic states the System is heading in the right direction.

Member Fisher thanks everyone and states we have an excellent System.

Member Boyer wishes Nelson Stephenson good luck and thanks him for the excellent job he's done for the Charter School System.

**7. TIME AND DATE OF NEXT MEETING:**

Regular Governing Board Meeting will be held Friday, April 21, 2017 at 9:00 A.M. in Council Chambers.

**Adjournment**

There being no further business, the meeting adjourned at 12:40 p.m.

Respectfully submitted,  
Sabrina Bendezu  
Interim Executive Assistant to the Superintendent  
Cape Coral Charter School Authority