



Christopher Durst

**RE: No Response by MCA Board in Violation of Established Policies****Christopher Durst**

Thu, Jul 25, 2019 at 11:01 AM

To: Shawn Arnold &lt;sarnold@arnoldlawfirmllc.com&gt;

Cc: Kelly Lichter &lt;klichter@masonacademy.com&gt;, "Fishbane, Jon (Jonathan)" &lt;fishbj@collierschools.com&gt;, Laura Miller &lt;lmiller@masonacademy.com&gt;, "charterschools@fldoe.org" &lt;charterschools@fldoe.org&gt;, "dbolduc@masonacademy.com" &lt;dbolduc@masonacademy.com&gt;, michael@chtlegal.com

Mr. Arnold,

Thank you for your response this morning. I find your communication this morning a bit of a surprise as I do not recall the Board voting to request that you conduct an investigation of the allegations I have made. Who and when were you asked you to conduct an investigation into this matter? Wouldn't a Board member requesting you to investigate be a violation of policy itself, as the full Board was never given an opportunity to review the facts and vote to conduct an investigation? Isn't it possible that the Board would have met and decided that the Coleman firm was more appropriate to conduct the investigation than yourself, as they are already in the process of conducting an "unbiased" investigation, whereas you are the representatives of the MCA Board and cannot be considered as unbiased as the Coleman firm? How could this investigation take place without authorized Board action?

None the less, whoever requested this investigation, must not have asked you to address Mrs. Lichter's decision to "shut down" any Board review of her actions, as you fail to address that issue in this email. Mrs. Lichter's emails on July 17, 2019 clearly show that she took it upon herself to dismiss any thought that the Board would review this matter, even though she is accused of unethical and improper actions in this situation. Isn't this in and of itself a violation of policy and at a minimum an unethical action? How can the President of the Board of Directors make the decision to not review her own potentially inappropriate actions without the other members of the Board weighing in on the decision?

As it relates to your email comments, I have never spoken to Mr. Whitehead on the telephone for any reason whatsoever and I'll request that you clarify your statement, "I advised Mr. Whitehead communicate with you as you are reportedly civil in your conversations with him. I had concern about any other board member reaching out to you based upon your previous emails to them." I've just re-read the entire email string and cannot find any instance of me being uncivil towards Mr. Bolduc, Mrs. Lichter, or Mr. Whitehead. However, I do find where Mrs. Lichter falsely accuses me of defamation and makes a veiled threat to bring in the MCA attorneys if I won't discontinue my right to demand the Board address my concerns in the "sunshine". This is what I have heard from several other parents that have taken matters to the MCA Board. They are shut down in similar fashion, before ever having their issues brought before the Board for review.

Mr. Whitehead did approach me following the last MCA Board meeting and stated that he received my email regarding Mr. Lichter's lack of volunteer screening and confirmed that Mr. Lichter had not completed the screening, but he was unaware that Mr. Lichter had been on campus at any time that there were children present. I asked him if he had gone as far as inspecting the sign-in logs to make that determination and he had stated he had not looked at the logs. The remainder of our discussion was not relevant to the issue at hand.

The issue of Mr. Lichter being present and unsupervised with children is irrelevant to this situation however, based on the practices the school has engaged in with respect to volunteers. The MCA Handbook states that "All volunteers must have Level II volunteer clearance and complete the MCA Volunteer Training Program." The Handbook also states to refer to the website for the requirements for MCA volunteering.

The MCA website under the "Volunteering at MCA" webpage states:

"MCA requires all prospective volunteers to complete a screening and training process. The volunteer screening and training process is in place to ensure the safety and well-being of our students and requires the following steps:

1. If you are volunteering at Mason Classical Academy, you will need to be screened as a Level II Volunteer..."

There is no indication that the Level II screening process is optional at any point and under any circumstances. My wife went through the process and the training program and was never given an option to be a Level II volunteer or a non-Level II volunteer. The practice of Mason Classical Academy has been to require every volunteer to undergo the full Level II screening process or they may not be a volunteer at MCA. Even if the written policy is that the school only requires Level II screening under certain circumstances, the policy that has been enforced and that is in practice is the requirement that every volunteer undergo the full Level II screening. This is supported by the MCA Handbook and the MCA website page, "Volunteering at MCA".

Once again, I challenge the MCA Board of Directors, minus Kelly Lichter, to review Mrs. Lichter's actions to not disclose Mr. Lichter's lack of volunteer screening when MCA requires that ALL volunteers undergo the same process, her attempts to derail review of her actions by the Board, and now the assignment of Mr. Arnold to investigate these allegations outside a Board request.

Thank you for your time,  
Christopher Durst