



EARLY LEARNING COALITION OF SOUTHWEST FLORIDA
Rhythm of Learning Academy: Appeal Hearing Minutes
November 30, 2021
4:00 pm

Purpose: Review the Coalition’s decision to terminate the School Readiness and VPK contracts with Rhythm of Learning Academy

Appeals Committee Members Present:

Douglas Szabo, Esq., Board-Vice Chair; Appeals Hearing Chairperson, Henderson, Franklin, Starnes, and Holt P.A
Selina Jefferson, Board Secretary; Provider Representative, Director, Mount Hermon Ministries/Dew of Hermon Early Learning Center
Shay Smith, Executive Community Health Nursing Director, Designee-Florida Department of Health Lee County (via Zoom)

Appellant (s) Present: Rhythm of Learning, Margarita Shvetz, Owner

Coalition Staff Present: Susan Block, CEO; Leona Adkins, Interim Chief Quality & Programs Officer; Janet Quintero, Administrative Coordinator

Agenda Items	Discussion	Action/Assignments
Introductions	<ul style="list-style-type: none"> Chairperson, Mr. Szabo, led introductions. 	
Review of Hearing Procedures	<ul style="list-style-type: none"> Mr. Szabo reviewed the appeal hearing procedure, referring to the agenda provided to all participants. Ms. Leona Adkins, Notary Republic, administered the swearing in. 	

<p>Presentation by Early Learning Coalition Staff</p>	<ul style="list-style-type: none"> • Ms. Adkins, Chief Quality Officer, reviewed the background of the Coalition’s decision to terminate the School Readiness (SR) and VPK contracts with Rhythm of Learning Academy and provided the basis for termination • 8/31/2021 - Class I violation for Supervision • 9/16/2021 – Placed on Probation due to Class I violation Not to receive another Class I or Class II violation for the next 6 months. • 10/4/2021 - Class I violation issued for Supervision Unscreened individual left alone with children in care • 10/6/2021 – Class I violation for Supervision Child left without childcare personnel supervision <p>10/6/2021 – Class II violation issued for Supervision Teacher/Student ration guidelines were not met.</p> <p>The October 2021 violations are explicit grounds for termination based on the probationary status with the Coalition. Therefore, the ELC revokes the provider’s eligibility to deliver the SR or VPK program for the remainder of the 2021-2022 fiscal year.</p>	
<p>Presentation of Appeal by Rhythm of Learning</p>	<p>Ms. Shvetz, Owner, Rhythm of Learning, presented her appeal.</p> <p>The key points were:</p> <ul style="list-style-type: none"> • Miscommunication between her, Ms. Shvetz’s business partner, and staff at Rhythm of Learning Academy. • Misunderstanding the guidelines of the program. • Misunderstanding the difference between the requirements of DCF and the requirements from the ELC contract. 	

Conclusion of Appeal Hearing	The Committee considered the documentation and presentations by both the ELC and Rhythm of Learning	
Committee Decision	<p>The Committee decided to support the ELC decision as is. Ms.</p> <p>The Committee supports the Coalition’s decision to terminate School Readiness and VPK contracts with Rhythm of Learning Academy. The Provider may not contract with the ELC for VPK and SR until July 1, 2022. Should DCF overturn the cited violations that were the basis for termination, the ELC would offer to resume the contractual relationship.</p> <p>The Committee specifically stated these reasons in support of its decisions:</p> <ol style="list-style-type: none"> 1. Concerns about repeated serious DCF violations that occurred during a six-week period. 2. Failure of the provider to meet the terms of the contracts with the ELC. 3. Failure of the provider to supply any documentation to the committee to inform any alternate decision other than the one it made. 	<p>Motion to support the ELC of SWFL decision to terminate School Readiness and VPK contracts made by Doug Szabo Second by Selina Jefferson. Motion approved.</p> <p>A letter will be sent to Ms. Shvetz with the committee’s determination by Ms. Block.</p>
Preparation of Appeals Hearing Committee Minutes	<ul style="list-style-type: none"> • Ms. Block will prepare a final draft of the minutes of the appeals hearing to be approved at the next board meeting. 	
Adjournment	<ul style="list-style-type: none"> • The Chairperson thanked the members for their participation and adjourned the meeting at 5:17pm. 	