



**EARLY LEARNING COALITION OF SOUTHWEST FLORIDA**  
**Nicaea Academy of Cape Coral Appeal Hearing Minutes**  
**December 16, 2019**  
**1:00 pm**

**Purpose:** Review the Coalition’s decision to terminate the Nicaea Academy of Cape Coral’ School Readiness Contract.

**Executive Committee Members Present:**

**Doug Szabo Appeals Committee Chair, Board Treasurer, Attorney, Henderson, Franklin, Starnes & Holt, P.A.** (Business member  
**Joe Paterno, Executive Director, CareerSource Southwest Florida (Agency Representative)**  
**Rita Dellatore, Owner/Director, Kid City Early Learning Academy, LLC (Provider Representative)**

**Appellant (s) Present: Representing Nicaea Academy of Cape Coral: Darline Pinheiro, Nancy Woeltjen, Angela Burley**

**Coalition Staff Present: Susan Block, CEO; Kristi Biffar, Supervisor, Early Childhood Specialists; Ginger McHale, Executive Administrative Assistant to CEO**

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

<b>Presentation by Early Learning Coalition Staff</b>	<ul style="list-style-type: none"> <li>• Kristi Biffar reviewed the background of the Coalition’s Decision to terminate the School Readiness (SR) Contract with Nicaea Academy of Cape Coral and provided the basis for termination.</li> </ul>	
<b>Presentation of Appeal by Nicaea Academy of Cape Coral</b>	<p>Nicaea Academy of Cape Coral presented their appeal. The key points were:</p> <ul style="list-style-type: none"> <li>• Mistakes leading to termination were acknowledged. As a result, a new director was hired August 12, 2019 to address the issues.</li> <li>• They accepted responsibility for DCF violations.</li> <li>• They made assurances of their intentions to address all the issues.</li> </ul>	
<b>Conclusion of Appeal Hearing</b>	<ul style="list-style-type: none"> <li>• The Committee considered the documentation and presentations by both the ELC and Nicaea Academy of Cape Coral.</li> </ul>	
<b>Committee Decision</b>	<ul style="list-style-type: none"> <li>• The Committee decided to overturn the ELC decision to terminate the School Readiness contract for Nicaea Academy of Cape Coral and create a probationary period for the contract.</li> <li>• The Provider is allowed to enroll children effective 12/17/19. Should Nicaea have any Class 1 violations during the 6-month probationary period (12/17/19- 6/17/20), or Class 2 violations in the area of Supervision and Facility/Environment, the contract will be terminated.</li> </ul>	<p>Motion to overturn the ELC decision to terminate the School Readiness Contract and instead, impose a 6 month probationary period with stipulations, made by Joe Paterno and seconded by Rita Dellatore. Motion approved.</p>

	<ul style="list-style-type: none"> <li>The Committee instituted this decision based on the following rationale, the Committee specifically stated these reasons in support of its decisions: <ol style="list-style-type: none"> <li>Nicaea acknowledged the seriousness of the issues at hand;</li> <li>Nicaea expressed an understanding about importance of the health and safety of children in their care;</li> <li>Nicaea has demonstrated efforts to reorganize and address the issues;</li> <li>At the hearing, Nicaea provided assurances that they will correct any and all problems that led to disciplinary action;;</li> </ol> </li> </ul>	
<b>Preparation of Appeals Hearing Committee Minutes</b>	<ul style="list-style-type: none"> <li>The Committee prepared a final draft of the minutes of the appeals hearing, following the motion to accept the minutes, as drafted.</li> </ul>	<p>Motion to accept the minutes by Joe Paterno and seconded by Rita Dellatore. Motion Approved.</p> <p>The Committee charged Ms. Block with typing of the minutes, as written. Ms. Block will post the approved minutes to the Coalition's website.</p>
<b>Adjournment</b>	<ul style="list-style-type: none"> <li>The Chairperson thanked the members for their participation and adjourned the meeting at 2:21 pm.</li> </ul>	