Filing # 173358210 E-Filed 05/17/2023 01:01:28 PM

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT
IN AND FOR COLLIER COUNTY, FLORIDA
CIVIL DIVISION

FRANCIS A. OAKES, III

Plaintiff,

-vs- Case No. _____

SCHOOL BOARD OF COLLIER COUNTY,

Defendant.

PLAINTIFF'S VERIFIED MOTION FOR TEMPORARY INJUNCTION

Plaintiff, FRANCIS A. OAKES III ("Plaintiff" or "Oakes"), by his undersigned counsel, pursuant to Rule 1.610, *Fla. R. Civ. P.*, presents this motion for temporary injunction including memorandum of law in support thereof, and moves for a temporary injunction against the SCHOOL BOARD OF COLLIER COUNTY ("Defendant" or "School Board"), seeking to enjoin the School Board from entering into a contract with the ostensible new Superintendent appointee for the Collier County School District, and in support states:

I. SUMMARY OF ARGUMENT

The School Board violated Florida's Sunshine Law in ostensibly making the final selection of a new Superintendent on May 3, 2023. As part of the overall process of selecting a Superintendent, the School Board delegated some of its policy-based decision-making authority to an outside firm, Hazard Young Attea Associates ("HYA"), who did not simply perform the fact-finding task of identifying applicants for consideration. Instead, HYA performed the decision-making task of effectively reducing the original candidate pool from 45

to ten (10) individuals by a process that occurred outside of the sunshine. HYA was tasked with deciding upon a recommended slate of candidates, thereby crystallizing the School Board's decision-making process. Those ten (10) candidates were then effectively "rubber stamped" and automatically included in the candidate slate without necessity of the School Board engaging in a vote or consensus determination. Oakes and the public were not only denied their right to observe first-hand the process by which the ten (10) candidates were selected and the other 35 candidates were rejected, but also, Oakes and the public did not even subsequently receive a second-hand retrospective on why the slated ten (10) candidates were selected in preference to the other 35 candidates.

The School Board also violated the Sunshine Law when the School Board's Chair substantively discussed the decision-making process for the selection of a "slate of candidates" during a private meeting with the outside consultant firm, one day prior to HYA's presentation of its slate of ten (10) candidates. Because the outside consulting firm was the alter-ego of the entire School Board for "recommended slate of candidate" purposes, the Board Chair's private meeting on that subject constituted a de facto meeting of the entire School Board in violation of the Sunshine Law.

Violation of the Sunshine Law is an irreparable harm not only to Oakes, but to the public at large. Under Florida law, formal action that is the product of a Sunshine Law violation is *void ab initio*, even if the Sunshine Law violation occurs remotely from the School Board's final decision. Accordingly, the School Board's ultimate selection of its Superintendent appointee is *void ab initio*, and this Court should temporarily enjoin the School Board from entering into a contract with the ostensible Superintendent appointee, pending a final adjudication on the merits. A temporary injunction will protect Oakes and the public from

further irreparable harm, while at the same time allow the School Board to function without interruption under the status quo, given that the ostensible sole Superintendent appointee has already been serving as the School Board's interim Superintendent since December 13, 2022.

II. FACTS

The Parties

1. Plaintiff, FRANCIS A. OAKES, III, also known as ALFIE OAKES, is a Florida citizen residing in Collier County, Florida.

2. Defendant, SCHOOL BOARD OF COLLIER COUNTY, is the governing body of the Collier County School District and is constituted a body corporate pursuant to Section 1001.40, Florida Statutes.

The School Board's Contractual Delegation of Decision-Making Function to HYA

3. By virtue of a contract voted on and approved by the School Board on November 7, 2022, the Board delegated to HYA the "fact-gathering" task of soliciting and compiling candidates for the position of Superintendent of the Collier County School District. A true and correct copy of the School Board's contract with HYA is attached hereto as **Exhibit "A"** (the "Contract"). A true and correct copy of the School Board's November 7, 2022, meeting minutes are attached hereto as **Exhibit "B."**

4. By the Contract, the School Board also delegated to HYA the "decision-making" function of screening candidates, conducting reference checks, identifying the best qualified candidates, and presenting a recommended slate of candidates to the School Board.

The School Board Establishes Review Criteria

5. At a School Board meeting on February 6, 2023, the School Board took action to identify the "leadership profile" and "desired characteristics" to be utilized as criteria for the

selection of a new Superintendent. A true and correct copy of the minutes from the School Board's February 6, 2023, meeting are attached hereto as **Exhibit "C."** True and correct copies of the "leadership profile" and "desired characteristics" are attached hereto as **Exhibit "D"** and **Exhibit "E,"** respectively.

HYA Privately Decides on a Recommended Slate of Ten (10) Candidates

6. Sometime prior to April 5, 2023, HYA compiled a list of 45 candidates for the Superintendent position, which was a fact-finding function.

7. Sometime thereafter, but prior to April 5, 2023 HYA decided upon a recommended slate of ten (10) candidates to present to the School Board, which slate was selected from the original field of 45 candidates. This was a decision-making function. HYA's decision-making function is evidenced by the Executive Summary for the April 5, 2023, School Board meeting agenda item titled "Superintendent Search – Review of applicants, slates for interviews and interview questions," which states:

> The School Board will review all applicants who have completed their submission for the position of Superintendent and review the recommended slate of candidates from HYA (Hazzard, Young, Attea Associates). The Board will determine the candidates they recommend to move forward to the first round of interviews to be conducted on April 19, 2023. The School Board will review and discuss the attached document which includes 80 sample questions by category.

A true and correct copy of the agenda item including minutes from the School Board meeting on April 5, 2023, is attached hereto as **Exhibit "F."**

8. HYA decided upon its recommended slate of ten (10) candidates in private. There were no public notices, the public was not invited to attend, and no minutes were taken.

9. The public never had the opportunity to observe first-hand how HYA applied the criteria enumerated in the School Board's agreed-upon "leadership profile" and "desired

characteristics," or any other criteria, when HYA formulated its recommended slate of ten (10) candidates out of the original field of 45 candidates.

The April 5, 2023, School Board Meeting

10. During the April 5 School Board meeting, HYA gave a brief presentation of the ten (10) candidates it had included in the recommended slate of candidates. However, HYA provided only a brief "thumbnail" factual summary of these candidates, and did not explain how or why these 10 candidates met the "leadership profile" and "desired characteristics" for a new Superintendent. The School Board maintains a video of the April 5, 2023, School Board meeting on its official website, which is publicly available at https://www.collierschools.com/Page/18561 (the "April 5 video"). HYA's presentation of the slate of ten (10) recommended candidates runs from 0:22:30 – 0:50:20 of the April 5 video.

11. Except for the two additional candidates suggested by Board Member Moshier as described below, HYA did not explain how or why any of the other 35 candidates did not meet the "leadership profile" and "desired characteristics" criteria, or why they were lesser-qualified than the ten (10) candidates included in the slate.

12. During the April 5 School Board meeting, HYA did not even provide a second-hand retrospective explanation of how or why it decided to recommend the ten (10) candidates out of the original field of 45 candidates. Rather, HYA's presentation occurred as follows:

a. HYA gave a statistics-based demographic analysis of the entire field of 45 candidates. [April 5 video at 0:18:20 – 0:19:48].

b. HYA gave a statistics-based demographic analysis of the field of 10 candidate. [April 5 video at 0:19:48 – 0:20:25].

c. HYA stated that the field of candidates was classified into "tier one and two as rated

by HYA." [April 5 video at 0:20:20-0:20:30]. HYA also stated that they "tiered out about the top 25% or top quarter of the 45 applicants." [April 5 video at 0:50:25 – 0:50:30].

d. HYA presented a factual "thumbnail" of each of the 10 slated candidates. HYA did not present any "thumbnail" of the other 35 candidates. [April 5 video 0:20:35 – 0:50:35].

e. HYA displayed a list of seven (7) "Reference Summary Questions" which ostensibly formed the basis for HYA's private slate-selection criteria [April 5 video at 0:21:00 – 0:21:55], as follows: .

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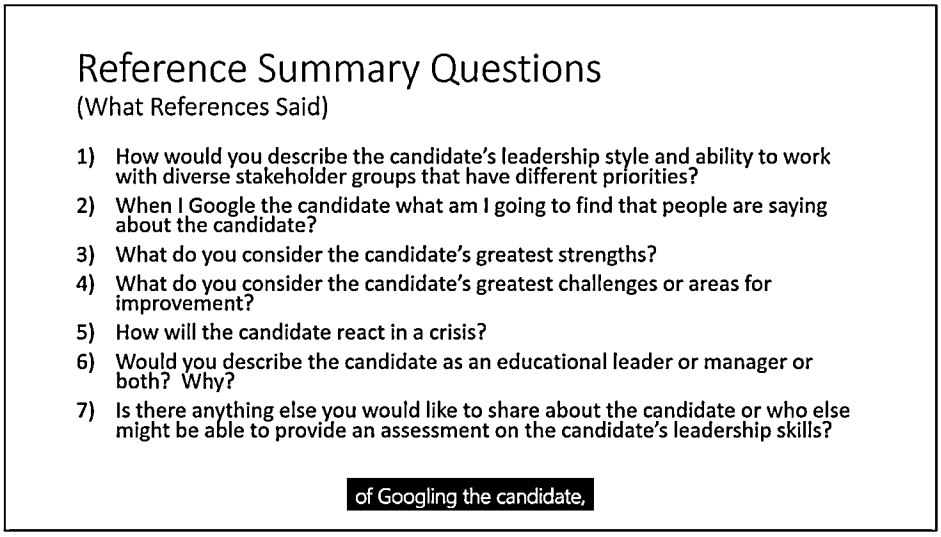

f. Notwithstanding HYA's citation to the "Reference Summary Questions," HYA never discussed or otherwise addressed questions two (2) through six (6) [April 5 video 0:20:35 – 0:50:35].

g. HYA stated that the "Googled" information on the candidates "was available or would be available" [April 5 video at 0:21:00 – 0:21:55], but in fact HYA did not ever make such "Google" information on each candidate available to the public.

h. HYA never explained how any of the 45 candidates met, or failed to meet, the criteria enumerated in the "leadership profile" or "desired characteristics."

i. The School Board never discussed how any of the 45 candidates met, or failed to meet, the criteria enumerated in the "leadership profile" or "desired characteristics," or even in the "Reference Summary Questions."

13. HYA's aforementioned "Reference Summary Questions" were not contained in the "leadership profile" or "desired characteristics," (**Exhibit "D"** and **Exhibit "E"**) and it is not clear where these "Reference Summary Questions" came from or why HYA chose to use these "Questions" during its decision-making process to formulate the recommended slate of ten (10) candidates.

14. Particularly, it is unclear why HYA so heavily focused on Question #1 about how a superintendent candidate would "work with diverse stakeholder groups that have different priorities." This is not a criteria contained within the "leadership profile" or "desired characteristics." Also, that "Question" by itself, was never intended to be the sole factor in selecting a superintendent.

15. By way of example, missing from the "Reference Summary Questions" list is (i) how the Superintendent would approach education curriculum; or (ii) how the Superintendent would approach financial and budget issues, both of which are referenced in the "desired characteristics." See **Exhibit "E."** Oakes and the public will never know which criteria HYA applied in selecting its slate of ten (10) candidates, or how they applied them, because Oakes and the public were never provided the opportunity to observe first-hand HYA's policy-based decision on formulating the slate of ten (10) candidates. Nor did HYA even provide Oakes and the public any second-hand explanation of its application of these criteria to the original field of 45

candidates.

16. HYA never explained why it chose only to use "Google" searches on the candidates, or whether HYA may have performed other types of background searches on the candidates. Oakes and the public have no idea what type of background searches HYA may have used by HYA to "tier" the candidates, because the public was denied the right to observe that process first-hand.

17. During the April 5 meeting, following HYA's thumbnail presentation of only its recommended slate of 10 candidates, School Board Member Tim Moshier stated that he wished to include two other candidates for further Superintendent consideration. One of those candidates was Mr. Thompson, a superintendent from Ohio.

18. In response, Mr. Adams of HYA explained that "Steven Thompson, I believe, was in East Lake and then is now with a services unit. When we Googled him, there were some things that came up that we didn't believe met the criterion. One of them included a DUI and that's one of the reasons we did not include him on the list. We also did see him interview for a position in Allentown, Pennsylvania, and did not believe that he fit the characteristics." [April 5 video at 0:52:00 - 0:52:47].

19. HYA's mention of Steven Thompson's "Google" background search was the only reference made by HYA to any "Google" searches during the meeting, notwithstanding that HYA listed "Google" searches as a criteria earlier during the April 5 meeting. Indeed, HYA never described the results of its background "Google" search of any of the other 44 candidates, or how HYA applied those results to either include or exclude any candidates from the slate.

20. The public never observed first-hand -- nor did HYA ever explain -- why candidate Thompson's concurrent application for another job in Allenton, Pennsylvania, resulted in

Thompson not "fitting the characteristics."

21. The public also never observed first-hand -- nor did HYA ever explain -- what "criterion" candidate Thompson failed to meet as a consequence of his prior DUI. Indeed, nothing in the School Board's agreed-upon "leadership profile and desired characteristics" documents identify a DUI as a disqualifying event.

22. In fact, pursuant to the School Board's own Administrative Procedure 3121.01, a DUI is not an automatic disqualifying event. Rather, the significance of a DUI depends upon how long ago it occurred (differentiating 10 years, 5 years or 2 years), whether the individual has had more than one DUI, whether the DUI involved bodily injury or property damage, and whether the position applied for requires driving an automobile. A true and correct copy of School Board AP 3121.01 is attached hereto as **Exhibit "G."**

23. An internet background search of Mr. Thompson reveals that he had a DUI nine (9) years ago in 2014, that he promptly accepted responsibility and pled guilty a week later, and that he kept his same superintendent job until August 22, 2022, when he then accepted another job as CEO of a school district in Akron, Ohio. See articles attached hereto as composite **Exhibit "H."** Oakes and the public never had an opportunity to observe first-hand how or why HYA excluded Mr. Thompson from the recommended slate of candidates on this basis or any other.

24. By way of comparison and contrast, the public was also denied the right to observe what "Google" or other background searches HYA performed on Dr. Leslie Ricciardelli, and how HYA analyzed and applied those search results to the "criteria," as part of HYA's ultimate decision to Dr. Ricciardelli within the slate of ten (10) recommended candidates. This is significant because the School Board ultimately selected Dr. Ricciardelli as the Superintendent at a School Board meeting on May 3, 2023.

25. For instance, among the Superintendent selection criteria enumerated in the "desired characteristics" of a Superintendent is: "Displays fiscal acumen and can responsibly manage an educational institution in allocating resources and fiscal forecasting." See **Exhibit "E"** at p. 2. This means that financial management and responsibility are important characteristics.

26. However, reviewing Dr. Ricciardelli's background during the same "since 2014" time frame applied to Mr. Thompson, readily-available public information shows:

a. On August 27, 2015, Dr. Ricciardelli was found guilty of violating the Collier County Land Development Code for constructing an addition to her residence without a permit. On May 3, 2016, after Dr. Ricciardelli failed to abate the violation for 186 days, and after she failed to appear at a duly noticed Code Enforcement Board hearing, an Order Imposing Fine and Lien was entered against Dr. Ricciardelli in the amount of $18,600. That Order remains open as of the date of this Motion. A true and correct copy of the Order Imposing Fine is attached hereto as **Exhibit "I."**

b. On January 15, 2018, Dr. Ricciardelli was issued a traffic citation for driving an automobile with a tag that had been expired for more than six (6) months. Dr. Ricciardelli was given until February 19, 2018 to pay the fine, but she failed to do so, resulting in the suspension of Dr. Ricciardelli's driver's license. A true and correct copy of Dr. Ricciardelli's traffic citation and other Collier County court docket information is attached hereto as **Exhibit "J."**

c. On July 20, 2018, Dr. Ricciardelli's mortgage lender filed a verified (sworn) mortgage foreclosure Complaint against her, as a consequence of Dr. Ricciardelli's

failure to make monthly mortgage payments on her residence for eleven straight months. A true and correct copy of the mortgage foreclosure complaint, excluding exhibits, is attached hereto as **Exhibit "K."**

d. On January 8, 2020, an IRS Tax Lien was filed against "Taxpayers Robert A. & Leslie C. Ricciardelli," for unpaid taxes in the amount of $88,783.33 dating back to 2014. A true and correct copy of the IRS tax lien is attached hereto as **Exhibit "L."** Assuming a tax rate of 30%, this seemingly shows gross income of approximately $295,946 that was enjoyed by the Ricciardelli household, without the Ricciardelli household demonstrating financial responsibility by setting aside the requisite $88,783.33 for payment of their tax liability to the IRS.

27. All of the aforementioned incidents demonstrate a lack of financial management and responsibility.

28. However, in contrast to Mr. Thompson, who was excluded by HYA due to a personal-life event (DUI) that occurred in 2014, Dr. Ricciardelli was somehow included in the slate of 10 recommended candidates, notwithstanding her own aforementioned litany of personal-life events that occurred even more recently than 2014.

29. Oakes and the public do not know how or why HYA chose to include Dr. Ricciardelli among the slate of ten (10) recommended candidates, while choosing to exclude Mr. Thompson, because Oakes and the public were never provided an opportunity to observe HYA's decision-making process first-hand.

30. In fact, HYA did not even provide the School Board or the public any second-hand retrospective explanation about how or why HYA included Dr. Ricciardelli in the recommended slate of ten (10) candidates, to the exclusion of 35 other candidates. Instead, at the School Board

meeting on April 5, HYA simply recited a "thumbnail" fact-based background about Dr. Ricciardelli, without ever explaining how or why those facts qualified her based on any of the previously agreed-upon criteria.

31. The foregoing comparison and contrast of certain candidates is not presented in order for the Court to weigh in on the merits of any policy-based decision on certain Superintendent candidates, but rather, to demonstrate the adverse effect of denying Oakes and the public the right of first-hand observation of the entire decision-making process.

32. Had the School Board performed the function of analyzing and deciding upon a slate of ten (10) candidates without delegation to HYA, it would have had to perform the decision-making function at a duly noticed public meeting that was open to the public, with minutes taken.

33. The School Board's delegation of its candidate slate-selection authority to HYA insulated that policy-based decision-making process from public scrutiny, and created an evasive device.

34. By virtue of their delegation of authority to HYA, Oakes and the public were denied their right of first-hand access to the review process by which the slate of candidates was selected by HYA, and Oakes and the public never had the opportunity to observe first-hand the process by which HYA made a policy-based decision to select the slate of candidates.

35. No public notices or any official minutes exist for the actions of the decision-making actions taken by HYA in privately deciding upon a slate of ten (10) candidates.

The Board Chair Meets with HYA Outside of the Sunshine

36. During the April 5 meeting, the School Board Chair stated that she had a meeting with HYA on April 4, and that the subject matter of that meeting was the recommended slate of 10 candidates that was to foreseeably come before the School Board the next day. The subject

matter of that non-public meeting was selection of a recommended slate of candidates. This was a decision-making function that the School Board previously delegated to HYA, which resulted in HYA being the alter-ego of the entire School Board for that purpose. Specifically, during the April 5 School Board meeting, the Board Chair stated:

> So actually, Mr. Moshier, I actually had him [candidate Thompson] from the other list of the total 45. I thought on paper, yeah, he did look very solid. I did Google him. **So when I met with Bill [Adams of HYA] yesterday, I said "unfortunately I did find some concerning things that made me not want to move forward with him."**

See April 5 meeting video at 0:52:52-0:53:12.

The School Board "Rubber Stamps" HYA's Slate of Ten (10) Candidates

37. During the April 5 meeting, the School Board did not discuss HYA's slate of 10 candidates, nor did it discuss the other 35 candidates except for the two additional candidates who were proposed by Mr. Moshier, until later on in the meeting when the School Board proceeded to apply a "matrix" to "rank" the slate of candidates.

38. The School Board also never formally voted for the slate of 10 candidates as selected by HYA, nor did the School Board agree to such candidates by consensus. Rather, the School Board relied on HYA to determine that slate. See **Exhibit "F."**

39. Because the School Board never voted or agreed by consensus on the "recommended" slate of ten (10) candidates as privately decided-upon by HYA, that "slate" automatically was included a "final" slate of candidates, with the addition of one more as added during the April 5 meeting.

40. A verbal exchange between the Board Chair and Board Member Erick Carter during the meeting corroborates the Board's reliance upon HYA to select the slate of 10 candidates:

candidates:

> BOARD CHAIR: We didn't have a consensus vote on the slate to begin with.
>
> BOARD MEMBER CARTER: **We didn't have a consensus on the slate because we relied on the company that we hired to pull that slate together.**

See April 5 meeting video at 1:01:40 – 1:01:54.

41. The foregoing demonstrates that the School Board in reality just "rubber-stamped" HYA's pre-selected slate of ten (10) candidates.

42. During the April 5 meeting, the School Board added one additional candidate to the pre-decided slate of 10 candidates. [April 5 video at 1:02:15 – 1:02:35].

The School Board Narrows the Slate of Candidates and Makes a Final Decision

43. During the April 5 meeting, the School Board next proceeded to apply a ranking matrix to only those 11 candidates. [April 5 meeting video at 1:03:48 – 1:09:19; 1:38:14 – 1:43:30]. The results of the matrix, as applied only to HYA's slate of ten (10) candidates plus one (1) additional candidate, are shown as follows:

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	A	B	C	D	E	F	K	L	M	N	O	P
1		BOARD MEMBER										
2	Candidate	1	2	3	4	5	Total	Rank		Board Member #1 = Carter		
3	Ricciardelli	10	10	10	6	10	46	1		Board Member #2 = Lichter		
4	Van Zant	4	9	6	10	9	38	2		Board Member #3 = Lucarelli		
5	Gibson	4	8	4	7	8	31	3		Board Member #4 = Moshier		
6	Simon	7	6	6	5	6	30	4		Board Member #5 = Rutherford		
7	Moore	9	2	9	2	0	22	5				
8	Proctor	7	3	8	0	3	21	6				
9	Tucker	1	7	1	8	4	21	7				
10	Lozano	5	5	2	1	6	19	8				
11	De La Rosa	6	0	4	3	3	16	9				
12	Royal	2	4	5	4	1	16	10				
13	Mitchell	0	1	0	9	5	15	11				
14												
15												
16	Total	55	55	55	55	55						

Id. at 1:43:25.

44. On April 19, 2023, the School Board held a meeting where they interviewed the final four (4) candidates. At that meeting they voted to bring back two candidates for interviews on April 26, 2023, thereby eliminating two candidates. A true and correct copy of the minutes of the April 19, 2023, School Board meeting are attached hereto as **Exhibit "M."**

45. On May 3, 2023, the School Board held a meeting for the final selection of a Superintendent appointee. At that meeting, the School Board voted to appoint Dr. Ricciardelli as the Superintendent. A true and correct copy of the minutes of the May 3, 2023, School Board meeting are attached hereto as **Exhibit "N."**

Status Quo – The School Board Presently Operates With an Interim Superintendent

46. Pursuant to Board Policy 1020, "[n]o person may be employed as Superintendent of this District unless s/he has signed an employment contract with the Board." To date, no employment contract has been signed by the ostensible new superintendent.

47. Oakes and the public have been irreparably injured by the denial of their first-hand right to observe the entire process by which the Superintendent was selected. That irreparable harm will only worsen if the School Board approves a final contract with the ostensible Superintendent appointee.

48. Dr. Riccciardelli is presently employed by the School Board as the interim superintendent, and has served in that capacity since she was appointed by the School Board on December 13, 2022. A true and correct copy of the minutes of the School Board meeting on December 13, 2022, are attached hereto as **Exhibit "O."**

III. MEMORANDUM OF LAW

A. Standard of Review.

A temporary injunction is appropriate remedy where the moving party establishes "(1) [t]he likelihood of irreparable harm; (2) the unavailability of an adequate remedy at law; (3) substantial likelihood of success on the merits; and (4) considerations of the public interest." *Naegele Outdoor Advertising Co., Inc. v. City of Jacksonville*, 659 So. 2d 1046, 1047 (Fla. 1995) (internal cites and quotes omitted. Generally, a trial court has sound discretion to grant injunctions. *Precision Tune Auto Care, Inc., v. Radcliff*, 731 So. 2d 744, 745 (Fla. 4th DCA 1999).

The facts demonstrate that the foregoing factors weigh heavily in favor of the issuance of a temporary injunction.

B. The Plaintiff Will Suffer Irreparable Harm Unless The Injunction Issues

"Mere showing that the government in the sunshine law has been violated constitutes an irreparable public injury . . . ." *Town of Palm Beach v. Gradison*, 296 So. 2d 473, 477 (Fla. 1974). Therefore, where officials have violated section 286.011, the official action is *void ab initio*. *Id.*

Irreparable injury is an injury which is of a peculiar nature, so that compensation in money cannot atone for it. *First Nat. Bank in St. Petersburg v. Ferris*, 156 So. 2d 421 (Fla. 2d DCA 1963). In other words, any injury is not irreparable when it can be adequately compensated by a monetary award or money damages. *B.G.H. Ins. Syndicate, Inc. v. Presidential Fire & Cas. Co.*, 549 So. 2d 197 (Fla. 3d DCA 1989).

Based on the foregoing and as further argued below, Oakes and the public will clearly suffer irreparable harm if the School Board completes the process of selecting the Superintendent pursuant to School Board Policy 1020 by entering into a contract with a final candidate who was selected in violation of Florida's Sunshine Law.

C. There is No Adequate Remedy At Law to Protect Plaintiff's Interests

Oakes has no adequate remedy at law for the harm he and the public are suffering and will even more greatly suffer if the School Board enters into a contract with an individual whose selection as Superintendent is the product of a Sunshine Law violation.

D. The Plaintiff Has a Substantial Likelihood of Succeeding On the Merits

Oakes has a substantial likelihood of succeeding on the merits of his Sunshine Law claim. The School Board violated the Sunshine Law, Section 286.011, *et seq.,* Florida Statutes, by delegating to HYA the decision-making function of recommending a slate of ten (10) candidates. This crystallized the School Board's decision. HYA performed its decision-making function privately, without public notice, without the right of public first-hand observation, and without minutes taken.

The Sunshine Law is of constitutional original and applies to any "collegial body" of a "school district," including the School Board. Article I, Section 24(b), Florida Constitution. Section 286.011, Florida Statutes, commonly known as Florida's Sunshine Law, provides in part:

> All meetings of any board or commission of any state agency or authority or of any agency or authority of any county, municipal corporation, or political subdivision, except as otherwise provided in the Constitution, ... are **declared to be public meetings open to the public at all times, and no resolution, rule, or formal action shall be considered binding except as taken or made at such meeting.** The board or commission must provide reasonable notice of all such meetings.

Section 286.011(2), Florida Statutes, further requires that minutes of public meetings must be taken and promptly recorded.

In *Sarasota Citizens for Resp. Gov't v. City of Sarasota*, 48 So. 3d 755, 762 (Fla. 2010) the Florida Supreme Court opined:

> Because section 286.011 "was enacted in the public interest to protect the public from 'closed door' politics . . . the law must be broadly construed to effect its

remedial and protective purpose." *Wood v. Marston*, 442 So. 2d 934, 938 (Fla. 1983). As this Court has explained,

> [t]he statute should be construed so as to **frustrate all evasive devices. This can be accomplished only by embracing the collective inquiry and discussion stages within the terms of the statute**, as long as such inquiry and discussion is conducted by any committee or other authority appointed and established by a governmental agency, and relates to any matter on which foreseeable action will be taken.

Town of Palm Beach v. Gradison, 296 So. 2d 473, 477 (Fla. 1974). "Mere showing that the government in the sunshine law has been violated constitutes an irreparable public injury . . . ." *Id.* **Therefore, where officials have violated section 286.011, the official action is void ab initio. *Id.***

All governmental authorities in Florida are subject to the requirements of the Sunshine Law unless specifically exempted. *See* art. I, § 24(c), Fla. Const. **The requirements may also apply to committees subordinate to or selected by traditional governmental authorities. This Court in *Wood* explained that the dispositive question is whether "decision-making authority" has been delegated to the committee.** 442 So. 2d at 939. Where the committee has been delegated decision-making authority, the committee's meetings must be open to public scrutiny, regardless of the review procedures eventually used by the traditional governmental body.

Id. at 762 (Fla. 2010) (bolded emphasis added).

"It is axiomatic that public officials cannot do indirectly what they are prevented from doing directly. The Sunshine Law does not provide for any 'government by delegation' exception; a public body cannot escape the application of the Sunshine Law by undertaking to delegate the conduct of public business through an alter ego." *IDS Properties, Inc. v. Town of Palm Beach*, 279 So. 2d 353, 359 (Fla. 4th DCA 1973). When public officials delegate de facto authority to act on their behalf, those delegated that authority stand in the shoes of such public officials under the Sunshine Law. *News-Press Publishing Company, Inc. v. Carlson*, 410 So. 2d 546, 547-548 (Fla. 2d DCA 1982).

A Sunshine Law violation can taint formal action by a board no matter how far removed it is from the final decision. "No official act which is in and of itself decision-making can be "remote" from the decision-making process, regardless of how many decision-making steps go into the ultimate decision." *Wood v. Marston*, 442 So. 2d 934, 941 (Fla. 1983).

Here, HYA had a "fact-gathering" function in identifying and compiling candidates. However, HYA also had a "decision-making" function in screening the candidates, separating them into "tier one and two," and selecting a "slate of candidates" consisting of 10 candidates from of the original field of 45, which the School Board then relied upon as part of its process of narrowing the candidate field. The use of HYA to privately select this slate of 10 "recommended' candidates runs afoul of the Sunshine Law. *Compare* the Florida Supreme Court's opinion in *Wood*, describing a "search-and-screen" committee used to select a new dean of the University of Florida law school:

> The search-and-screen committee had an admitted "fact-gathering" role in the solicitation and compilation of applications. It had an equally undisputed decision-making function in screening the applicants. In deciding which of the applicants to reject from further consideration, the committee performed a policy-based, decision-making function delegated to it by the president of the university through the faculty as a whole. Nor does the fact that the results were submitted to the faculty as a whole, which had the authority to review the work of the screening committee, render the committee's function any less policy-based or decision-making. The district court placed great emphasis on the fact that the faculty as a whole rejected one entire panel of candidates submitted by the committee and recommended for further consideration a candidate rejected by the committee, but we do not find this point dispositive.

Wood, 442 So. 2d 934, 938-39 (Fla. 1983).

As referenced above in *Wood,* the fact that the School Board may have chosen to add or subtract candidates from HYA's slate of ten (10) candidates at its April 5 meeting, or even chosen to reject HYA's candidate slate altogether, does not save the School Board from a Sunshine Law

violation. *Id.* Nor does it matter whether, during the April 5 School Board meeting, HYA provided any second-hand retrospective reflection about decision-making process it used in private to reduce the "recommended" candidate field from 45 candidates to 10. Once again, the Florida Supreme Court's opinion in *Wood* is instructive:

> The facts now before us illustrate a review of a decision-making process, which cannot serve to replace the public right of first-hand access to that process. Just as the faculty had a right to review and reject the committee's work, it had discretion to pass the recommendations along without further discussion or evaluation. We are not persuaded by respondents' characterization of the review process in *News-Publishing* as "rubber stamp" proceedings, distinguishable from the active review of committee decisions exercised by the full faculty here. Review is a second-hand retrospective reflection upon the decision-making process, not the first-hand observation to which the public is entitled. Where a body merely reviews decisions delegated to another entity, the potential for rubber-stamping always exists. To allow a review procedure to insulate the decision itself from public scrutiny invites circumvention of the Sunshine Law.

Wood v. Marston, 442 So. 2d 934, 939-40 (Fla. 1983). Thus, the April 5 meeting was, at best, an insufficient second-hand retrospective description of process by which HYA privately performed its delegated task of evaluating the field of 45 candidates and reducing them by so-called "recommendation," down to a "recommended" field of ten (10) candidates. *Id.* Had the School Board performed that same policy-based decision-making task on its own, it could have only legally done so at a duly noticed meeting that was open to the public, with minutes taken. *Fla. Stat.* § 286.011(1), (2). The School Board's delegation of this candidate-narrowing function to HYA constitutes an illegal "evasive device" for Sunshine Law purposes. *Gradison*, 296 So. 2d at 477 (Fla. 1974).

The Sunshine Law applies even if HYA only made a "recommendation" of a slate of candidates. *Fla. Citizens All., Inc. v. Sch. Bd. of Collier Cty.*, 328 So. 3d 22 (Fla. 2d DCA 2021).

The process by which HYA categorized the candidates into "tier one" and "tier two" and presented a slate of candidates to the School Board, helped to crystalize the decision to be made by the School Board, and thus HYA was delegated decision-making authority and was required to conduct its slate selection at meetings open to the public with reasonable notice provided. *Compare Fla. Citizens All., Inc.,* 328 So. 3d at 28 (Fla. 2d DCA 2021), describing how the Collier County School Board's subordinate textbook committees evaluated and ranked textbooks, which "clearly helped to crystalize the decision to be made by the School Board;" that the committees "ranked applications for the final authority," and ultimately finding that the committees "have been delegated decision-making authority, that the Sunshine Law applies to meetings of the Textbook Committees, and that those meetings must be open to the public with reasonable notice provided."

Indeed, for purposes of HYA's role in making a policy-based decision to divide the 45 candidates into "tier one and two" and presenting its slate of ten (10) recommended candidates to the School Board, HYA was the alter ego of the entire seven-member Board and stood in the board's shoes by virtue of the Board's delegation of authority. *IDS Properties, Inc.,* 279 So. 2d at 359; *News-Press Publishing Company,* 410 So.2d at 547-48. Thus, when the Board Chair met with HYA principal Tom Adam on April 4 and discussed the merits of at least one of the slate of candidates (ie., Mr. Thompson), it was as though the Board Chair was meeting with the entire five-member School Board and privately discussing the slate of candidates that would be foreseeably coming before the School Board. As such, that meeting between the Board Chair and a representative of HYA sitting as the School Board's alter ego, constitutes yet another illegal meeting for Sunshine Law purposes. *See Blackford v. Sch. Bd.,* 375 So. 2d 578, 580 (Fla. 5th DCA 1979) (describing how a "de facto meeting by two or more members of the board" may occur. *See also Transparency for Fla. v. City of Port St. Lucie*, 240 So. 3d 780, 784-85 (Fla. 4th DCA 2018)

(noting that *Blackford* did not require actual proof of communication of each board member's opinion with the other).

Finally, the School Board never cured its Sunshine Law violation resulting from its use of HYA as an evasive device to narrow the field of 45 candidates down to a field of ten (10) candidates. "Sunshine Law violations can be cured by independent, final action in the sunshine, as distinguished from mere ceremonial acceptance or perfunctory ratification of secret actions and decisions." *Fla. Citizens All., Inc.* 328 So. 3d at 29. (citing *Sarasota Citizens*, 48 So. 3d at 765). "Only a *full*, open hearing will cure a defect arising from a Sunshine Law violation." *Id.* (quoting *Zorc v. City of Vero Beach*, 722 So. 2d 891, 903 (Fla. 4th DCA 1998)).

Here, the record shows that the School Board never cured the process by which 45 candidates was reduced to ten (10) (which included Dr. Ricciardelli as the ultimate final Superintendent appointee). On April 5, after HYA gave its "thumbnail" presentation on the slate of ten (10) privately-selected candidates, those ten (10) candidates were automatically included in the "tier one" group by HYA's predetermined selection. In other words, the School Board effectively "rubber-stamped" HYA's prior decision. The School Board then proceeded to rank the rubber-stamped slate of ten (10) candidates plus one (1) other candidate by applying a "matrix," narrowing the field down to four (4) candidates who were invited to School Board interviews at a meeting on April 19, 2023. On April 19, the School Board then reduced the candidates to two, with those two candidates being presented for a final vote by the School Board on May 3, 2023. On that date, the School Board voted to select Dr. Ricciardelli as the new Superintendent. By this "winnowing" process, HYA's prior reduction of the original field of 45 candidates down to ten (10) during non-public meetings was never cured. This tainted not only original reduction in the candidate field, but also the School Board's final selection. This is so because no part of the

decision-making is too "remote" for purposes of establishing a Sunshine Law Violation. *Wood*, 442 So. 2d at 941 (Fla. 1983).

Nor was the process of reducing the candidate field cured by virtue of the fact the School Board could have added to, subtracted from, or completely rejected HYA's recommended slate of candidates on April 5, 2023. *Wood* at 939-40. The reason for this is that if the Sunshine Law was interpreted otherwise, "the potential for rubber-stamping always exists." *Id.* at 940. Indeed, the record shows that on April 5, 2023, the School Board "rubber-stamped" HYA's privately selected slate of 10 candidates by their own inaction (ie., they never voted or even agreed by consensus).

In summary, the School Board's selection of a Superintendent is the product of a process that violated Florida's Sunshine Law, and is *void ab initio*. *Wood,* 442 So. 2d at 938-39 (Fla. 1983); *Sarasota Citizens,* 48 So. 3d at 762 (Fla. 2010); *Fla. Citizens All., Inc. v. Sch. Bd. of Collier Cty.*, 328 So. 3d 22, 26 (Fla. 2d DCA 2021). At this point, the irreparable harm to Oakes and the public will only be exacerbated if the School Board grants a contract to an individual whose appointment as Superintendent is *void ab initio*.

E. Issuance of a Temporary Injunction Would Not Be Adverse to the Public Interest

The issuance of a temporary injunction is not adverse to the public interest, because the public has a strong interest in the selection of a Superintendent candidate a process that is fully transparent and complies with the Sunshine Law. Also, the public will not be adversely affected by an injunction that maintains the status quo since Dr. Ricciardelli is already the interim Superintendent for the Collier County School District, and has served in that capacity since December 13, 2022. Thus, the School Board can show no significant harm in maintaining the status quo by keeping Dr. Ricciardelli on as interim Superintendent while the final merits of this

lawsuit are adjudicated.

Thus, the issuance of a temporary injunction will further the public interest, whereas the Plaintiff and the public in general would be irreparably harmed if a temporary injunction is not granted.

WHEREFORE, the Plaintiff, FRANCIS A. OAKES, III, respectfully requests that this Court enter an Order granting Plaintiffs' Motion for Temporary Injunction, enjoining the School Board from entering into a contract with the ostensible School Board appointee pending a final adjudication in this lawsuit.

Respectfully Submitted on May 17, 2023.

/s/ Steven J. Bracci
Steven J. Bracci, Esq.
Steven J. Bracci, PA
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9015 Strada Stell Court, Suite 102
Naples, Florida 34109
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Email: steve@braccilaw.com
Secondary: michelle@braccilaw.com
Attorney for Plaintiff Francis A. Oakes, III

VERIFICATION

Under penalty of perjury, I declare that I have read the foregoing, and the facts alleged therein are true and correct to the best of my knowledge and belief.

FRANCIS A. OAKES, III

HYA | HAZARD YOUNG ATTEA ASSOCIATES

LETTER OF AGREEMENT

HYA Signature Search

Purpose

The purpose of this Letter of Agreement (the "Agreement") is to document the working arrangement between Hazard, Young, Attea & Associates ("HYA"), and Collier County Public Schools (the "District") and its School Board (the "Board") to support the Board in its effort to recruit and employ talented leadership. All schedules hereto are an integral part of this agreement and are deemed incorporated by reference herein.

Section I: HYA Responsibilities

HYA shall provide the following services and deliverables:

Engage Phase:

A. Conduct a planning meeting with the Board and provide a summary of said meeting which will detail the timeline and steps of the search process and decisions made by the Board;

B. Coordinate the survey of community constituents electronically and provide a report of findings. The *HYA Community and Leadership Profile Survey* is a research-based instrument that is specifically designed for the search process and has a specific analysis, scoring logic and reporting framework. The *HYA State of the District Survey* offers more questions and provides an in-depth picture of the quality of programming, priorities for the Superintendent in the next 3-5 years. Customization of up to 10 forced choice questions and 4 open-ended questions is available for both survey options as selected and paid for by the Board. The surveys are provided in English, Spanish, and Haitian Creole. Additional world languages are available. Administering the survey in paper format is not supported; paper administration can be quoted but note it will change the timeline for delivery of the leadership profile report. Should the Board elect to have open-ended questions, the comments will be provided verbatim and under separate cover; the Board should consult their attorneys before disseminating open-ended comments as they may contain student or personnel information. HYA assumes no responsibility for the release of open-ended comments. Fees for Survey Services are attached to this Letter of Agreement.

C. Provide up to four individual consultant days for interviews, focus groups and/or town hall meetings to gather in-person input from constituent groups as decided by the Board, e.g., if two consultants are present for a full day, that counts as two days. This is the equivalent of up to 32 one-hour engagement sessions (a session is defined as an interview, focus group, or town hall meeting.). Additional sessions can be added per the daily rate in the pricing section.

D. Prepare and present a *Leadership Profile Report* to the Board, and propose *Desired Characteristics* based on the data from the survey, interviews with district and community representatives and other material made available to the Associates.

Recruit Phase:

E. Coordinate and place advertisements as selected and paid for by the Board;

EXHIBIT "A"

F. Recruit and contact candidates utilizing state and national networks;
G. Correspond with candidates regarding the search process, timeline, *Leadership Profile* and desired characteristics;
H. Interview candidates;
I. Conduct reference checks;
J. Identify best qualified candidates;
K. Prepare application materials of selected slate of candidates for the Board consideration;

Select Phase:

L. Present a slate of candidates, the number of candidates to be determined by the Board with a recommendation from HYA;
M. Conduct the Interview Workshop and provide materials and protocol to ensure informative effective Board interviews;
N. Schedule interviews for the Board with selected semi-finalists and finalists;
O. Facilitate Board discussion to narrow candidate pool after each round of interviews;
P. Coordinate and provide investigative background check(s) of candidates to the Board President as selected and paid for by the Board;

Transition Phase:

Q. Communicate with all unsuccessful candidates at the close of the search and the appointment of the new Superintendent;
R. Hold a transition meeting with the new Superintendent (after employed) regarding information learned throughout the search and next steps in the transition process;
S. Offer other transitional services to be considered by the Board and if desired, paid for by the Board.

Section II: Board and District Responsibilities

To effectuate the search and selection of a successor superintendent, the Board has the following responsibilities:

A. The Board will approve the search process at the planning meeting;
B. The Board will select survey enhancements, advertising and executive due diligence services to be paid for by the Board;
C. The Board accepts full responsibility for using the information it receives from the executive due diligence services (background check) in a legally acceptable fashion and to comply with all federal, state and local laws regarding the use of background checks and the consequences of use.
D. The Board will conduct interviews (and site visits, if desired) of finalists shortly after a slate is presented. The HYA Associates will not be present at the Board interviews or site visit but will assist the Board in the scheduling of the interviews and preparation. The HYA Associates will be available by phone during the scheduled interviews.
E. The Board will seek the advice from its attorney regarding the Board's process for interviewing candidates to comply with open meeting laws in their state.
F. The Board will decide whether to reimburse candidates for expenses and will reimburse candidates directly.
G. The Board will write and execute the employment contract with the selected superintendent, with the assistance of its attorney. The HYA Associates will support the Board and its attorney, if requested.

H. The Board will communicate with local media regarding the search process and appointment of a superintendent with its community relations/public relations designee. The HYA Associates will support the Board and its designee, if requested.

I. The Board will make every effort to support and work cooperatively with HYA Associates at all levels of the search process to find and appoint a new Superintendent.

Section III: Guarantees

A. Throughout the search process the HYA Associates will be available to counsel with the Board about the search. The HYA Associates will assist the Board until the Board determines it has found the appropriate candidate for the position.

B. The Superintendent appointed with HYA's assistance will not be presented to another Board as a candidate if it would result in the Superintendent leaving the District within three (3) years of employment unless the Board provides written authorization to HYA that they may do so.

C. If the Superintendent departs from the position during the first year under any circumstances or within two (2) years if a majority of the Board by vote is still in place and departure is due to Board dissatisfaction and not personal or familial reasons, HYA will recruit new candidates for the Board at no additional cost barring travel, advertising and due diligence expenses. This applies to HYA slated candidates.

D. Should the Board choose to end the search before a superintendent is selected, the Board is responsible for the search fee, advertisement, background checks and all expenses incurred prior to their decision based on the fee and payment schedule outlined herein.

Section IV: Fees, Costs, and Payment Schedule

In consideration for Services, the District will pay to Hazard, Young, Attea & Associates for:

A. Consulting Fee for the search in the amount of $39,700. This fee is due in three installments:
   50% will be invoiced upon contract signing and completion of the Planning Meeting
   25% will be invoiced after the *Leadership Profile Report* is presented
   25% will be invoiced after the slate is presented

B. Additional on-site consulting days billed at $2,500/day as selected and paid for by the Board.

C. Advertisement pursuant to the Advertising Services Schedule attached to this agreement as selected and paid for by the Board (if selected, as per the proposal, HYA package #3 and ALAS/NABSE for a total of $7,170).

D. Background checks pursuant to the Executive Due Diligence Services Schedule attached to this agreement as selected and paid for by the Board (comprehensive investigative executive due diligence service as recommended in the proposal, $1,950).

E. Survey services, customization, and world languages, pursuant to the Survey Services Schedule attached to this agreement as selected and paid for by the Board (for the HYA research-based community survey as per the proposal, in English and Spanish, $2,000).

F. Materials, Printing and Postage; If the Board requests hard copies of the materials, the district will be invoiced to cover the costs of printing, binding, and shipping materials.

G. Recruitment for other positions; if the Board employs an HYA recruited candidate within one year of the close of the superintendent search, in addition to the position of Superintendent, 10% of the base salary will be due to HYA for the recruitment of said candidate.
H. The total, including maximum travel and all recommended option in the proposal, is $53,820.

Section V: Reimbursement Costs

A. Travel and hotel expenses for consultants to meet with the Board and/or conduct interviews will be borne by the Board. Expenses are billed after the presentation of the *Leadership Profile Report*, after the slate is presented, and at conclusion of the search. Mileage reimbursement is based on current IRS guidelines. HYA does not ask for reimbursement of meals for its Associates (as per the proposal maximum, without prior Board approval, $3,000).
B. Travel and hotel expenses of candidates will be submitted by the candidate directly to the District.

Section VI: Additional Services

A. If and when selected, the workshop(s) costs will be added pursuant to the Transition Services Schedule of this agreement. (The Interview Workshop is included in the consulting fee for the search.)
B. If the Board wishes to secure additional services beyond those described in this agreement or to design customized workshops and services, these services can be discussed and defined with the consultants and added to the contract as an addendum.

Section VII: Business Relationship

A. The District and HYA agree that HYA does not have the status of employee, shall not be entitled to any employee fringe benefits, and shall function as an independent contractor.
B. The District agrees that any and all Intellectual Property and technology designed, made or conceived by HYA (solely or jointly with others) arising from HYA's work for the District, is the sole property of HYA, without royalty or other consideration to the District.
C. All information, notes, interview sheets, lists, and other documents developed by HYA consultants shall remain the property of HYA.
D. The District and the Board understands that it is unlawful for it to either disclose to any person outside of the District's employment or make any unauthorized use of HYA trade secrets or confidential information unless it can be shown that such information has become public knowledge through no act of the District or Board.
E. The Board's decision to hire or not hire a particular candidate is at the sole discretion of the Board; and the Board takes responsibility for that decision.

Section VIII. Sunshine and Public Records Law

The District and HYA will follow the provisions of Florida's Sunshine and Public Records law during the course and scope of the search and appointment process and thereafter if applicable to this Agreement.

Section IX: Term and Termination

This Agreement shall become effective on the date the Agreement is signed by the District and will continue in effect until the search is completed and mutually terminated by both parties.

Section X.

Should any dispute arise between the parties in connection with this Agreement, the parties mutually agree to try to resolve the dispute informally or with the assistance of a certified mediator before filing any action in a court of law. Florida law will apply to the terms of this Agreement.

Hazard, Young, Attea & Associates:

10/25/22

Signature Date

Nanci Perez, Chief Operating Officer

Name and Title

Collier County Public Schools:

Signature Date

Name and Title

Reviewed: J Fishlein

Agenda Item Details

Meeting	Nov 07, 2022 - Regular School Board Meeting
Category	Consent Agenda - Purchasing/Human Resources
Subject	C280 Request for Proposal #23-027 Superintendent Search Services
Type	Action (Consent)
Dollar Amount	53,820.00
Budgeted	Yes
Budget Source	General Fund
Recommended Action	Approve the award and contract of RFP #23-027 for the purchase of a firm to conduct the superintendent search services.

FEDERAL STATUTE:
n/a

FLORIDA STATUTE:
1010

SCHOOL BOARD POLICY:
6320

EXECUTIVE SUMMARY:
The Purchasing Department, in conjunction with the Human Resources Department, conducted a request for proposal (RFP) for the selection of a firm to conduct the search for candidates to present to the School Board for consideration as the new Superintendent of Schools. The RFP process included the submittal of proposals, a short-list of firms, and in-person interviews/presentations. The School Board served as the evaluators of the submittals and interviews for this process. Three firms were short-listed and those firms presented to the School Board at a special session on October 18, 2022. The School Board unanimously voted to award the RFP to Hazard, Young, Attea and Associates of Schaumburg, Illinois, as the highest rated and best overall value for the District. The School Board further voted to enter into contract negotiations. District General Council, in coordination with the School Board Chair, finalized the contract presented and attached hereto. The recommendation of the services is in the amount not to exceed $53,820.00.

LEGAL APPROVAL:
The item was reviewed and approved by Jon Fishbane, District General Counsel.

CONTACT:
Valerie Wenrich, Assistant Superintendent, Human Resources
(239) 377-0351
David Nara, Senior Director, Financial Services, Purchasing
(239) 377-0064

C280_110722_23.027 Super Search FINAL SCORE TAB.pdf (164 KB)

C280_110722_HYA Contract.pdf (294 KB)

Motion & Voting

A motion was made to approve all items on the Consent Agenda as presented.

Motion by Erick Carter, second by Roy M Terry.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Jen Mitchell, Roy M Terry, Jory Westberry

EXHIBIT "B"

Agenda Item Details

Meeting	Feb 06, 2023 - Special Board Meeting/Superintendent Search
Category	Topics for Discussion
Subject	Leadership Profile Report and Desired Characteristics for the search of a new Superintendent
Type	Action, Discussion, Information
Fiscal Impact	No
Recommended Action	Approve the development of a more comprehensive job profile, job posting and promotion.

FEDERAL STATUTE:
n/a

FLORIDA STATUTE:
n/a

SCHOOL BOARD POLICY:
PO 1020

EXECUTIVE SUMMARY:
At the conclusion of the community engagement/focus group interviews and superintendent search survey period, HYA (Hazzard, Young, Attea Associates) has compiled all feedback into a Leadership Profile Report and Desired Characteristics list to be presented to the Board for review and approval for the development of a more comprehensive job profile, job posting and promotion.

LEGAL APPROVAL:
n/a

CONTACT:
Valerie Wenrich, Assistant Superintendent Human Resources
(239) 377-0351

Desired Characteristics - Collier County Public Schools.pdf (276 KB)

CCPS Survey and Focus Group Results PPT Feb 2023.pdf (236 KB)

CCPS Leadership Profile Report_Feb 2023.pdf (170 KB)

CCPS Survey Report 1.27.23.pdf (626 KB)

Motion & Voting

A motion was made to approve the leadership profile and desired characteristics for a new superintendent.

Motion by Stephanie Lucarelli, second by Erick Carter.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter, Jerry Rutherford, Tim Moshier

EXHIBIT "C"

HYA | HAZARD YOUNG ATTEA ASSOCIATES



LEADERSHIP PROFILE REPORT

Collier County Public Schools
February 2023

EXHIBIT "D"

Hazard, Young, Attea & Associates
1475 E. Woodfield Road, 14th Floor, Schaumburg, IL 60173
Tel 847.250.7261 | www.hyasearch.com

EXECUTIVE SUMMARY

This report presents the findings of the Leadership Profile Assessment conducted by Hazard, Young, Attea & Associates (HYA) in December 2022 and January 2023 for the successor superintendent of the Collier County Public Schools. The data contained herein were obtained from input the HYA consultants received when they met with individuals and groups in either individual interviews or focus group settings and from the results of the online survey completed by stakeholders. The surveys, interviews, and focus group meetings were structured to gather input to assist the Board in determining the primary characteristics desired in the new superintendent. The data collected in the survey is consistent with the input from the focus group sessions. Additionally, the stakeholder interviews and focus groups collected information regarding the strengths of the District and some of the challenges that it will be facing in the coming years.

Participation

The numbers of participants, by stakeholder group, in the two methods of data gathering are listed below: *Not all focus groups were a group that was disaggregated for the on-line survey.*

Group	Personal interviews or focus groups	Online Survey
Board	5	
Administrators		233
Building level administrators	112	
Central office administrators (Teaching & Learning | Operations)	85	
Certificated Staff		983
Faculty (Elem | Middle | High)	37	
Community (in-person & virtual)	33 ip + 6 virtual = 39	627
Support Staff (District & School-based)	109 + 8 = 117	293
Parents	1	1704
Students	24	4125
Union Leadership	1	
Non-profit groups	20	

Gov't Leadership	10	
Non-gov't Business Leaders/Civic Community Leaders	6	
Total	457	7,965

The community survey report and a draft of the desired characteristics are provided under separate cover and are meant to be stand-alone complementary pieces to the Leadership Profile Report.

It should be emphasized that the data are not a scientific sampling, nor should they necessarily be viewed as representing the majority opinion of the respective groups to which they are attributed. Items are included if, in the consultants' judgment, they warranted the Board's attention.

STRENGTHS OF THE DISTRICT

Among the most frequent strengths perceived and discussed by focus group participants and during interviews, as well as reflected in the survey, are the strong academic performance standards and reputation of the school district. This includes recognition of a highly dedicated staff, the wide scope of the academic and extracurricular programming offered to students, the strong programs for students with special needs and for those who are English Language Learners, the high-quality technology used by students and staff, and the intentional focus on equity in facilities and programming.

The highly engaged residents of Collier County provide great support for the students and schools. Even though the Collier County Public School District spans a large geographic area, the collaborative partnerships between the district and other public service organizations, such as law enforcement, EMS, and fire department, as well as numerous philanthropic organizations provide a supportive and safe environment for teaching and learning. Participants in the focus groups consistently mentioned the great students and families that make up the district. Maintaining this robust commitment to student success and strong partnerships with community organizations will be priorities for the next superintendent.

The Collier County Public School District has great students supported by dedicated and hard-working staff members. The stability of the leadership team that has been in place for over a decade is appreciated by stakeholders as the focus on continuous improvement can be seen in most areas of the organization. The diversity of the community is viewed as a strength and the commitment to providing an inclusive learning environment for all students is a theme that runs through all aspects of operations of the district.

As indicated during the focus group sessions and from the results of the survey, the district offers a wide variety of curriculum options, academic offerings, and extracurricular programming for the students in well-maintained, technologically advanced, and aesthetically pleasing buildings and facilities. There exists a great sense of pride in the schools and the students report a high level of school spirit. Opportunities for students to pursue their passion in the visual and performing arts and STEM programs is also a point of pride. The strong financial strength of the district can be attributed to sound planning and spending practices.

Despite the challenges presented in the following section, the Collier County Public School District has significant foundational pillars on which to continually improve. These include a history of academic excellence including a wide variety of programming, dedicated and supportive staff, robust programs for students in athletics/extracurricular activities, and an engaged and supportive student body and community. It was evident in the focus groups and in the results of the survey that the stakeholders have an overall desire to enhance the already positive reputation of Collier County Public School District while preparing students to be academically and socially prepared for the future.

Challenges and Issues Facing the District

As expressed in focus group discussions and reported in the survey, there exists common concern for the schools to meet the needs of an increasingly diverse and growing student population. Ensuring that all students, including those recently assimilating to the community or who have special learning needs, have the opportunity to thrive is a priority on which the new superintendent will be expected to unify school and community resources to achieve. Focusing on vulnerable populations while working to enhance the overall academic performance of all students are ongoing challenges on which the superintendent will be expected to demonstrate leadership.

It was noted during individual interviews and focus group sessions that over the last two years factions have developed between community stakeholder groups, district leaders, board members, and staff as a result of concerns related to the pandemic, curriculum, and the perceived quality of the overall academic program. School Board meetings are attended by vocal stakeholders who are concerned generally about the current state of education, as well as upset with specific aspects of local educational programs. Transparent communications, the ability to balance competing interests, mitigating the high level of frustration that currently exist, and demonstrating unwavering commitment to the students will be areas on which the new superintendent will need to focus. Finding common ground between individuals and groups while keeping the focus on moving the district forward for the students are challenges that the new superintendent will be tasked to address.

Similar to the situation facing most school districts, as a result of societal and pandemic-related tensions, recruiting highly qualified staff to fill open positions, as well as retaining the current staff will be ongoing concerns on which the new superintendent will need to focus. The results of the survey and comments by participants in the focus group sessions indicate that buidling a positive and professional climate of mutual trust and respect will be a challenge that must be addressed by the new superintendent. In addition, demonstrating a deep understanding of educational research and emerging best practices for teaching and learning are concerns expressed during focus group sessions and in the survey. Working to improve staff morale, facilitating constructive dialogue around curricular issues, recruiting staff that better reflect the community, and accounting for the high cost of living in Collier County for staff members will be areas of focus for the new superintendent. Addressing the housing shortfall and affordability will be a high priority.

Given the growing population, the need to continue to plan for and address facilities issues and funding challenges, as well as recruiting, hiring, and retaining qualified staff to meet the needs of the students will be a high priority for the next superintendent. As will be opening up additional opportunities for career and technical educational programs. All of the above represent challenges the new superintendent will need to address. Collaborating with the staff and Board to address the needs of the diverse population while finding efficiencies within the large organization will also be priorities for the new superintendent.

HYA and the Board intend to address the challenge of finding an individual who possesses most of the skills and character traits required to meet the current and long-term needs of the district. The search team will seek a new superintendent who can work and partner with the Collier County Public School Board to provide the leadership needed to continue to raise academic standards and student performance, while meeting the unique needs of each of its schools and communities.

The search team thanks all the participants who attended focus groups meetings or completed the online survey and the CCPS staff members who assisted with meetings, communication, and promotion, particularly Valerie Wenrich who organized the search team's time in the district and Maribel De Armas who promoted stakeholder focus groups and the community survey.

HYA | HAZARD YOUNG ATTEA ASSOCIATES

Desired Successor Superintendent Characteristics
COLLIER COUNTY PUBLIC SCHOOLS

After seeking extensive input from students, parents, district staff, and community members via interviews, focus groups, and a community survey, the Collier County Public Schools seeks a **strong, knowledgeable, and transparent educational leader** who possesses the following characteristics:

An experienced educational leader who:

- Demonstrates the ability to connect at all levels in a diverse, complex, and growing community with different needs, expectations, and perspectives
- Displays effective decision-making abilities regarding the organizational efficiencies of a large complex school district or organization
- Prioritizes student achievement regardless of background, abilities, school, level of proficiency, or classification
- Builds upon the academic success of the school district and understands the cognitive science of developmental stages of learning to leverage instructional programming for all students
- Has the ability to use data to drive thoughtful decisions, district goals and initiatives
- Encourages student voice, values their perspective, and uses a system-wide whole child approach to support all the needs of all children
- Exhibits integrity and high level of emotional intelligence
- Fosters an open and safe environment that prioritizes inclusion and diversity
- Demonstrates political savvy but is not political

A systems thinker who:

- Places students at the center of every decision
- Inspires, motivates, supports, and empowers a leadership team and staff to lead change with transparency
- Ability to creatively and effectively, recruit and retain district talent in a competitive market
- Collaborates by seeking input prior to making decisions and communicates the rationale behind each decision
- Maintains organizational accountability when making operational decisions
- Displays fiscal acumen and can responsibly manage an educational institution in allocating resources and fiscal forecasting
- Is experienced in negotiations, transportation, and capital improvement planning in a large, growing, and complex school system
- Understands and can implement Florida educational laws and policies while embracing Collier County values

An exceptional communicator and committed consensus-builder who:

- Establishes trusting and meaningful relationships with all segments of the district and the community while demonstrating courage in the face of obstacles
- Is a trust-builder and trust-gainer who is visible, present, and collaborative through interactions with students, teachers, staff, Board, parents, community partners and community members
- Galvanizes a community to implement a shared vision towards positive student outcomes
- Demonstrates success in working and partnering with the governing body
- Invests in the community, by being visible, present, approachable, and actively promoting district successes, initiatives, and programs on behalf of the district.

EXHIBIT "E"

In regard to **leadership experiences and accomplishments**, the successful candidate will:

- Have demonstrated highly successful educational leadership experience in a community with similar demographics, values, and challenges
- Have or be immediately eligible for Florida Department of Education Educator Certificate covering Professional Educational Leadership All Levels

Compensation:
Salary in the range of $285,000 depending upon qualifications, experience, and credentials and subject to negotiations. Benefits similar to other district employees, applicable FL statues and subject to negotiation.
Interested and qualified individuals can learn more about the position and apply at:
https://hyasearch.com/job/superintendent-ccps-naples-fl/

Agenda Item Details

Meeting	Apr 05, 2023 - Special Board Meeting/Superintendent Application Review
Category	Topics for Discussion
Subject	Superintendent Search - Review of applicants, slate for interviews and interview questions
Type	Action, Discussion, Information
Fiscal Impact	No
Budgeted	No

FEDERAL STATUTE:
n/a

FLORIDA STATUTE:
n/a

SCHOOL BOARD POLICY:
PO 1020

EXECUTIVE SUMMARY:
The School Board will review all applicants who have completed their submission for the position of Superintendent and review the recommended slate of candidates from HYA (Hazzard, Young, Attea Associates). The Board will determine the candidates they recommend to move forward to the first round of interviews to be conducted on April 19, 2023. The School Board will review and discuss the attached document which includes 80 sample questions by category.

LEGAL APPROVAL:
n/a

CONTACT:
Valerie Wenrich, Chief Human Resources Officer
(239) 377-0351

Guideline Preparation for Candidate Selection (23).pdf (334 KB)

Motion & Voting

A motion was made to approve a supplemental background check for the final two superintendent candidates for $1,950.00.

Motion by Stephanie Lucarelli, second by Erick Carter.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter, Jerry Rutherford, Tim Moshier

A motion was made to bring back Dr. J. Gibson, Dr. L. Ricciardelli, Dr. M. Simon, Mr. C. Van Zant, Jr. for 1st round Superintendent Interviews.

Motion by Stephanie Lucarelli, second by Erick Carter.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter, Jerry Rutherford, Tim Moshier

EXHIBIT "F"

Book	Procedures Manual
Section	3000 Staff
Title	CRIMINAL BACKGROUND SCREENING, GUIDELINES & PROCEDURES
Code	ap3121.01
Status	Active
Adopted	February 1, 2009
Last Revised	March 29, 2022

3121.01 - **CRIMINAL BACKGROUND SCREENING, GUIDELINES & PROCEDURES**

INTRODUCTION

The purpose of this document is to provide appropriate guidelines and procedures for determining whether (a) an applicant for employment; (b) an existing District employee who is recommended to fill a position; (c) an employee of a contractor seeking to do or already doing business with the District; or (d) a prospective or existing volunteer can be cleared to serve the District and be given access to District schools, buildings, and property based upon criminal background screening and the assessment of such screening.

In developing these guidelines and screening assessment, the District must follow statutory screening standards with respect to fingerprinting, the Jessica Lunsford Act, as well as the nature and severity of any crime found to have been committed including statutory restrictions on hire. These statutes will be identified as necessary and appropriate throughout the text of this document.

In evaluating the background of any person screened under these guidelines and procedures for possible clearance to work for, serve, or gain admission to District sites, the risk and safety of students, employees, as well as the interests of the District in carrying out its mission will be central considerations.

Every effort will be made to promote fairness in the process of review including follow up on a case-by-case basis should that be deemed necessary and appropriate under the circumstances. Given the volume of applications the Human Resources Department receives, and the time it sometimes takes for receiving information back from State and Federal law enforcement agencies, final decisions may take longer than anticipated.

Volunteers

A. Level I Volunteer

A Level I volunteer is a volunteer whose work may involve contact with students but will never be working with students without an employee present (e.g., assisting in a classroom with the teacher present).

B. Level II Volunteer

A Level II volunteer is a volunteer whose work may involve contact with students without an employee present (e.g., tutoring outside of the classroom, mentoring, or overnight chaperoning).

Criminal Background Screening Requirements

A. Preliminary Considerations

A prospective employee/applicant, existing employee, prospective Level I or II volunteer, sports official/referee, tutor, child/student care provider, or contractor employee who is recommended to fill a position shall, as a condition of hire and/or admission to serve the District, undergo appropriate background screening. Except for a Level I volunteer, all such persons shall have a complete and legible set of fingerprints taken by a designated employee or agent of the District trained to take fingerprints. Fingerprinting shall also be required where there has been any break in service, as a condition of employment or readmission to service with the District.

A break in service is identified when an individual has terminated employment or is no longer employed with the District.

Individuals that terminate employment with the District for the purpose of seeking employment with any other employer including a charter school will be considered to have initiated a break in service and new fingerprints will be required as a condition of employment, admission or readmission to service with the Collier County based charter school.

Individuals that terminate employment with a Collier County based charter school for the purpose of seeking future employment with the District will be considered to have initiated a break in service and new fingerprints will be required as a condition of employment, admission, or readmission to service with the District.

B. Screening Requirements

1. Level I Volunteers

a. Level I volunteers will not be required to be fingerprinted. However, they are required to truthfully complete the volunteer application and the questions pertaining to criminal history on that form.

b. Follow Up Screening

Actual Level I volunteers will be required to update their District applications every five (5) years. The District reserves the right, as a matter of due diligence, to follow upon any information received on any employee or person serving and/or admitted to the District if it believes there are reasonable grounds for same.

2. Level II Volunteers, Applicants, Contractors

EXHIBIT "G"

a. Fingerprints will be processed pursuant to the requirements of F.S. 1012.32 and be sent to the Florida Department of Law enforcement (FDLE) and the Federal Bureau of Investigation (FBI). The applicant who is applying for hire and/or admission and is fingerprinted shall be required to pay for the full costs of processing at the time of the fingerprinting.

b. In the event that there are problems with the fingerprinting of an applicant for employment, such as worn fingerprints that are not readable, thereby requiring FBI notification, an applicant who is cleared through the FDLE will receive provisional approval subject to receiving FBI clearance. This would not apply to volunteers or contractors.

c. All persons whether applicants, existing employees, Level I or Level II volunteers, or contractor's employees who are seeking admission to the District shall not only be required to meet screening guidelines, but also the requirements set forth in the Jessica Lunsford Act.

d. Additionally, the fingerprints of all staff members who are employed by the District and have no break in service must be re-submitted to the FDLE and to the FBI every five (5) years so that subsequent Statewide criminal and juvenile records checks and Federal criminal records checks can be completed as required by law. Any new criminal history will be reviewed against the same screening guidelines used to review all contractual personnel.

Required Documentation for Criminal Background Screening

A. A prospective employee/applicant who is recommended to fill a position shall, as a condition of employment, self-disclose all criminal history as part of the application process. In Florida, the entire arrest record must be disclosed to school districts, including sealed and/or expunged records and military court proceedings. Therefore, the completed "Criminal Record" form must include a full disclosure of the prospective employee or applicant's criminal past, including all sealed and expunged records pursuant to F.S. 943.058. Any offense that occurred whether as a juvenile or adult must be disclosed. Therefore, all adult and juvenile offenses must be listed.

B. Prior criminal records may or may not result in disqualification for employment. However, failure of the prospective employee/applicant to disclose completely and truthfully any prior criminal record on the "Criminal History" portion of the application is sufficient cause to immediately disqualify the applicant for employment consideration, or if the applicant has been hired, to immediately terminate employment. The disqualification period is contingent upon guidelines and restrictions for hiring and/or admission to service with the District as referenced below. Unless otherwise provided herein which would warrant further inquiry to determine the duration of disqualification.

Guidelines and Restrictions for Hiring and/or Admission to Service with the District and for Current Employees

The following guidelines and restrictions for hiring and/or admission for service with the District shall apply to all applicants for any position with the District including employee, volunteer, child care worker, tutor, game official, referee, and/or contractor employee positions.

A. An applicant's criminal history shall include, as part of any screening review, any offense resulting in a felony and/or misdemeanor conviction, or otherwise found or pled guilty, where the applicant has posted bail, entered a pretrial diversion or intervention program after charges were filed or pled no contest (nolo contendere). For purposes of the procedure, "convicted" means that there has been a determination of guilty as a result of a trial or the entry of the above mentioned pleas, regardless of whether adjudication is withheld, and included an adjudication of delinquency of a juvenile as specified in F.S. 943.0432. Under these guidelines, the time of the offense shall commence from the date of the charge, not the disposition of the case. Moreover, if there is an open case pending at the time of the application, the district will not consider the applicant for hire and/or admission to service until the case has been resolved.

B. It shall not be considered part of an applicant's criminal history if a person has successfully completed a pretrial diversion or intervention program and either a criminal complaint (Information)was not filed, or charges were dropped, nolle prosequi entered, and the case dismissed prior to or at the time of the completion of the program except as noted in section C and D below.

C. The District reserves the right to undertake an individualized inquiry in the background screening process that includes but is not limited to:

1. The nature and gravity of the offense or conduct.

2. The time that has passed since the offense, conduct and/or completion of the sentence.

3. The nature of the job sought.

4. This analysis supports the District's unique business necessity which includes but is not limited to student health, safety and welfare; staff and community member health, safety, and welfare; and taxpayer/property stewardship.

D. If a current employee commits a crime during the period of employment that would otherwise disqualify the employee from initial employment, the employee may be recommended for discipline, up to and including termination.

E. If an employee is terminated for cause, resigns, or retires during the pendency of an investigation into the misconduct of that employee, the District will nevertheless continue with the investigation. If misconduct is found to have occurred, the employee shall not be reemployed by the District for a minimum of five (5) years from the date of termination, resignation, or retirement.

Disqualifiers for Hiring and/or Admission with the District

The following criminal offenses shall disqualify any applicant for hire or admission for service with the District. The list is representative and not intended to be complete:

A. sexual assault/sexual battery

B. sexual misconduct involving any child, developmentally or otherwise disabled person, or other lewd or lascivious conduct of a sexual nature

C. sexual exploitation

D. assault and battery of a minor

E. aggravated assault and battery regardless of age

F. abuse, neglect, or exploitation of a minor, aged person, or disabled adult

G. contributing to the delinquency or dependency of a minor

H. taking, enticing, or removing a child beyond state limits to avoid a custody hearing

I. domestic violence (felony)

J. extortion

K. felony drug sale, distribution, trafficking, and/or manufacture

L. grand theft and grand larceny

M. murder

N. manslaughter

O. arson

P. robbery

Q. vehicular homicide

R. kidnapping

S. prostitution or solicitation of prostitution

T. showing and/or exhibiting a firearm within 1,000 feet of a school

U. indecent exposure

The District will carefully review the application if the indicated offense is more than ten (10) years old to determine eligibility.

A. burglary

B. forgery

C. fraud

D. counterfeiting activity

E. possession of a concealed weapon

F. identity theft

G. use or possession of drugs (felony)

H. domestic violence, not involving a minor

I. felonies that pose no risk to students, or employees, or the District

J. DUI/felony conviction

The District will carefully review the application if the indicated offense is greater than five (5) years to determine eligibility. WILL NOT HIRE OR ADMIT TO SERVICE WITH THE DISTRICT if the following offenses are less than five (5) years old:

A. two (2) DUIs or one (1) DUI where there has been injury to persons or property damage

B. writing worthless checks

C. resisting arrest

D. misdemeanor drug use, and/or drug possession, or possession of paraphernalia

E. shoplifting and petty theft

F. misdemeanor underage drinking

G. misdemeanor disorderly conduct

H. misdemeanor cyberstalking

I. telephone harassment

J. violation of probation

K. possession and/or usage of a false ID

L. misdemeanor property damage over $1,000

M. misdemeanors that pose no risk to students, employees, or the District

As noted above, this is not intended to be an inclusive list. The District will carefully review the application if the indicated offense is greater than five (5) years to determine eligibility.

WILL NOT HIRE OR ADMIT TO SERVICE WITH THE DISTRICT if the following offenses are less than two (2) years old:

A. one (1) DUI where there has been no injury to persons or property

B. loitering

C. trespassing

D. driving while license suspended or revoked (habitual offenders' records may warrant closer scrutiny and increased time)

E. reckless driving

F. sale of alcohol to minors/or persons under twenty-one (21) year of age

G. criminal mischief where there has been no injury to persons and property damage is less than $1,000.00

H. misdemeanor property damage under $1,000

In considering a DUI or reckless driving offense, or more than one such offense, the District will review such offense to determine whether the applicant is seeking a safety-sensitive position (ie, a bus driver) and whether the job description itself involves driving as a requirement of the position. In such situations, the District reserves the right to declare the person ineligible if it is determined to be in the best interests of the District to do so regardless of the time periods set forth above. The same considerations will apply to existing employees, contractors, and volunteers, and so on.

The eligibility of former employees seeking to return to employment with the District who have been subject to a DUI offense, or more than one offense, will be reviewed on the basis of the position applied for and their employment history with the District to determine whether any of exceptions to the guidelines are permissible.

The undertaking of the review of an offense with respect to the duration criteria noted above will be from the date of the offense itself, not the date of the judicial disposition of the offense.

Applicants who are on administrative probation with Educational Practices Commission, or other administrative agency, as a result of an administrative determination or settlement agreement will be considered for positions by the District subject to review of the issues involved.

A current employee may be reviewed, disqualified, or terminated from continued employment; (a) based on follow up review as a matter of due diligence concerning information received, and/or (b) if the current employee has been adjudicated guilty or convicted of a crime classified as a felony, or convicted of a crime involving moral turpitude, or any of the offenses enumerated in F.S. 435, or a misdemeanor offense warranting District action. This section shall be read consistently with the screening guidelines set forth above including as they pertain to pretrial diversion programs.

Review of Decisions and Notice of Action

A. Any applicant may contest the accuracy of the information provided to the District by the FDLE, or other law enforcement agency, whether Federal, State or local and which may have been a basis for disqualification. The applicant, not the District, is responsible for providing such information directly to the FDLE, or other law enforcement agency, whether Federal, State or local.

B. If a contractor, or contractor's employee, is determined to be disqualified from working on District property, the contractor will be notified in writing of the disqualification. An opportunity to contest the accuracy of the report from FDLE, or other law enforcement agency, whether Federal, State or local, as stated above, will be provided. Any final report involving the contractor's employee will be provided to that employee only.

C. Any prospective employee/applicant who is disqualified for employment pursuant to the above-cited criteria will be informed in writing of the disqualification.

D. Florida statutes require periodic re-fingerprinting of employees. Contractors and volunteers in the District will also require periodic re- fingerprinting as noted above. Upon re-fingerprinting, any new criminal history will be reviewed against the same screening guidelines used to review all contractual personnel and/or volunteers; including any disciplinary or disqualifying consequences that might arise from such review consistent with guidelines set forth above.

Effective Date of Guidelines

November 1, 2011.

Revised 6/28/10
Revised 11/29/11
Revised 12/12/17
Revised 8/28/20
Revised 3/29/22

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Legal F.S. 1012.32

LOCAL NEWS

Willoughby-Eastlake Schools Superintendent Steve Thompson will resign this month



Steven L. Thompson

By **MARAH MORRISON** | mmorrison@news-herald.com | The News-Herald
August 12, 2022 at 3:15 p.m.

Willoughby-Eastlake Schools Superintendent Steve Thompson has recently submitted his resignation to

EXHIBIT "H"

Thompson's last day of employment at Willoughby-Eastlake will be Aug. 22. The School Board is currently collaborating with Thompson and the Willoughby-Eastlake administration to create a transition plan.

The board accepted Thompson's resignation on Aug. 11. Additional communication regarding the search for a new superintendent will be forthcoming, according to the board.

"I would like to thank our residents who have assisted during my time in Willoughby-Eastlake to implement many positive changes," Thompson said. "Together, we were able to bring incredible facilities to our students, institute partnerships within our schools, improve educational delivery models, create the Mobile Fab Lab and fabrication labs in our schools, open the School of Innovation and establish safety measures that will help keep everyone in our buildings safe while they are in our care."

"It has been a privilege to be a part of these improvements and I am confident that together we have laid the groundwork for the district's continued growth."

Thompson came to the district in 2011. Prior to finishing his doctor of education degree, he attended AASA/Howard University Urban Superintendents Academy. It has been a goal of Thompson's to work in an urban district so he can have a positive impact on the students, the district, staff members and the greater community.

Thompson said having an opportunity to work as the chief operations officer in Akron Public Schools will give him the chance to fulfill his goal and help to have a positive impact on the district. He is looking forward to working with fellow colleagues in Akron to help fulfill the goals of their strategic plan, as well as serving the families of Akron Public Schools while sharing and utilizing the expertise he has been able to obtain during his time in public education.

Tags: **Lake County**



Marah Morrison | reporter

Marah Morrison is a multimedia journalist who joined The News-Herald in 2020. In addition to Willoughby-Eastlake City Schools, her beats include the cities of Willoughby, Willoughby Hills, Eastlake and Willowick. Marah is a 2019 Youngstown State University graduate and has always had a goal to be a voice for people. Aside from hard news and local government stories, she enjoys writing human interest stories, as well as features on people, and old and new businesses. When she is not doing journalism, Marah enjoys traveling, and spending time with her family and her friends.

mmorrison@news-herald.com

EDUCATION

W-E schools superintendent pleads guilty to DUI

At his May 23 pretrial, Thompson said he would take responsibility for his actions and apologized to his friends, family and the community.



IN OTHER NEWS

Cleveland C
program allo

Stephen L. Thompson

Author: **WKYC Staff**
Published: **6/4/2014 3:35:06 PM**
Updated: **3:35 PM EDT June 4, 2014**

CHARDON -- The Willoughby-Eastlake Board of Education has scheduled a special meeting tonight to discuss the discipline for Superintendent Stephen Thompson, according to officials. They previously met May 19 to discuss Thompson but immediately adjourned into executive session.

And Chardon Municipal Court records reflect that Thompson, 48, of South Russell, pleaded guilty this afternoon to driving under the influence and failure to maintain an assured clear distance charges stemming from a 2:30 a.m. crash May 17 crash at the corner of state Route 306 and Mayfield Road in Chester Township.

Attorney Kenneth Callahan represented Thompson in court today. Attorney Ron Graham represented Thompson at his first court appearance.

Related story: **Willoughby-Eastlake school superintendent charged with DUI**

Related story: **Willoughby-Eastlake school superintendent pleads 'not guilty'**

Court records show he had a blood alcohol concentration of .17 and the legal limit in Ohio is .08.

Thompson is the former school superintendent at Chagrin Falls schools.

At his May 23 pretrial, Thompson said he would take responsibility for his actions and apologized to his friends, family and the community.

"Last weekend I made a significant mistake, one for which I am truly sorry. I operated a motor vehicle when I should not have," he said.

He also said he would make a donation to Students Against Drunk Driving.

"I sincerely hope this incident will be reminder to everyone how one bad decision, isolated incident, can be painful, embarrassing and potentially tragic," Thompson added. "I sincerely apologize and commit to take whatever steps are necessary to ensure this never happens again."

INSTR 5262861 OR 5270 PG 2703 RECORDED 5/6/2016 4:49 PM PAGES 2
DWIGHT E. BROCK, CLERK OF THE CIRCUIT COURT, COLLIER COUNTY FLORIDA
REC $18.50 INDX $1.00

COLLIER COUNTY CODE ENFORCEMENT
CODE ENFORCEMENT BOARD

Case No. – CESD20150009975

_____/

BOARD OF COUNTY COMMISSIONERS
COLLIER COUNTY, FLORIDA,

Petitioner,

vs.

JOHN L. CIPOLLA, ROBERT RICCIARDELLI and
LESLIE RICCIARDELLI,

Respondents.

_____/

NOT A CERTIFIED COPY

ORDER OF THE CODE ENFORCEMENT BOARD IMPOSING FINES/LIENS

THIS CAUSE came before the Code Enforcement Board upon the Petitioner's Motion for Imposition Fines/Liens on April 29, 2016, and the Code Enforcement Board, having heard argument respective to all appropriate matters, hereupon issues its Findings of Fact and Order of Code Enforcement Board, as follows:

FINDINGS OF FACT

1. On August 27, 2015, Respondents were found guilty of violation of Collier County Land Development Code 04-41,as amended, Section 10.02.06(B)(1)(a)and(e) for having active construction of an addition with no Collier County Building Permit, which violation(s) occurred on the property located at [redacted] (Legal: [redacted]

2. An Order was entered by the Code Enforcement Board ordering Respondent to abate the violation on or before October 26, 2015, or a fine of $100.00 per day would be assessed for each day the violations continue thereafter until abatement is confirmed. (A copy of the Order is recorded at OR 5194, PG 3092).

3. Operational costs of $65.01 incurred by the County in the prosecution of this case have been paid.

4. Respondents, having been duly noticed for the public hearing regarding the County's Motion, did not appear at the public hearing, and no legal defense to the Motion was presented.

5. No Request for Re-hearing or Appeal pursuant to Ordinance 2007-44, as amended, has been timely filed.

6. The violation has not been abated as of the date of the hearing.

ORDER

Based upon the foregoing Findings of Fact, and pursuant to the authority granted in Chapter 162, Florida Statutes, and Collier County Ordinance No. 2007-44, as amended, it is hereby ORDERED:

A. Petitioner's Motion for Imposition of Fines/Liens is granted.

EXHIBIT "I"

B. Daily fines of $100.00 per day are assessed against the Respondents for 186 days for the period from October 27, 2015 through April 29, 2016 for a total amount of fines of $18,600.00.

C. Respondent shall pay operational costs for the Imposition of Fines hearing in the amount of $65.01.

D. Respondents are ordered to pay fines and costs in the total amount of **$18,665.01** or be subject to Notice of Assessment of Lien against all properties owned by Respondent in Collier County, Florida.

E. The daily fine of $100.00 shall continue to accrue until abatement is confirmed by a Collier County Code Enforcement investigator.

DONE AND ORDERED this 31 **day of** May**, 2016 at Collier County, Florida.**

CODE ENFORCEMENT BOARD
COLLIER COUNTY, FLORIDA

BY: _____
Robert Kaufman, Chair
2800 North Horseshoe Drive
Naples, Florida 34104

STATE OF FLORIDA)
)SS:
COUNTY OF COLLIER)

The foregoing instrument was acknowledged before me this 31 day of May, 2016, by Robert Kaufman, Chair of the Code Enforcement Board of Collier County, Florida, who is ✓ personally known to me or _____ who has produced a Florida Driver's License as identification.

_____
NOTARY PUBLIC
My commission expires:_____

KERRY ADAMS
MY COMMISSION # FF 139721
EXPIRES: July 8, 2018
Bonded Thru Budget Notary Services

PAYMENT OF FINES: Any fines ordered to be paid pursuant to this Order may be paid at the Collier County Code Enforcement Department, 2800 North Horseshoe Drive, Naples, FL 34104, Phone: (239) 252-2440, Website: www.colliergov.net. Any release of lien or confirmation of compliance or confirmation of the satisfaction of the obligations of this Order may also be obtained at this location.

APPEAL: Any aggrieved party may appeal a final order of the Board to the Circuit Court within thirty (30) days of the execution of the Order appealed. An appeal shall not be a hearing de novo, but shall be limited to appellate review of the record created within the original hearing. It is the responsibility of the appealing party to obtain a transcribed record of the hearing from the Clerk of Courts. Filing an Appeal will not automatically stay the Board's Order.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of this ORDER has been sent by U. S. Mail to John L. Cipolla, Robert Ricciardelli and Leslie Ricciardelli, 264 Burning Tree Dr., Naples, FL 34105, 3575 3rd Ave. NW, Naples, FL 34120 this 31 day of May, 2016.

_____
Code Enforcement Official

State of Florida
County of COLLIER

I HEREBY CERTIFY THAT this is a true and correct copy of a document on file in Board Minutes and Records of Collier County
WITNESS my hand and official seal this
5th day of May, 2016

DWIGHT E. BROCK, CLERK OF COURTS

By: _____ D.C.

NOT A CERTIFIED COPY

FLORIDA UNIFORM TRAFFIC CITATION

A72TWGE Check Digit 1

Picture

Right Thumb Print

County Of: COLLIER - 64

City (If Applicable): NAPLES 52

(1) F.H.P. [X] (2) P.D. [ ] (3) S.O. [ ] (4) Other

Agency Name: Naples Police Department

Agency #: 52

If the court designated below the undersigned certifies that he/she has just and reasonable grounds to believe and so believe that on

COMPLAINT
(Retained by Court)

Day of Week	Month	Day	Year	Time	
Monday	January	15	2018	07:59	[X] A.M. [ ] P.M.

NAME (PRINT) FIRST MIDDLE LAST SUFFIX: LESLIE CIPOLLA RICCIARDELLI

STREET: [redacted] If Different than one on Driver License "X" here [ ]

CITY: [redacted] State: [redacted] Zip: [redacted]

TELEPHONE NUMBER	DATE OF BIRTH MO	DAY	YR	RACE	SEX	HGT
	4	2	1969	W	F	508

DRIVER LICENSE NUMBER: [redacted]

STATE	CLASS	CDL LICENSE	YR LICENSE EXP	COMMERCIAL VEHICLE
FL	E	[ ] YES [X] NO	2018	[ ] YES [X] NO

YR. VEHICLE	MAKE	STYLE	COLOR	PLACAREDD HAZARDOUS MATERIAL
2016	JEEP	SUV	BLK	[ ] YES [X] NO

VEHICLE LICENSE NO	TRAILER TAG NO.	STATE	YEAR TAG EXPIRES	≥16 PASSENGERS
HJCZ02		FL	2017	[ ] YES [X] NO

UPON A PUBLIC STREET OR HIGHWAY, OR OTHER LOCATION, NAMELY: OLD TRAIL DR

MOTORCYCLE [ ] YES [X] NO

AND BELAIR LN

COMPANION CITATION NUMBER(S) [ ] YES [X] NO

FT. MILES OF NODE

DID UNLAWFULLY COMMIT THE FOLLOWING OFFENSE CHECK ONLY ONE OFFENSE EACH CITATION

[ ] UNLAWFUL SPEED — SPEED APPLICABLE: [ ] INTERSTATE [ ] SCHOOL ZONE [ ] CONSTRUCTION WORKERS PRESENT

SPEED MEASUREMENT DEVICE:

- [ ] CARELESS DRIVING
- [ ] VIOLATION OF TRAFFIC CONTROL DEVICE
- [ ] FAILURE TO STOP AT A TRAFFIC SIGNAL
- [ ] IMPROPER LANE CHANGE OR COURSE
- [ ] NO PROOF OF INSURANCE
- [ ] VIOLATION OF RIGHT-OF-WAY
- [ ] IMPROPER PASSING
- [ ] CHILD RESTRAINT
- [ ] SAFETY BELT VIOLATION
- [ ] IMPROPER OR UNSAFE EQUIPMENT
- [ ] EXPIRED TAGS SIX (6) MONTHS OR LESS
- [X] EXPIRED TAGS MORE THAN SIX (6) MONTHS
- [ ] DRIVING WHILE LICENSE SUSPENDED OR REVOKED
- [ ] EXPIRED DRIVER LICENSE SIX (6) MONTHS OR LESS
- [ ] EXPIRED DRIVER LICENSE MORE THAN SIX (6) MONTHS
- [ ] NO VALID DRIVER LICENSE
- [ ] DRIVING UNDER THE INFLUENCE
- [ ] Passenger Under 18 Y.O

BAC: .

OTHER VIOLATIONS OR COMMENTS PERTAINING TO OFFENSE:

Registration-Expired more than 6 months expired 6/17

RE-EXAM [ ] YES [X] NO

DL SEIZED [ ] YES [X] NO

[ ] Agressive Driving | IN VIOLATION OF STATE STATUE | SECTION 320.07(3)(b) | SUB-SECTION

Crash [ ] Yes [X] No | Property Damage [ ] $ | Injury to Another [ ] | Serious Bodily Injury to Another [ ] | Fatal [ ]

- [ ] CRIMINAL VIOLATION COURT APPEARANCE REQUIRED. AS INDICATED BELOW
- [ ] INFRACTION COURT APPEARANCE REQUIRED. AS INDICATED BELOW
- [X] INFRACTION WHICH DOES NOT REQUIRE APPEARANCE IN COURT

Civil Penalty is: 113

Court Information Date: WITHIN 30 DAYS Time:

Court Collier County Courthouse

Location 3315 Tamiami Trail Suite 102 Naples, FL 34112

(239) 252-2646

Arrest Delivered To _____ Date _____

I agree and promise to comply and answer to the charges and instructions specified in this citation. Willful refusal to accept ad sign the citation may result in arrest. I understant my signature is not an admission of guilt or waiver of rights. If you need reasonable facility accommodations to comply with this citation, contact the clerk of the court.

X Signature of Violator (Signature is required if infraction requires appearance in court)

Officer WILLIAMS	0285		Patrol
Rank - Name of Officer	Badge No.	ID. NO.	Troop Unit

[X] I Certify this citation was delivered to the person cited above and certify the charge above

HSMV 75901 (Rev. C7/12)

[X]

Narrative:

Officer Sig:

Diagram

Num of Occupants:
Weather:
Highway Surface:
Highway Condition:
Traffic:
Demeanor:
Radar Moving/Sta:
Distance:
Tint Percentage:
Trailer Reg Expires:
Trailer Tag:
Trailer State: FL
Tab date: 0617

EXHIBIT "J"

DRIVER'S LICENSE SUSPENSION CLEARANCE FORM

IN ORDER TO REINSTATE YOUR DRIVER'S LICENSE, THIS FORM MUST BE PRESENTED TO THE DEPARTMENT OF MOTOR VEHICLES IN YOUR LICENSING STATE.

Notice is hereby given that the court requirements have been met for the following traffic citation:

VIOLATION INFORMATION

Citation No: A72TWGE Case No: 11-2018-TR-002499-0001-XX

Offense Date: 1/15/2018 Offense: 320.07(3)(b) Expired motor vehicle registration > 6 months first offense

Violation Code: 473 Failed to Comply Date: 02/19/18 D6 Reason: 5 Failed To Pay Fine Reissue: ☐

DEFENDANT INFORMATION

Driver's License #: [redacted] DL State: FL Date of Birth: [redacted]

Name: Leslie Cipolla Ricciardelli Sex: Female

Street: [redacted] City, State, Zip: [redacted]

Satisfaction Date: 03/28/2018

Court Type: Traffic Infractions County: 64-Collier

Dwight E. Brock
Clerk of Court



By:
Deputy Clerk

If this is a criminal violation, mail this copy and a $60.00 service fee to:

BDI
PO Box 5775
Tallahassee, FL 32314-5775

Filing # 75270807 E-Filed 07/20/2018 12:21:53 PM

IN THE CIRCUIT COURT OF THE TWENTIETH JUDICIAL CIRCUIT IN AND FOR COLLIER COUNTY, FLORIDA

CASE NO. _____

WELLS FARGO BANK, N.A.

Plaintiff,

v.

ROBERT RICCIARDELLI A/K/A ROBERT A. RICCIARDELLI; LESLIE RICCIARDELLI; UNKNOWN TENANT 1; UNKNOWN TENANT 2; BIG CYPRESS GOLF AND COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION, INC.; COLLIER COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; THE COUNTRY CLUB OF NAPLES, INC.

Defendants.
_____/

VERIFIED COMPLAINT TO FORECLOSE MORTGAGE

Plaintiff, WELLS FARGO BANK, N.A., sues the Defendant(s), ROBERT RICCIARDELLI A/K/A ROBERT A. RICCIARDELLI; LESLIE RICCIARDELLI; UNKNOWN TENANT 1; UNKNOWN TENANT 2; BIG CYPRESS GOLF AND COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION, INC.; COLLIER COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA; THE COUNTRY CLUB OF NAPLES, INC. and states:

COUNT I MORTGAGE FORECLOSURE

1. This is an action to foreclose a mortgage on real property located in Collier County, Florida, and by reason thereof the venue for this matter is in Collier County, Florida.

2. Borrower(s), ROBERT RICCIARDELLI executed and delivered a Promissory Note ("Note") dated May 14, 2008 in the original principal amount of $295,531.04. Securing payment of the Note, JOHN L. CIPOLLA, ROBERT RICCIARDELLI and LESLIE RICCIARDELLI executed and delivered a Mortgage ("Mortgage") dated May 14, 2008. The mortgage was recorded on May 30,

EXHIBIT "K"

FILED: COLLIER COUNTY, CRYSTAL K. KINZEL, CLERK, 07/23/2018 04:29:33 PM

2008, in the Official Records Book 4365, Page 2739, of the Public Records of Collier County, Florida, and mortgaged the property described in the Mortgage. Copies of the Note and Mortgage are attached hereto.

3. Plaintiff is the holder of the Note and is entitled to enforce the terms thereof as Plaintiff is in possession of the original Note and the Note is indorsed in blank. A Certification of Possession of Original Promissory Note is attached hereto and incorporated by reference herein.

4. ROBERT RICCIARDELLI AND LESLIE RICCIARDELLI, is/are the current owner(s) of the real property which is the subject of the Mortgage.

5. The Mortgage is a lien superior in dignity to any prior or subsequent right, title, claim, lien or interest arising out of mortgagor or the mortgagor's predecessors in interest.

6. A default exists under the Note and Mortgage as a result of the amounts due under the Note and Mortgage in that the payment due for September 14, 2017, and all subsequent payments have not been made.

7. Plaintiff has demanded payment of the obligation reflected by the aforesaid Note and Mortgage, but despite such demand, said default has not been cured.

8. All conditions precedent to the acceleration of the Note and Mortgage and the filing of the instant foreclosure complaint have been performed, have occurred, or have been waived.

9. Plaintiff declares the full amount payable under the Note and Mortgage to be due.

10. Plaintiff is due the sum of $150,736.46, in principal under the Note and Mortgage, plus interest from August 14, 2017, together with all sums that may be due for taxes, insurance, escrow advances, and expenses and costs of suit including but not limited to filing fees, recording fees, title search and examination fees, fees due for service of process and such other costs authorized by the loan documents, by law, and as may be allowed by the Court.

11. Plaintiff is obligated to pay Plaintiff attorneys a reasonable fee for their services. Plaintiff is entitled to recover its attorneys` fees under the Note and Mortgage.

12. As a matter of request for relief, Demand is hereby made on the Defendant(s)/Owner(s), ROBERT RICCIARDELLI A/K/A ROBERT A. RICCIARDELLI AND LESLIE RICCIARDELLI; and on the Defendant/Tenant/Occupants of the subject property, that all rent now due and owing on said property, or collected hereafter be paid directly to the Plaintiff, or, in the alternative, deposited in the registry of the Court pending further order of the Court, pursuant to Chapter 697, Fla. Stat.

13. COLLIER COUNTY, A POLITICAL SUBDIVISION OF THE STATE OF FLORIDA, may seek to claim an interest in the real property herein sought to be foreclosed by virtue of that certain Code Enforcement Lien recorded Official Record Books September 16, 2015, Book 5194, Page 3092, that certain Code Enforcement Lien recorded Official Record Books November 24, 2015, Book 5217, Page 2249, that certain Code Enforcement Lien recorded Official Record Books February 19, 2016, Book 5243, Page 1820, that certain Code Enforcement Lien recorded Official Record Books May 6, 2016, Book 5270, Page 2703, of the Public Records of Collier County, Florida or may otherwise claim interest in the Property. Said interest, however, is either invalid or is subordinate and inferior to the lien of Plaintiff's Mortgage.

14. BIG CYPRESS GOLF AND COUNTRY CLUB ESTATES HOMEOWNERS ASSOCIATION, INC. may seek to claim an interest in the real property herein sought to be foreclosed by virtue of possible lien rights or may otherwise claim interest in the Property. Said interest, however, is either invalid or is subordinate and inferior to the lien of Plaintiff's Mortgage.

15. THE COUNTRY CLUB OF NAPLES, INC. may seek to claim an interest in the real property herein sought to be foreclosed by virtue of possible lien rights or may otherwise claim interest in the Property. Said interest, however, is either invalid or is subordinate and inferior to the lien of Plaintiff's Mortgage.

16. UNKNOWN TENANT 1 AND UNKNOWN TENANT 2 may have or claim an interest in the Property herein sought to be foreclosed by virtue of the Property being homestead property and/or defendant(s) occupancy thereof. Said interest, however, is either invalid or is subordinate and inferior to the lien of Plaintiff's Mortgage.

WHEREFORE, Plaintiff respectfully requests that this Court enter judgment:

(a) foreclosing the Mortgage;

(b) enumerating all amounts this Court determines due to Plaintiff pursuant to said Note and Mortgage;

(c) ordering the Clerk of the Court to sell the subject property to satisfy the amount due Plaintiff, in whole or part;

(d) adjudging that the right, title, and interest of any party claiming by, through, under or against any Defendant named herein be deemed inferior and subordinate to the Plaintiff's Mortgage lien and forever be barred and foreclosed;

(e) retaining jurisdiction of this Court in this action to make any and all further orders and judgments as necessary and proper, including but not limited to re-foreclosure against any subordinate interest omitted from these proceedings, determining the amounts owed to any condominium or homeowners association, issuance of writ of possession and the entry of a deficiency, when and if such deficiency is sought, and only if the parties liable under the Note have not been discharged in bankruptcy (however no deficiency will be sought if the parties liable under the Note were subject to an order allowing Plaintiff or its predecessors-in-interest only in rem relief from the bankruptcy automatic stay);

(f) awarding Plaintiff its attorney fees, costs, interest, advances; and

(g) for such other and further relief as this Court deems just and proper.

VERIFICATION

Under penalty of perjury, I declare that I have read the foregoing Verified Complaint to Foreclose Mortgage, and the facts alleged therein are true and correct to the best of my knowledge and belief.

By: Leola McCray
Printed Name: Leola McCray
As the: Vice President Loan Documentation
For:
WELLS FARGO BANK, N.A.
Date: 07/10/2018

eXL Legal, PLLC
Designated Email Address: efiling@exllegal.com
12425 28th Street North, Suite 200
St. Petersburg, FL 33716
Telephone No. (727) 536-4911
Attorney for the Plaintiff
By: Taylor Cassidy
Taylor N. Cassidy
Bar # 1003217

NOTE: PURSUANT TO THE FAIR DEBT COLLECTION PRACTICES ACT YOU ARE ADVISED THAT THIS LAW FIRM IS DEEMED TO BE A DEBT COLLECTOR ATTEMPTING TO COLLECT A DEBT AND ANY INFORMATION OBTAINED WILL BE USED FOR THAT PURPOSE.

*** INSTR 5812337 OR 5714 PG 1112 RECORDED 1/8/2020 8:38 AM PAGES 1 ***
CLERK OF THE CIRCUIT COURT AND COMPTROLLER, COLLIER COUNTY FLORIDA
REC $10.00

18331

Department of the Treasury - Internal Revenue Service

Form 668 (Y)(c)
(Rev. February 2004)

Notice of Federal Tax Lien

Area:
SMALL BUSINESS/SELF EMPLOYED AREA #3
Lien Unit Phone: (800) 913-6050

Serial Number
399132219

For Optional Use by Recording Office

As provided by section 6321, 6322, and 6323 of the Internal Revenue Code, we are giving a notice that taxes (including interest and penalties) have been assessed against the following-named taxpayer. We have made a demand for payment of this liability, but it remains unpaid. Therefore, there is a lien in favor of the United States on all property and rights to property belonging to this taxpayer for the amount of these taxes, and additional penalties, interest, and costs that may accrue.

Name of Taxpayer ROBERT A & LESLIE C RICCIARDELLI

Residence [redacted]

IMPORTANT RELEASE INFORMATION: For each assessment listed below, unless notice of the lien is refiled by the date given in column (e), this notice shall, on the day following such date, operate as a certificate of release as defined in IRC 6325(a).

Kind of Tax (a)	Tax Period Ending (b)	Identifying Number (c)	Date of Assessment (d)	Last Day for Refiling (e)	Unpaid Balance of Assessment (f)
1040	12/31/2014	XXX-XX-1692	11/16/2015	12/16/2025	
1040	12/31/2014	XXX-XX-1692	02/26/2018	03/27/2028	34783.43
1040	12/31/2015	XXX-XX-1692	09/05/2016	10/05/2026	
1040	12/31/2015	XXX-XX-1692	02/26/2018	03/27/2028	54000.40

Place of Filing
County Courthouse
Collier County
Naples, FL 33940

Total $ 88783.83

This notice was prepared and signed at BALTIMORE, MD, on this,

the 23rd day of December, 2019.

EXHIBIT "L"

Signature
for WILMA MIRANDA

Title
REVENUE OFFICER
(239) 938-7530

23-02-2340

(NOTE: Certificate of officer authorized by law to take acknowledgment is not essential to the validity of Notice of Federal Tax lien Rev. Rul. 71-466, 1971 - 2 C.B. 409)

UNOFFICIAL DOCUMENT

Agenda Item Details

Meeting	Apr 19, 2023 - Special Board Meeting/1st Round Superintendent Interviews
Category	Topics for Discussion
Subject	First round interviews with slated candidates for the Superintendent of Collier County Public Schools
Type	Action, Discussion
Fiscal Impact	No
Budgeted	No
Recommended Action	Identify finalist for the position of Superintendent of Collier County Public Schools.

FEDERAL STATUTE:
n/a

FLORIDA STATUTE:
n/a

SCHOOL BOARD POLICY:
PO 1020

EXECUTIVE SUMMARY:
The School Board will conduct the initial round of interviews for the position of Superintendent of Collier County Public Schools with slated candidates to determine the finalists.

LEGAL APPROVAL:
n/a

CONTACT:
Valerie Wenrich, Chief Human Resources Officer
(239) 377-0351

Dr. Leslie C. Ricciardelli.pdf (983 KB) | Charles Van Zant.pdf (755 KB) | Dr. Jerry Gibson.pdf (665 KB) | Dr. Marianne Simon.pdf (654 KB)

Motion & Voting

A motion was made to invite Mr. Van Zant and Dr. Leslie Riccardelli for a final interview on April 26, 2023.

Motion by Erick Carter, second by Stephanie Lucarelli.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter, Jerry Rutherford, Tim Moshier

EXHIBIT "M"

Agenda Item Details

Meeting	May 03, 2023 - Special Board Meeting/Superintendent Selection
Category	Topics for Discussion
Subject	Selection of Superintendent
Type	Action, Discussion
Fiscal Impact	No
Budgeted	No
Recommended Action	The School Board will select the next Superintendent of Collier County Public Schools.

FEDERAL STATUTE:
n/a

FLORIDA STATUTE:
n/a

SCHOOL BOARD POLICY:
PO 1020

EXECUTIVE SUMMARY:
The School Board will select the next Superintendent of Collier County Public Schools.

LEGAL APPROVAL:
The item was reviewed and approved by Jon Fishbane, District General Counsel.

CONTACT:
Valerie Wenrich, Chief Human Resources Officer
(239) 377-0351

Motion & Voting

A motion was made to appoint Dr. Leslie Ricciardelli as the new Superintendent of Collier County Public Schools from the two finalists under consideration.

Motion by Stephanie Lucarelli, second by Erick Carter.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter
Nay: Jerry Rutherford, Tim Moshier

EXHIBIT "N"

Agenda Item Details

Meeting	Dec 13, 2022 - Regular School Board Meeting
Category	New Business
Subject	D5 Appoint an Interim Superintendent
Type	Action, Discussion
Fiscal Impact	Yes
Recommended Action	The Board will discuss and determine the appointment of an Interim Superintendent.

FEDERAL STATUTE:
n/a

FLORIDA STATUTE:
n/a

SCHOOL BOARD POLICY:
n/a

EXECUTIVE SUMMARY:
The Board will discuss and determine the appointment of an Interim Superintendent.

LEGAL APPROVAL:
The item was reviewed and approved by Jon Fishbane, District General Counsel.

CONTACT:
Jon Fishbane, District General Counsel
(239) 377-0498

Motion & Voting

A motion was made to appoint Dr. Leslie Ricciardelli as the Interim Superintendent.

Motion by Stephanie Lucarelli, second by Erick Carter.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter, Jerry Rutherford, Tim Moshier

A motion was made to approve the Interim Superintendent agreement, as presented.

Motion by Erick Carter, second by Stephanie Lucarelli.
Final Resolution: Motion Carries
Aye: Erick Carter, Stephanie Lucarelli, Kelly Lichter, Jerry Rutherford, Tim Moshier

EXHIBIT "O"