

Emergency FFAST Board of Directors Meeting
Minutes [* DRAFT ***]**
Wednesday, April 15, 2020, 5:00PM
Via Teleconference

- I. a. Verbal Authorization to begin recording**
- b. Call to Order**
- c. Roll Call**

The following Board Members were present: Marcial Lember, Liz Loht, Paul Tobin, Thomas DeLilla, Ben Welter, James Bayonne, Janet Good, Katy Howell, Jennifer Perry-Breen, Isabelle Potts (joined after roll call), and Milagros Rios.

Also present were Eric Hall (Senior Chancellor, Florida DOE), Allison Flanagan (Division Director, Vocational Rehabilitation, Florida DOE) and Brent McNeal (Deputy General Counsel, Florida DOE).

- d. Establishment of a Quorum** – A quorum of the Board was established.

II. Approval of Agenda – On a motion by Ben Welter and seconded by Marcial Lember, a motion to approve the agenda as presented was adopted.

III. Consideration on the Commissioner of Education’s Letter Regarding FFAST

On a motion by Liz Loht and seconded by Paul Tobin, the following motion was unanimously adopted: In order to allow all Board members to be heard, each Board member will be provided 90 seconds to comment or pose questions about the letter presented to the Board by Commissioner Corcoran, the Executive Committee will be afforded 10 minutes to respond to those questions and comments and the each Board member will be provided 60 seconds for final comments.

Discussion ensued.

Mr. McNeal presented his professional opinion that FFAST and its Board, as a government instrumentality, are protected by Florida’s sovereign immunity provisions in addition to any other Director & Officers liability coverage held by FFAST.

With regard to Mr. Daniels’ employment contract, Mr. McNeal stated that, in his professional opinion, the severance provision of Mr. Daniels’ contract is not valid under Florida Law.

On a motion by Paul Tobin and seconded by Marcial Lember, the following motion was adopted: The Board, at the recommendation of Commissioner Corcoran, shall terminate Michael Daniels’ employment as Executive Director of FFAST effective immediately. (Vote: 10 in favor, 1 against, 1 abstention).

On a motion by Ben Welter and seconded by Paul Tobin, the following motion was adopted: The Board, at the recommendation of Commissioner Corcoran, shall relieve Mr. Eric Reed of his duties as Interim Director and he shall return to his role as Deputy Director of FFAST effective immediately. (Vote: 10 in favor, 1 against, 1 abstention).

On a motion by Thom DeLilla and seconded by Ben Welter, Allison Flanagan will work in support of Whitney Harris and Eric Reed. The motion passed unanimously.

Mrs. Flanagan will evaluate FFAST personnel and operations and make a recommendation to the Commissioner and the Board on steps the help the DOE to regain confidence in FFAST and have continuity of operations.

On a motion by Liz Loht and seconded by Thom DeLilla, Paul Tobin will be the Board’s liaison with Mrs. Flanagan and the FFAST Board of Directors. The motion passed unanimously.

Mr. Brent McNeal will work with Paul Tobin to make appropriate notifications to Mr. Daniels and Mr. Reed.

IV. Agenda Modification(s) – None.

V. Closing

a. Last Call for Public Comment – None.

b. On a motion by Tom DeLilla and seconded by Paul Tobin, Liz Loht adjourned the Board meeting at approximately 6:06PM with unanimous consent.

Note: Minutes taken by Paul Tobin.