

Ah, but Mr. Date does write editorials, and they admitted that to my wife in a phone conference in 2002 when she was the press secretary for the Florida House Speaker. Mr. Shultz is the head of the editorial board. The game begins....

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**From:** Randy Schultz [mailto:rschultz@pbpost.com]  
**Sent:** Tuesday, November 22, 2005 4:20 PM  
**To:** John Kirtley; John Bartosek  
**Subject:** Re: Your Editorial of November 19th

Dear Mr. Kirtley:

Thanks for the e-mail. I see no reason for a retraction since it is our opinion that the measures your letter describes would not amount to "meaningful reform." If you would like to submit a letter to the editor laying out your views on why the changes you support would be "meaningful," we will consider publishing it. By the way, Mr. Date did not write the editorial. He's not on the Editorial Board.

John Kirtley wrote:

Dear Mr. Schultz,

In its November 19<sup>th</sup> editorial "Voucher thief exploited loopholes that still exist", the Palm Beach Post displayed a reckless disregard for facts. In the editorial (attached below), you state that "Kirtley.....has opposed meaningful oversight" of the state's scholarship programs. The Post has received numerous written correspondence, and has attended various recorded legislative committee hearings, where my position supporting strong accountability measures is clearly on the record.

I have publicly committed to legislation that requires the following:

- Students on scholarship must take a nationally recognized test such as the Stanford 9, and the scores must be reported to a research entity selected by the state
- Operators of scholarship funding organizations (SFOs) and all personnel in private schools who come into contact with students must undergo Level 2 background checks
- New private schools must secure a surety bond for the first three years of existence
- Operators of SFOs must not have filed bankruptcy in the past seven years
- SFOs must verify the incomes of every single family every single year.
- SFOs must annually submit to the most demanding financial and compliance audits by an outside accounting firm

The legislation I have supported demands much more; these requirements are only the highlights.

In addition to supporting legislation requiring these measures, I have worked with four SFOs, which came together three years ago and created an association that voluntarily adopted strict accountability. This association has also urged the legislature to pass legislation and has worked hard to promote accountability and transparency. For example, the DOE now has real time access to the computer database of these SFOs. Your reporters Kimberly Miller and Shirish Date have, at our invitation, visited offices of

our organization and were offered the opportunity to examine our records—though the Post did not report on these visits.

As your newspaper is no doubt familiar with the facts of the Florida school choice debate and my role in them, it is obvious that your false assertion--which casts me in a very unfavorable and damaging light--was made with knowledge of the falsity of the assertion or with reckless disregard of that falsity. I demand that the Post issue a retraction, and I am seeking legal counsel in this matter.

Sincerely,  
John Kirtley

## Voucher thief exploited loopholes that still exist

Palm Beach Post Editorial

Saturday, November 19, 2005

James Isenhour didn't provide an education for Florida voucher students. A jury said so. But did Isenhour provide an education for Florida lawmakers and Gov. Bush?

Last week, the Ocala businessman was found guilty of stealing \$268,125 from the state's corporate voucher program. Isenhour's Silver Archer Corp. got the money in 2003 from Michigan-based Pulte Homes, which made the contribution in exchange for a dollar-for-dollar break on taxes due in Florida. The money was supposed to pay private school tuition for low-income students. But Isenhour spent it on himself and his bankrupt correspondence school, called Cambridge Academy.

Isenhour's attorney argued that rules governing the corporate voucher program are so vague that no laws were broken. The defense also claims that the law doesn't impose any penalties for criminal violations. While it's true that the law is deficient, the most serious gaps are in oversight. Isenhour took \$268,125 without providing a single voucher. The statute isn't vague enough to make *that* legal.

The statute and state policies are vague enough, however, that operators could accept corporate voucher money without actually providing a high-quality education. The state subjects schools to very little financial or academic accountability.

Isenhour was able to collect the money he stole despite a personal bankruptcy in 2000 and despite filing for Chapter 11 bankruptcy in 2003 for his correspondence school. *The Post* uncovered those facts as part of a series of articles about abuses in Florida voucher programs. Trials and investigations are pending against other private school operators as the result of a state probe sparked by *Post* articles. The lack of academic accountability is an even bigger problem.

Traditional public schools are required to give the Florida Comprehensive Assessment Test and receive a school grade based on the results. Private voucher schools have no such requirements. John Kirtley, whose \$100,000 donation to the GOP paved the way for corporate scholarships beginning in 2001, has opposed meaningful oversight, as has Gov. Bush's chief education aide, Patricia Levesque.

Some lawmakers tried in 2004 and again this year to impose at least slightly improved financial and academic accountability. Despite the obvious abuses, nothing has happened.

Now, Isenhour's case has provided another embarrassing example of the program's flaws and provides a test that the 2006 Legislature should not fail.