From: Joan Deery <jdpc@hargray.com>
ent: Tuesday, December 4, 2018 11:48 AM
To: 'Orischak, Josephine A'
Subject: RE: Sharing
Attachments: 2016 BCSD High School Outcomes.docx

JoAnn,

Please ignore the first 2016 BCSD High School Outcomes I sent you. Attached is the correct one.

Looking forward to catching up. Let's plan on coffee/tea at The French Bakery.

oan

From: Orischak, Josephine A [mailto:Josephine.Orischak@beaufort.k12.sc.us]
Sent: Tuesday, December 04, 2018 9:53 AM
To: Joan Deery
Subject: Re: Sharing

Joan,

Thank you for this. I will review today.

It is my belief that the board majority will NEVER regret their unqualified support for Dr. Moss, based on the countless times they looked the other way.

Let's get together over the holidays for coffee.

Best,

JoAnn

Sent from my iPad

On Dec 4, 2018, at 9:45 AM, Joan Deery <jdpc@hargray.com <mailto:jdpc@hargray.com> > wrote:

JoAnn,

Thought you might like to see these data which I have sent to Dr. Berg. I met with him and Bonnie Almond on October 10 regarding the 2016 data. Now that the 2018 School Report Cards are out, I was able to complete the 2017 data.

Dr. Berg has acknowledged that BCSD has a "serious learning problem". I wonder if the Board majority regrets their unqualified support for Dr. Moss.

Joan

<2017 BCSD High School Outcomes.docx>

<2016 BCSD High School Outcomes.docx>

From: Cordray, Mary M <Mary.Cordray@beaufort.k12.sc.us>
Sent: Thursday, December 6, 2018 3:37 PM
To: Dowling, John R; Berg, Herbert M
Cc: Crosby, Tonya V; BOEOnly
Subject: Re: Moss Payments: Part II

With all due respect to Herb, that is not his decision. Again. Stop doing business by email. Last chance.

Mary M. Cordray

BCSB, District 8

2013 - 2018

Mission

The mission of the Beaufort County School District is to ensure excellence in education for every learner that prepares each with the knowledge, skills and personal responsibility to succeed in a rapidly changing global society.

From: Dowling, John R
Sent: Friday, November 30, 2018 10:01 AM
To: Berg, Herbert M
Cc: Crosby, Tonya V; BOEOnly
Subject: Re: Moss Payments: Part II

Thank you, Herb, for your clarification. Am I correct in reading your statement to mean that the FULL Board, in your view, would be the one to authorize payment?

JOHN DOWLING
DISTRICT 6 REPRESENTATIVE
BEAUFORT COUNTY BOE

Sent from my iPad

On Nov 30, 2018, at 9:39 AM, Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> > wrote:

SB: Tonya would monitor.. alert me and I the SB. We recognize it is a sensitive topic and only the SB would actually authorize any payment. Herb

Sent from my iPad

On Nov 30, 2018, at 9:29 AM, Dowling, John R <John.Dowling@beaufort.k12.sc.us <mailto:John.Dowling@beaufort.k12.sc.us> > wrote:

Thank you. My original query was in the contrext of Separation expense, what I was questioning this time was payment for any additional services performed subsequent to his seperation on July31. I would like to keep the question alive regarding who would be the determiner of "reasonable expenses" in the case of Dr Moss rendering service to the District in his capacity as a former employee.

Please recognize that the ongoing administration and execution of this settlement agreement will remain an item of interest and concern.

John R. Dowling, Jr
District 6 Representative
Beaufort County BOE

From: Crosby, Tonya V <tonya.crosby@beaufort.k12.sc.us <mailto:tonya.crosby@beaufort.k12.sc.us> >
Sent: Friday, November 30, 2018 9:01 AM
To: Dowling, John R; Berg, Herbert M
Cc: BOEOnly
Subject: RE: Moss Payments: Part II

Mr. Dowling,

As I stated in my last email, there are no payments from Accounts Payable since 7/1/18 to Dr. Moss, and the Payroll information I recently provided is all that has been paid since 7/1/18. There are no additional payments.

Tonya V. Crosby, CPA

Chief Financial Officer

Beaufort County School District

P.O. Drawer 309

Beaufort, SC 29901

(843) 322-2397

From: Dowling, John R

Sent: Thursday, November 29, 2018 6:25 PM
To: Crosby, Tonya V <Tonya.Crosby@beaufort.k12.sc.us <mailto:Tonya.Crosby@beaufort.k12.sc.us> >; Berg, Herbert M :Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >
Cc: BOEOnly <BOEOnly@beaufort.k12.sc.us <mailto:BOEOnly@beaufort.k12.sc.us> >
Subject: Moss Payments: Part II

Tonya,

Thank you for providing the information on Dr Moss' settlement check.

Paragraph 6 of the Settlement Agreement provides for Dr Moss to be reimbursed for any assistance he gives the District on matters pertaining to his tenure as Superintendent.

There is no set fee, only "reasonable expenses". Please send documentation of any and all payments made to Dr Moss beginning on 1 August 2018. If the disbursement is justified by the aforementioned paragraph 6, please state the service provided, and the fee paid for that service.

Please also document who decides what is "reasonable".

As in my earlier email, I would appreciate receiving this information on or before 12/8/18.

Thank You,

John R. Dowling, Jr

District 6 Representative

Beaufort County BOE

From: Dowling, John R <John.Dowling@beaufort.k12.sc.us>
ent: Thursday, December 6, 2018 3:59 PM
To: Berg, Herbert M
Subject: Fwd: Moss Payments: Part II

This is Mary's favorite Gambit. Asking questions by email is not doing board business by email. I am no longer sending any emails to the departing members of the Board or to Campbell.

And I am not going to take the bait from Cordray and start a fight. 25 days.....

JOHN DOWLING
DISTRICT 6 REPRESENTATIVE
BEAUFORT COUNTY BOE

Sent from my iPad

Begin forwarded message:

From: "Cordray, Mary M" <Mary.Cordray@beaufort.k12.sc.us <mailto:Mary.Cordray@beaufort.k12.sc.us> >
Date: December 6, 2018 at 3:36:48 PM EST
To: "Dowling, John R" <John.Dowling@beaufort.k12.sc.us <mailto:John.Dowling@beaufort.k12.sc.us> >, "Berg, Herbert M" <Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >
Cc: "Crosby, Tonya V" <Tonya.Crosby@beaufort.k12.sc.us <mailto:Tonya.Crosby@beaufort.k12.sc.us> >, BOEOnly <BOEOnly@beaufort.k12.sc.us <mailto:BOEOnly@beaufort.k12.sc.us> >
Subject: Re: Moss Payments: Part II

With all due respect to Herb, that is not his decision. Again. Stop doing business by email. Last chance.

Mary M. Cordray

BCSB, District 8

2013 - 2018

Mission

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From: Dowling, John R
Sent: Friday, November 30, 2018 10:01 AM
To: Berg, Herbert M
Cc: Crosby, Tonya V; BOEOnly
Subject: Re: Moss Payments: Part II

Thank you, Herb, for your clarification. Am I correct in reading your statement to mean that the FULL Board, in your view, would be the one to authorize payment?

JOHN DOWLING
DISTRICT 6 REPRESENTATIVE
BEAUFORT COUNTY BOE

Sent from my iPad

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Sent from my iPad

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Please recognize that the ongoing administration and execution of this settlement agreement will remain an item of interest and concern.

John R. Dowling, Jr
District 6 Representative
Beaufort County BOE

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Sent: Friday, November 30, 2018 9:01 AM
To: Dowling, John R; Berg, Herbert M
Cc: BOEOnly
Subject: RE: Moss Payments: Part II

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Tonya V. Crosby, CPA

Chief Financial Officer

Beaufort County School District

P.O. Drawer 309

Beaufort, SC 29901

(843) 322-2397

From: Dowling, John R
Sent: Thursday, November 29, 2018 6:25 PM
To: Crosby, Tonya V <Tonya.Crosby@beaufort.k12.sc.us <mailto:Tonya.Crosby@beaufort.k12.sc.us> >; Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >
Cc: BOEOnly <BOEOnly@beaufort.k12.sc.us <mailto:BOEOnly@beaufort.k12.sc.us> >
Subject: Moss Payments: Part II

Tonya,

Thank you for providing the information on Dr Moss' settlement check.

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There is no set fee, only "reasonable expenses". Please send documentation of any and all payments made to Dr Moss beginning on 1 August 2018. If the disbursement is justified by the aforementioned paragraph 6, please state the service provided, and the fee paid for that service.

Please also document who decides what is "reasonable".

As in my earlier email, I would appreciate receiving this information on or before 12/8/18.

Thank You,

John R. Dowling, Jr

District 6 Representative

Beaufort County BOE

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
Sent: Saturday, December 8, 2018 5:35 PM
To: Berg, Herbert M; Cartledge, Wendy B
Subject: Fwd: My response to Dave Duff

Sent from my iPad

Begin forwarded message:

From: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us <mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Date: December 8, 2018 at 5:15:03 PM EST
To: Dave Duff <dduff@duffchilds.com <mailto:dduff@duffchilds.com> >
Subject: Re: Freedom of Information Act - today's response

Dave,

FYI: Maggie Angst (Island Packet Education Reporter) contacted me early Friday morning (12/7). Maggie conveyed she'd spoken with Earl after the SIC/Board meeting the night before. Their exchange included the results of the recent FOIA request(s) the newspaper submitted.

Maggie has a recording of her exchange with Earl.

. The BCSD has a set of guidelines employees must abide by when seeking legal assistance. (See administrative regulation HRS-10, last revised April 2017)

If you have any questions, I'd speak with Mr. Campbell and/or the Island Packet.

JoAnn Orischak
Beaufort County Board of Education
District 11
Hilton Head Island
C. (843) 338-1737

Sent from my iPad

On Dec 8, 2018, at 11:38 AM, Dave Duff <dduff@duffchilds.com <mailto:dduff@duffchilds.com> > wrote:

CONFIDENTIAL; CONTAINS PRIVILEGED ATTORNEY-CLIENT COMMUNICATION:

David T. Duff

Certified Specialist in Employment

And Labor Law

Duff & Childs, L.L.C.

P.O. Box 1486

Columbia, SC 29202

Ph. (803) 790-0603

Fax (803) 790-0605

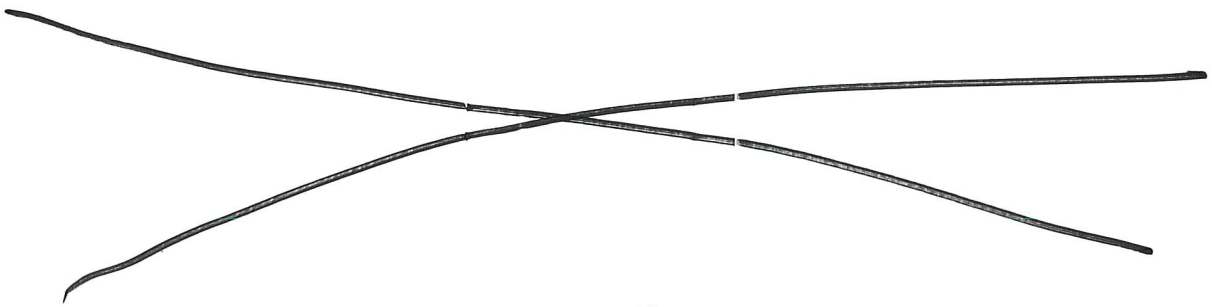
Firm Website www.duffchilds.com
<https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.duffchilds.com&c=E,1,iWmUJSza_ceOlGGzcdV8Sxhny-dTjo1yOrclM3NMNHhPTXdtEPtf1XSAUXlDPwZXVQIovoyORo8LJyxwiEfFpcNHu7zzJpAfpLUuEX_0IL-q-QGv&typo=1>

From: Dave Duff
Sent: Thursday, December 6, 2018 4:08 PM
To: BOEOnly <BOEOnly@beaufort.k12.sc.us <mailto:BOEOnly@beaufort.k12.sc.us> >
Cc: Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >; Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us <mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Subject: Freedom of Information Act - today's response

CONFIDENTIAL; CONTAINS PRIVILEGED ATTORNEY-CLIENT COMMUNICATION:

Board Members –

Later today the district will be responding to a Freedom of Information Act (FOIA) request by the Island Packet for certain email communications between former superintendent Jeff Moss's gmail account and the email accounts of district personnel or Board members. Included in the intended response are copies of email communications from/to Moss regarding his request for legal assistance in connection with the FBI subpoena matte



Should Board members be contacted by the newspaper about the exemption claim or what has or has not been disclosed.

If you have any questions about this email, please contact me. But to preserve the attorney-client privilege, and to avoid any claim that you are engaged in an "electronic" board meeting, PLEASE DO NOT RESPOND "TO ALL" to this email. Thank you for your prompt attention to this matter.

David T. Duff

Certified Specialist in Employment

And Labor Law

Duff & Childs, L.L.C.

P.O. Box 1486

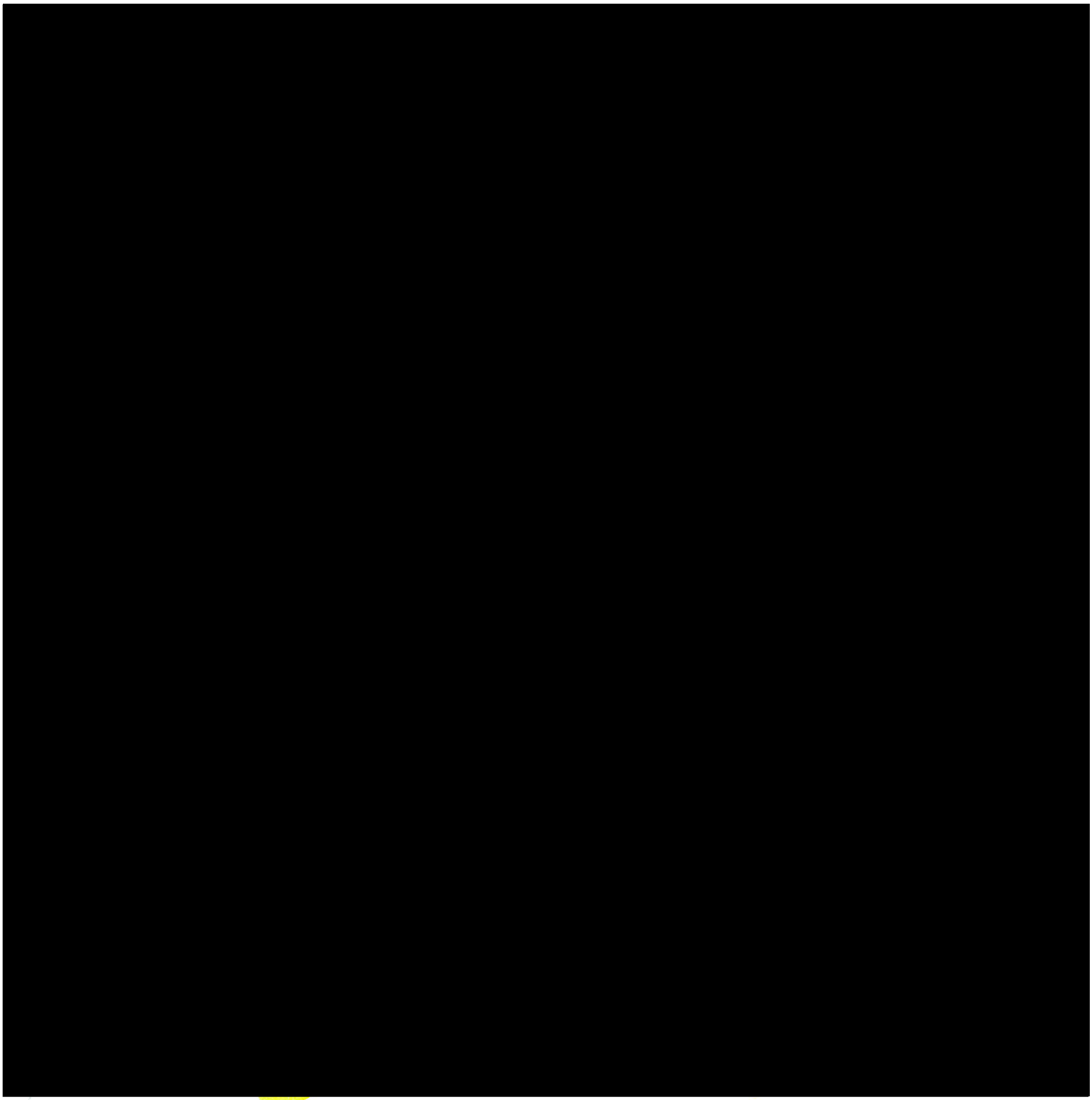
Columbia, SC 29202

Ph. (803) 790-0603

Fax (803) 790-0605

Firm Website www.duffchilds.com
<https://linkprotect.cudasvc.com/url?a=http%3a%2f%2fwww.duffchilds.com&c=E,1,03Q8QqGH-qMpjxthA3xvnVUnLZ242Z4qm3dDu8ynK-xGr5_Z0BIFmVSoAcgcXF3Xxs30XYl25O70VwY8ZjS9WLZfMsmwy_wCdW7y0VB_25CheZF36Yre&typo=1>

From: Dave Duff <dduff@duffchilds.com>
ent: Sunday, December 9, 2018 8:29 AM
To: Orischak, Josephine A; Christina.Gwozdz@beaufort.k12.sc.us
Cc: Berg, Herbert M
Subject: requests for legal defense



Christina Gwozdz, MD

Beaufort County Board of Education

District 9 Representative

Bluffton/Pritchardville/Daufuskie Island

C. 843-636-8555

Dave,

FYI: Read bottom to top.

JoAnn Orischak

Beaufort County Board of Education

District 11

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

Begin forwarded message:

From: "Walton, Alice W" <Alice.Walton@beaufort.k12.sc.us
<mailto:Alice.Walton@beaufort.k12.sc.us> >
Date: November 26, 2018 at 5:20:16 PM EST
To: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >, "Berg, Herbert M"

<Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >, "Campbell, Earl" <earl.campbell@beaufort.k12.sc.us <mailto:earl.campbell@beaufort.k12.sc.us> >
Cc: "Cartledge, Wendy B" <Wendy.Cartledge@beaufort.k12.sc.us
mailto:Wendy.Cartledge@beaufort.k12.sc.us> >, BOEOnly <BOEOnly@beaufort.k12.sc.us <mailto:BOEOnly@beaufort.k12.sc.us> >
Subject: RE: HRS-10 Staff Legal Protection

Good evening JoAnn,

BCSD employees are not permitted to submit written requests for legal assistance directly to Board members. They should follow HRS-10 and submit a request to one of the District administrators listed in the Administrative Regulations.

Regards,

lice W. Walton

Chief Administrative and Human Resource Officer

Beaufort County School District

843-322-2419 | Office

843-812-8374 | Mobile

From: Orischak, Josephine A
Sent: Saturday, November 24, 2018 10:28 AM
To: Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >; Walton, Alice W <Alice.Walton@beaufort.k12.sc.us <mailto:Alice.Walton@beaufort.k12.sc.us> >; Campbell, Earl <earl.campbell@beaufort.k12.sc.us <mailto:earl.campbell@beaufort.k12.sc.us> >
c: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us <mailto:Wendy.Cartledge@beaufort.k12.sc.us> >

Subject: HRS-10 Staff Legal Protection

Alice, Herb, and Earl,

Attached is HRS - 10, last revised April, 2017. Section II details 1) the appropriate action a BCSD employee must take (submit written request for legal assistance), and 2) specifically to whom (CAHRO, Superintendent, BCSD school attorney). In closing the communication loop, HRS-10 states "The Superintendent shall also bring the request to the Board's attention as information".

Questions: Are BCSD employees permitted to submit written requests for legal assistance directly to Board members and/or Board officers, as opposed to the chain of command detailed in HRS-10? If so, where is this spelled out in our policies and/or administrative regulations?

Please advise.

JoAnn Orischak

Beaufort County Board of Education

District 11

Hilton Head Island

C. (843) 338-1737

David T. Duff

Certified Specialist in Employment

And Labor Law

Duff & Childs, L.L.C.

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Fax (803) 790-0605

Firm Website www.duffchilds.com
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From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
Sent: Sunday, December 9, 2018 8:35 AM
To: Berg, Herbert M; Cartledge, Wendy B
Cc: dduff@duffchilds.com
Subject: HRS-10 Staff Legal Protection
Attachments: HRS 10 Staff Legal Protection 04-17.pdf; ATT00001.htm

Wendy and Herb,

For your reference, I've attached the April, 2017 changes made to HRS-10 by Dr. Moss and/or senior staff. These changes were brought to the Board as information only at its April 2, 2017 Board meeting.

HRS-10 was only revised once during Dr. Moss' tenure as superintendent with the BCSD.

JoAnn Orischak
Beaufort County Board of Education
District 11
Hilton Head Island
C. (843) 338-1737

https://www.boarddocs.com/sc/beau/Board.nsf/files/ALLS9J5969F2/$file/HRS%2010%20Staff%20Legal%20Protection%2004-17.pdf