
From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
ent: Sunday, December 9, 2018 8:58 AM
To: Dave Duff
Cc: Gwozdz, Christina S; Berg,Herbert M
Subject: Re: requests for legal defense
Attachments: attachment 1.pdf; ATT00001.htm

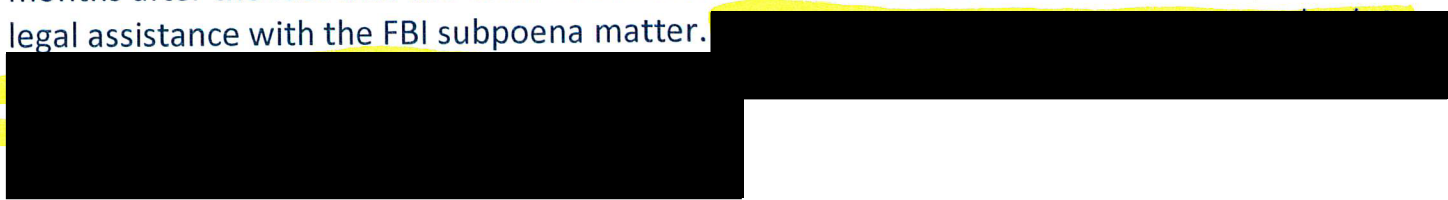
Dave, Christina, and Herb,

Please find the attached memo Mr. Duff sent to the BoE on 11/12/18. In this memo, Mr. Duff clarifies Dr. Moss' request for legal assistance with the FBI investigation and his advisement:

From: Gwozdz, Christina S <Christina.Gwozdz@beaufort.k12.sc.us>
Sent: Sunday, December 9, 2018 11:33 AM
To: Dave Duff; Orischak, Josephine A
Cc: Berg, Herbert M
Subject: Re: requests for legal defense

Thank you Dave and JoAnn.

My error and apologies. I forgot Dave's memo of 11/12/18 included informing the BOE two months after the fact that the Chair with advise from counsel had denied Moss' request for legal assistance with the FBI subpoena matter.



Christina Gwozdz, MD

Beaufort County Board of Education

District 9 Representative

Bluffton/Pritchardville/Daufuskie Island

C. 843-636-8555

From: Dave Duff <dduff@duffchilds.com>

Sent: Sunday, December 9, 2018 8:29:13 AM

To: Orischak, Josephine A; Gwozdz, Christina S

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,

Alice 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> >

Cc: 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.

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,1,6GxeOcS4JF2DKKjF-dd4MyIrhICHDXNhZhROfD1Ohy-zvT1gJLizeWRRMpDwdPWY59mgWJSHlgK9EygyucaHiuXpyDMJJQyGqEMyS09aJEM,&typo=1>>

From: Dowling, John R <John.Dowling@beaufort.k12.sc.us>
Sent: Monday, December 10, 2018 11:14 AM
To: Dave Duff
Subject: Re: Freedom of Information Act - today's response

Received

JOHN DOWLING
DISTRICT 6 REPRESENTATIVE
BEAUFORT COUNTY BOE

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:

Board Members – please read carefully the below email I attempted to send you on Thursday. The email did not go through because I used the “BOEOnly” address when I sent the email from my office in Columbia. Please let me know by reply email saying “Received” that you have received this email, but please do NOT reply “to all.”

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-dTjo1yOrcIM3NMNHhPTXdtEPtf1XSAUXIDPwZXVQlovoyORo8LJyxwiEfFpcNHu7zzJpAfpLUuEX_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> >

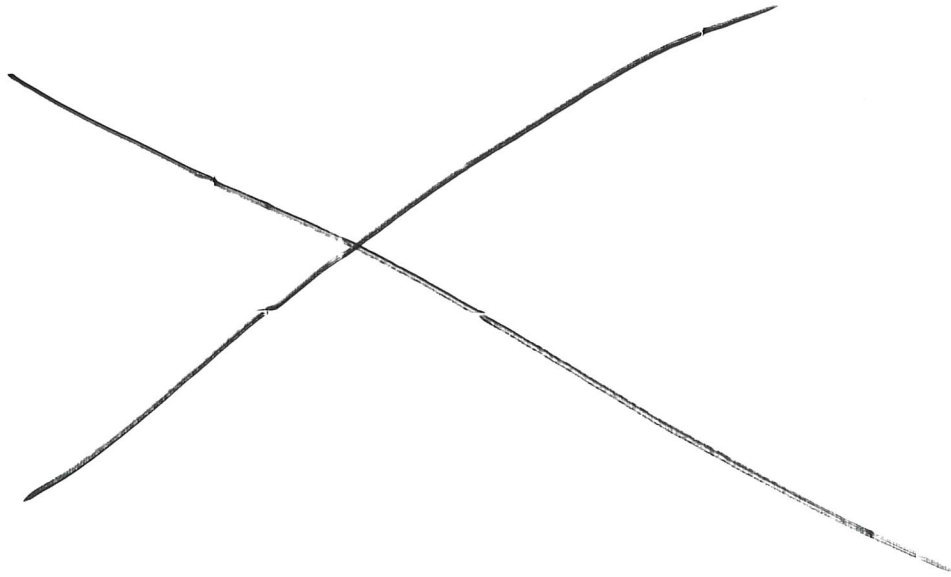
Cc: Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us <mailto:Herbert.Berg@beaufort.k12.sc.us> >; Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us <mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Subject: Freedom of Information Act - today's response

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 matter





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,1,03Q8QqG>

H-qMpxthA3xvnVUnLZ242Z4qm3dDu8ynK-
xGr5_Z0BIFmVSoAcgcXF3Xxs30XYI25O70VwY8ZjS9WLZfMsmwy_wCdW7y0VB_25CheZF36Yre
&typo=1>

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
Sent: Tuesday, December 11, 2018 12:15 PM
To: Dunkle, Joseph R
Subject: Fwd: FYI

Sent from my iPad

Begin forwarded message:

From: "Chauhan, Mark H" <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@beaufort.k12.sc.us> >
Date: November 20, 2018 at 4:36:55 PM EST
To: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@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: RE: Test

Mrs. Orischak,

Dr. Rhoad's and Dr. McCord's account stayed active for three months. For Dr. Moss we planned to keep it active through the end of the year.

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Sent: Tuesday, November 20, 2018 4:09 PM
To: Chauhan, Mark H <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@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: Re: Test

Mark,

OK, so why are Drs. McCord's and Rhoads' accounts defunct but not Moss'? Didn't they all exit roughly at the same time?

JoAnn Orischak

Beaufort County Board of Education

District 11

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

On Nov 20, 2018, at 3:59 PM, Chauhan, Mark H <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@beaufort.k12.sc.us> > wrote:

Mrs. Orischak,

His password was changed and all distribution groups were removed when he left the District in August. For Principals and Senior Staff we do not delete the email account immediately but the previous employee has no access to our systems. We have found in the

past that the new employee sometimes finds an outside system that was linked to the old employees email and can only be reset through the old email account. Dr. Moss has no access to any email or computer system belonging Beaufort County School District.

Thank you,

Mark

From: Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us
<mailto:Herbert.Berg@beaufort.k12.sc.us> >
Sent: Tuesday, November 20, 2018 3:28 PM
To: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >; Chauhan, Mark H
<mark.chauhan@beaufort.k12.sc.us <mailto:mark.chauhan@beaufort.k12.sc.us> >
Cc: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Subject: Re: Test

Holy cow...

From: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Date: Tuesday, November 20, 2018 at 3:18 PM
To: "Chauhan, Mark H" <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@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: Fwd: Test

Mark,

Here is the test email I sent today to Dr. Moss' old BCSD email address. No error message was returned to me, so would this indicate Dr. Moss can still access email from this account?

If so, which current distribution groups (i.e. BoE, BoEOnly, etc.) include jeffrey.moss@beaufort.k12.sc.us <mailto:jeffrey.moss@beaufort.k12.sc.us> as a participant? If there are any groups that include this old address, Dr. Moss would still be receiving internal emails post departure.

Please advise.

JoAnn Orischak

Beaufort County Board of Education

District 11

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

Begin forwarded message:

From: Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us>

Date: November 20, 2018 at 3:01:35 PM EST

To: Jeffrey C Moss <jeffrey.moss@beaufort.k12.sc.us

<mailto:jeffrey.moss@beaufort.k12.sc.us> >

Subject: Test

This is a test to see if this account is still active at the time of this email. If no error message is returned, then this account is still active.

Sent from my iPad

From: Dunkle, Joseph R <Joseph.Dunkle@beaufort.k12.sc.us>
ent: Tuesday, December 11, 2018 12:35 PM
To: Orischak, Josephine A
Cc: Berg, Herbert M; Cartledge, Wendy B
Subject: Re: Moss email account

Yes. The paper was provided with emails sent from Moss' account on maybe Sept 25 to what I presume was a personal account? I don't know.

Get Outlook for Android <<https://aka.ms/ghei36>>

From: Orischak, Josephine A
Sent: Tuesday, December 11, 2018 12:32:17 PM
To: Dunkle, Joseph R
Cc: Berg, Herbert M; Cartledge, Wendy B
Subject: Re: Moss email account

Joseph,

Are you saying that you have emails dated September that were sent out from Dr. Moss' district email address (jeffrey.moss@beaufort.k12.sc.us <<mailto:jeffrey.moss@beaufort.k12.sc.us>>)?

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

Sent from my iPad

On Dec 11, 2018, at 11:01 AM, Dunkle, Joseph R <Joseph.Dunkle@beaufort.k12.sc.us
<<mailto:Joseph.Dunkle@beaufort.k12.sc.us>> > wrote:

Herb, when was Moss'email account disabled? I am in receipt of emails from September that show he, or someone with access to his account were sending emails from it.

Thanks,

Joseph

Get Outlook for Android <<https://aka.ms/ghei36>>

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
ent: Tuesday, December 11, 2018 3:53 PM
To: Chauhan, Mark H
Cc: Berg, Herbert M; Cartledge, Wendy B
Subject: Fwd: Emails sent from jeffrey.moss@beaufort.k12.sc.us

Hi Mark,

On Friday, September 21, 2018 at 5:09 pm, an email was sent from Jeffrey.moss@beaufort.k12.sc.us <mailto:Jeffrey.moss@beaufort.k12.sc.us> to Dr. Moss' personal email account. I discovered this by reading the results of a FOIA request on our BCSD website.

Can you tell me how this occurred after Dr. Moss' departure from the district and based on the email exchanges below? (Read bottom to top.)

Please advise.

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

From: "Chauhan, Mark H" <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@beaufort.k12.sc.us> >
Date: November 20, 2018 at 4:36:55 PM EST
To: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@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: RE: Test

Mrs. Orischak,

Dr. Rhoad's and Dr. McCord's account stayed active for three months. For Dr. Moss we planned to keep it active through the end of the year.

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Sent: Tuesday, November 20, 2018 4:09 PM
To: Chauhan, Mark H <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@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: Re: Test

Mark,

OK, so why are Drs. McCord's and Rhoads' accounts defunct but not Moss'?
Didn't they all exit roughly at the same time?

JoAnn Orischak

Beaufort County Board of Education

District 11

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

On Nov 20, 2018, at 3:59 PM, Chauhan, Mark H
<mark.chauhan@beaufort.k12.sc.us <mailto:mark.chauhan@beaufort.k12.sc.us> > wrote:

Mrs. Orischak,

His password was changed and all distribution groups were removed when he left the District in August. For Principals and Senior Staff we do not delete the email account immediately but the previous employee has no access to our systems. We have found in the past that the new employee sometimes finds an outside system that was linked to the old employees email and can only be reset through the old email account. Dr. Moss has no access to any email or computer system belonging Beaufort County School District.

Thank you,

Mark

From: Berg, Herbert M <Herbert.Berg@beaufort.k12.sc.us
<mailto:Herbert.Berg@beaufort.k12.sc.us> >
Sent: Tuesday, November 20, 2018 3:28 PM
To: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >; Chauhan, Mark H
<mark.chauhan@beaufort.k12.sc.us <mailto:mark.chauhan@beaufort.k12.sc.us> >
Cc: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Subject: Re: Test

Holy cow...

From: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Date: Tuesday, November 20, 2018 at 3:18 PM
To: "Chauhan, Mark H" <mark.chauhan@beaufort.k12.sc.us
<mailto:mark.chauhan@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: Fwd: Test

Mark,

Here is the test email I sent today to Dr. Moss' old BCSD email address. No error message was returned to me, so would this indicate Dr. Moss can still access email from this account?

If so, which current distribution groups (i.e. BoE, BoEOnly, etc.) include jeffrey.moss@beaufort.k12.sc.us <mailto:jeffrey.moss@beaufort.k12.sc.us> as a participant? If there are any groups that include this old address, Dr. Moss would still be receiving internal emails post departure.

Please advise.

JoAnn Orischak

Beaufort County Board of Education

District 11

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

Begin forwarded message:

From: Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us>
Date: November 20, 2018 at 3:01:35 PM EST
To: Jeffrey C Moss <jeffrey.moss@beaufort.k12.sc.us
<mailto:jeffrey.moss@beaufort.k12.sc.us> >
Subject: Test

This is a test to see if this account is still active at the time of this email. If no error message is returned, then this account is still active.

Sent from my iPad

From: Striebinger, David R <David.Striebinger@beaufort.k12.sc.us>
Sent: Wednesday, December 12, 2018 11:20 AM
To: Crosby, Tonya V; BOEOnly
Cc: Berg, Herbert M; Chauhan, Mark H; Cartledge, Wendy B
Subject: Re:

thank you

david striebinger

Beaufort County Board of Education

District 2 representative

From: Crosby, Tonya V
Sent: Tuesday, December 11, 2018 4:35:30 PM
To: BOEOnly
Cc: Berg, Herbert M; Chauhan, Mark H; Cartledge, Wendy B
Subject: FW:

Good Evening Dr. Berg and BCSD Board Members,

In response to requests from Joseph Dunkle and JoAnn Orischak regarding Dr. Moss' email account, I offer the following information:

It is our standard practice not to delete Principals or Senior Leadership's email accounts immediately. This practice is in place to avoid missing important deadlines, notifications and information from local, state and federal officials.

Looking at our email archiver, there are 10 emails that were forwarded from Dr. Moss' account since he left and we can believe that by the nature of the messages these were auto-forwards. As an example, it appears that a rule was created to forward anything from a SC High School League email address, for example, to another email accounts to avoid missed deadlines and potential SCHSL fines. Again, we have verified no new emails have be sent from his account. There were a couple auto-forward rules left in his account as of today. Effective today, they have been deleted and his account disabled so there are no questions moving forward.

If there are messages which were sent from Dr. Moss' beaufort.k12.sc.us account to specific Board members, we would very much like to see them so we can analyze whether they were legitimate or spoofed from elsewhere. We would need the original email forwarded so we can look at the headers.

Have a good evening,

Tonya V. Crosby, CPA

Chief Financial Officer

Beaufort County School District

P.O. Drawer 309

Beaufort, SC 29901

(843) 322-2397

From: fran bisi <eyelandart@yahoo.com>
Sent: Wednesday, December 12, 2018 1:31 PM
To: Dowling, John R
Cc: jerry at the beach; Dan Hunt; Giles Hall; Tony Cambria; katie k wilts; Berg, Herbert M; Will Smith; Orischak, Josephine A; Rachel Wisnefski; Jim Bequette; Joan Deery; John Dowling; Mike Gleason; Richard Bisi; Gwozdz, Christina S; Tricia Frydrich; Allan Stern; Campbell, Earl; Maggie Angst; Cathy Robine; Striebinger, David R; Marilyn Bullard; Crosby, Tonya V
Subject: Re: Jeff Moss

thanks..we will leave it up to you and the rest of the board to get the facts about how this amount was calculated. All supporting documents must be made public.

fran

On Wednesday, December 12, 2018, 12:56:17 PM EST, Dowling, John R
<John.Dowling@beaufort.k12.sc.us> wrote:

Fran,

To whatever extent that I can influence the narrative, the conversation about the unused vacation is not over.

JOHN DOWLING
DISTRICT 6 REPRESENTATIVE
BEAUFORT COUNTY BOE

Sent from my iPad

On Dec 12, 2018, at 10:15 AM, fran bisi <eyelandart@yahoo.com
<mailto:eyelandart@yahoo.com> > wrote:

Jeff Moss was still able to receive \$35,000..just a coincidence?