
From: Rick Caporale <rpc1@hargray.com>
Sent: Thursday, July 4, 2019 11:46 AM
To: 'Orischak, Josephine A'
Subject: RE: Freedom of Information Act (FOIA) Request Form

Well, it would be easy enough to believe it was just administrative sloppiness, because a certain amount is always present in the work of our local government administrations.

If that's not what it was, then I'd have to assume it was intended to embarrass and/or cause some kind of trouble.

Rick

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
Sent: Thursday, July 4, 2019 7:27 AM
To: Rick Caporale <rpc1@hargray.com>
Subject: Re: Freedom of Information Act (FOIA) Request Form

Rick,

No sweat. The FOIA request from the IP was asking for certain email exchanges between Herb Berg and the board. I was simply puzzled why your emails would be somehow included in there.

I realize that all emails are for public consumption and none are private, just as you do.

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

From: Rick Caporale <rpc1@hargray.com <mailto:rpc1@hargray.com> >
Sent: Wednesday, July 3, 2019 7:04:48 PM
To: Orischak, Josephine A; Cartledge, Wendy B
Cc: Rodriguez, Francisco; Staton, Jennifer A; rajones@islandpacket.com
<mailto:rajones@islandpacket.com>
Subject: RE: Freedom of Information Act (FOIA) Request Form

JoAnn:

Hey, I certainly hope my e-mails didn't cause you any embarrassment or (what's the word?) "agada." I didn't know anything we had written was being FOIA'd but, on the other hand, I usually don't put anything in an e-mail that I wouldn't stand by publicly.

I work too hard at just saying things exactly as I see them. If I can do *that*, I'm happy to let the chips fall where they may.

In any event, I hope the Packet will not become as disingenuous and devious as some of my former colleagues on County Council. As for the BOE, I think y'all are doing a fine job so far. Keep it up!!!

Rick

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Sent: Wednesday, July 3, 2019 1:51 PM
To: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >

Cc: Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >; Staton, Jennifer A
<Jennifer.Staton@beaufort.k12.sc.us <mailto:Jennifer.Staton@beaufort.k12.sc.us> >;
pc1@hargray.com <mailto:rpc1@hargray.com> ; rajones@islandpacket.com
<mailto:rajones@islandpacket.com>
Subject: Fwd: Freedom of Information Act (FOIA) Request Form

Hi Wendy,

Per the Island Packet's recent records request:

“

Pursuant to South Carolina's Freedom of Information Act, I am requesting any and all June 2019 emails between Superintendent Herbert Berg and the Board of Education related to the ongoing FBI investigation that district officers have received subpoenas for.

Can you explain why emails between Rick Caporale and myself were released to the IP and how they met the IP's request parameters?

I'm happy to share any/all emails, as I am well aware they are not private. However, I am struggling to understand how Mr. Caporale's and my exchanges fit into this particular request.

Please advise.

JoAnn Orischak

Beaufort County Board of Education

District 11 (29928)

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

Begin forwarded message:

From: "Rodriguez, Francisco" <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >
Date: July 3, 2019 at 9:48:28 AM EDT
To: BOEOnly <BOEOnly@beaufort.k12.sc.us <mailto:BOEOnly@beaufort.k12.sc.us> >
Subject: FW: Freedom of Information Act (FOIA) Request Form

Dear Board members,

Below is the districts response and we will be releasing it with the attachments this afternoon.

Regards,

Frank

From: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us
<mailto:Jennifer.Staton@beaufort.k12.sc.us> >
Sent: Tuesday, July 2, 2019 2:02 PM
To: Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >; Walton, Alice W
<Alice.Walton@beaufort.k12.sc.us <mailto:Alice.Walton@beaufort.k12.sc.us> >; Cartledge,
Wendy B <Wendy.Cartledge@beaufort.k12.sc.us

<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >; Foster, James H
<James.Foster@beaufort.k12.sc.us <mailto:James.Foster@beaufort.k12.sc.us> >
Subject: FW: Freedom of Information Act (FOIA) Request Form

Below is my draft response to this request and the e-mails to be released. I will be releasing them tomorrow unless you all have any concerns. I have discussed them with Kathy Mahoney with Halligan, Mahoney & Williams and she is in agreement.

Proposed Response

Ms. Jones,

Attached are documents responsive to your request. Exemptions and redactions have been done in accordance with S.C. Code Ann. 30-4-40(a)(2), (4) and (7).

Jennifer Staton, MS, CSP
Risk Manager
Beaufort County School District

843-322-2355 | Fax: 843-322-2389

From: JotForm <noreply@jotform.com <mailto:noreply@jotform.com> >
Sent: Wednesday, June 19, 2019 11:17 AM
To: Foster, James H <James.Foster@beaufort.k12.sc.us
<mailto:James.Foster@beaufort.k12.sc.us> >; Staton, Jennifer A
<Jennifer.Staton@beaufort.k12.sc.us <mailto:Jennifer.Staton@beaufort.k12.sc.us> >
Subject: Re: Freedom of Information Act (FOIA) Request Form

**** WARNING:** This email originated from outside of Beaufort County School District's email system. Do not click links or open attachments unless you recognize the sender and know the content is safe. ******

<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fcdn.jotfor.ms%2fassets%2fimg%2fbuilder%2femail_logo_small.png&c=E,1,K3a60hb5TiSPdZzXVxoBe5Bj1_0ids2KjRr_-S6mGBStpdUJndK7MVD3cbE8YXojIU3-nXya_Qx4xl6QQluePAb6YBhLXDvW8FFsfBYs2myZ8NHNP5xKpxY,&typo=1>

Freedom of Information Act (FOIA) Request Form

Enter your email address below to receive a confirmation email when you submit your data: (Optional)

rajones@islandpacket.com <mailto:rajones@islandpacket.com>

Name:

Rachel Jones

Organization (if applicable):

The Island Packet

Address:

Street Address: 10 Buck Island Road

City: Bluffton

State: South Carolina

Zip Code: 29910

Country: United States

Work Phone Number:

(843) 706-8107

E-mail Address:

rajones@islandpacket.com <mailto:rajones@islandpacket.com>

Public Records Requested (Description of Documents or Information Requested):

Pursuant to South Carolina's Freedom of Information Act, I am requesting any and all June 2019 emails between Superintendent Herbert Berg and the Board of Education related to the ongoing FBI investigation that district officers have received subpoenas for.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes, so I ask you to waive any and all fees.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request be filled electronically, by e-mail attachment if available or jump drive if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

You can edit this submission

<https://www.jotform.com/edit/4367666360417506279?utm_source=emailfooter&utm_medium=email&utm_term=62377878488984&utm_content=edit_submissions&utm_campaign=notification_email_footer_submission_links&email_type=notification> and view all your submissions

<https://www.jotform.com/submissions/62377878488984?utm_source=emailfooter&utm_medium=email&utm_term=62377878488984&utm_content=view_all_submissions&utm_campaign=notification_email_footer_submission_links> easily.

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
ent: Friday, July 5, 2019 9:30 AM
To: Cartledge, Wendy B
Subject: Fw: IP FOIA Request

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

From: Rodriguez, Francisco
Sent: Wednesday, July 3, 2019 3:57:36 PM
To: Orischak, Josephine A
Cc: Staton, Jennifer A
Subject: RE: IP FOIA Request

JoAnn, I understand and those are valid questions. The response will be reviewed further and the next draft will be shared with the board.

Regards,

Frank

From: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>
Sent: Wednesday, July 3, 2019 2:40 PM
To: Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us>
Cc: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Subject: Re: IP FOIA Request

Frank, please know that I don't mind sharing the emails. I just couldn't figure out how those emails (between Rick and me) were included, but the other significant threads between Herb and the board per the FBI questions were left off.

Thanks,

JoAnn Orischak

Beaufort County Board of Education

District 11 (29928)

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

On Jul 3, 2019, at 2:34 PM, Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> > wrote:

Hi JoAnn,

I will look into it and get back to you.

Thanks,

Frank

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

Sent: Wednesday, July 3, 2019 10:18 AM

To: Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >

Cc: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us
<mailto:Jennifer.Staton@beaufort.k12.sc.us> >
Subject: IP FOIA Request

Frank,

These emails don't appear in the IP FOIA request response we sent.

Please advise.

JoAnn Orischak

Beaufort County Board of Education

District 11 (29928)

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

Begin forwarded message:

From: "Berg, Herbert M" <Herbert.Berg@beaufort.k12.sc.us
<mailto:Herbert.Berg@beaufort.k12.sc.us> >
Date: June 26, 2019 at 11:32:41 AM EDT

To: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Cc: BOEOnly <BOEOnly@beaufort.k12.sc.us
<mailto:BOEOnly@beaufort.k12.sc.us> >
Subject: Re: FBI

JO: I do not..HMB

From: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Date: Wednesday, June 26, 2019 at 11:28 AM
To: "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: Re: FBI

Thanks, Herb. Your recent email to the board stated that Sandy Amsler, our recently retired/resigned head of Procurement, was last visited by the FBI in the December/January timeframe.

Other than visits to Sandy, Robert, Tonya and Anthony Pernice, do you have knowledge of any other visits and/or subpoenas delivered?

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

From: Berg, Herbert M
Sent: Wednesday, June 26, 2019 11:08:45 AM
To: Orischak, Josephine A
Cc: BOEOnly
Subject: Re: FBI

All: I have not heard anything since my last report. Herb

From: "Orischak, Josephine A" <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> >
Date: Wednesday, June 26, 2019 at 11:07 AM
To: "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: Re: FBI

Herb,

Any word yet?

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

From: Dowling, John R
Sent: Tuesday, June 25, 2019 1:26:35 PM
To: BOEOnly
Subject: Fwd: FBI

Forgot to copy the Board.....

JOHN DOWLING

DISTRICT 6 REPRESENTATIVE

BEAUFORT COUNTY BOE

Sent from my iPad

Begin forwarded message:

From: John.Dowling@beaufort.k12.sc.us
<mailto:John.Dowling@beaufort.k12.sc.us>
Date: June 25, 2019 at 1:22:31 PM EDT
To: Herbert.Berg@beaufort.k12.sc.us
<mailto:Herbert.Berg@beaufort.k12.sc.us>
Subject: FBI

Herb,

Any word from Columbia on the FBI probe?

JOHN DOWLING
DISTRICT 6 REPRESENTATIVE
BEAUFORT COUNTY BOE

Sent from my iPad

From: Rick Caporale <rpc1@hargray.com>
ent: Friday, July 5, 2019 5:49 PM
To: 'Orischak, Josephine A'
Subject: FW: Freedom of Information Act (FOIA) Request Form

FYI

From: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us>
Sent: Friday, July 5, 2019 4:03 PM
To: Rick Caporale <rpc1@hargray.com>
Cc: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>; Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us>; Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Subject: RE: Freedom of Information Act (FOIA) Request Form

llo Mr. Caporale:

Thank you for your email. Your emails have not been turned over to the IP. The FOIA request is for documents between Dr. Berg and the Board of Education members. The BCSD has not yet responded to the FOIA request. A proposed response had previously been sent for review, but the response has not been sent due to concerns brought to Dr. Rodriguez.

Wendy Bergfeldt Cartledge

General Counsel

Beaufort County School District

Post Office Box 309

Beaufort, South Carolina 29901-0309

Telephone: 843-322-2414

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From: Rick Caporale <rpc1@hargray.com <mailto:rpc1@hargray.com> >
Sent: Thursday, July 4, 2019 3:01 PM
To: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Subject: RE: Freedom of Information Act (FOIA) Request Form

Ms. Cartledge:

I am a private citizen, and I'd be interested in hearing your answer. There doesn't appear to be any logical reason why my e-mails were turned over to the IP. What was the reason? Thanks.

RC

Rick Caporale

From: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Sent: Thursday, July 4, 2019 1:34 PM
To: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
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Cc: Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >; Staton, Jennifer A
<Jennifer.Staton@beaufort.k12.sc.us <mailto:Jennifer.Staton@beaufort.k12.sc.us> >;
rpc1@hargray.com <mailto:rpc1@hargray.com>
Subject: Re: Freedom of Information Act (FOIA) Request Form

Sent from my iPhone

On Jul 3, 2019, at 1:51 PM, Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us
<mailto:Josephine.Orischak@beaufort.k12.sc.us> > wrote:

Hi Wendy,

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"

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Please advise.

JoAnn Orischak

Beaufort County Board of Education

District 11 (29928)

Hilton Head Island

C. (843) 338-1737

Sent from my iPad

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From: "Rodriguez, Francisco" <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >
Date: July 3, 2019 at 9:48:28 AM EDT
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Subject: FW: Freedom of Information Act (FOIA) Request Form

Dear Board members,

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this afternoon.

Regards,

Frank

From: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us
<mailto:Jennifer.Staton@beaufort.k12.sc.us> >
Sent: Tuesday, July 2, 2019 2:02 PM
To: Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us
<mailto:Francisco.Rodriguez@beaufort.k12.sc.us> >; Walton, Alice W
<Alice.Walton@beaufort.k12.sc.us <mailto:Alice.Walton@beaufort.k12.sc.us> >; Cartledge,
Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >; Foster, James H
<James.Foster@beaufort.k12.sc.us <mailto:James.Foster@beaufort.k12.sc.us> >
Subject: FW: Freedom of Information Act (FOIA) Request Form

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Kathy Mahoney with Halligan, Mahoney & Williams and she is in agreement.

Proposed Response

Ms. Jones,

Attached are documents responsive to your request. Exemptions and redactions have been done in accordance with S.C. Code Ann. 30-4-40(a)(2), (4) and (7).

Jennifer Staton, MS, CSP
Risk Manager
Beaufort County School District

843-322-2355 | Fax: 843-322-2389

From: JotForm <noreply@jotform.com <mailto:noreply@jotform.com> >
Sent: Wednesday, June 19, 2019 11:17 AM
To: Foster, James H <James.Foster@beaufort.k12.sc.us
<mailto:James.Foster@beaufort.k12.sc.us> >; Staton, Jennifer A
<Jennifer.Staton@beaufort.k12.sc.us <mailto:Jennifer.Staton@beaufort.k12.sc.us> >
Subject: Re: Freedom of Information Act (FOIA) Request Form

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<https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fcdn.jotfor.ms%2fassets%2fimg%2fbuilder%2femail_logo_small.png&c=E,1,_O8smD3JmySA547GdktU4C-IGDyFDNMx89Z6V996EhEhNC4uZtqDN_4s3JppQ5PpXR5d8StLjI8wNFA3-nS0ki6_PEA0J4BD2pi_Yx4Iulv0kq6G3Nf9&typo=1>

Freedom of Information Act (FOIA) Request Form

Enter your email address below to receive a confirmation email when you submit your data: (Optional)

rajones@islandpacket.com <mailto:rajones@islandpacket.com>

Name:

Rachel Jones

Organization (if applicable):

The Island Packet

Address:

Street Address: 10 Buck Island Road

City: Bluffton

State: South Carolina

Zip Code: 29910

Country: United States

Work Phone Number:

(843) 706-8107

E-mail Address:

rajones@islandpacket.com <mailto:rajones@islandpacket.com>

Public Records Requested (Description of Documents or Information Requested):

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In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request be filled electronically, by e-mail attachment if available or jump drive if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

You can edit this submission

<https://www.jotform.com/edit/4367666360417506279?utm_source=emailfooter&utm_medium=email&utm_term=62377878488984&utm_content=edit_submissions&utm_campaign=notification_email_footer_submission_links&email_type=notification> and view all your submissions

<https://www.jotform.com/submissions/62377878488984?utm_source=emailfooter&utm_medium=email&utm_term=62377878488984&utm_content=view_all_submissions&utm_campaign=notification_email_footer_submission_links> easily.

<E-mails.pdf>

From: Rick Caporale <rpc1@hargray.com>
ent: Friday, July 5, 2019 5:51 PM
To: 'Cartledge, Wendy B'
Cc: 'Orischak, Josephine A'; 'Rodriguez, Francisco'; 'Staton, Jennifer A'
Subject: RE: Freedom of Information Act (FOIA) Request Form

Excellent. Thank you for the response.

RC

From: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us>
Sent: Friday, July 5, 2019 4:03 PM
To: Rick Caporale <rpc1@hargray.com>
Cc: Orischak, Josephine A <Josephine.Orischak@beaufort.k12.sc.us>; Rodriguez, Francisco <Francisco.Rodriguez@beaufort.k12.sc.us>; Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>
Subject: RE: Freedom of Information Act (FOIA) Request Form

Hello Mr. Carporale:

Thank you for your email. Your emails have not been turned over to the IP. The FOIA request is for documents between Dr. Berg and the Board of Education members. The BCSD has not yet responded to the FOIA request. A proposed response had previously been sent for review, but the response has not been sent due to concerns brought to Dr. Rodriguez.

Wendy Bergfeldt Cartledge

General Counsel

Beaufort County School District

Post Office Box 309

Beaufort, South Carolina 29901-0309

Telephone: 843-322-2414

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From: Rick Caporale <rpc1@hargray.com <mailto:rpc1@hargray.com> >
Sent: Thursday, July 4, 2019 3:01 PM
To: Cartledge, Wendy B <Wendy.Cartledge@beaufort.k12.sc.us
<mailto:Wendy.Cartledge@beaufort.k12.sc.us> >
Subject: RE: Freedom of Information Act (FOIA) Request Form

Ms. Cartledge: