

Andrea E. White  
Ashley C. Story  
J. Alexander Sherard  
Lionnesse Williams  
Sara P. Morris  
Molly Flynn



3614 Landmark Dr. Ste. EF  
P.O. Box 7036 (29202)  
Columbia, SC 29204  
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www.sodacitylaw.com

August 13, 2019

Via Certified Mail/Return Receipt Requested

#7018 1830 0000 3380 9265

Vicki Shockley  
25 Bermuda Downs  
St. Helena, SC 29920

Re: Complaint Against Beaufort County Board of Education Trustee

Dear Ms. Shockley:

I am writing to follow up on our telephone conversation of July 16, 2019. During that conversation, we discussed the letter of complaint you sent to Dr. Herbert Berg on June 20, 2019, about an incident that occurred at the District Teacher of the Year (TOY) meeting on June 6, 2019, in which Beaufort County Board of Education Trustee Will Smith discussed his concerns with you over what he perceives as a lack of diversity in the leadership team at Lady's Island Middle School, where you are a special education teacher. You stated Mr. Smith also accused your administration of a lack of transparency. When you tried to divert the conversation to talk about the positive things happening at Lady's Island, Mr. Smith became animated and loud, repeating his criticism about the school. Mr. Smith did not, however, act aggressively and you were not worried he would make physical contact with you.

You stated that, to your knowledge, Mr. Smith was not invited to the TOY meeting, which was attended by Superintendent Dr. Frank Rodriguez and the teachers of the year from across the District. You voiced a concern that, if Trustees regularly attend such meetings without the knowledge of the Superintendent, their presence could result in employees not feeling able to openly share their thoughts and opinions, particularly if the Trustee attending is not supportive of the District's mission.

On behalf of the Board, which retained me to review and respond to your letter of complaint, I have shared your concerns about the incident involving Mr. Smith with Dr. Rodriguez. I understand Dr. Rodriguez is in the process of developing procedures to share with the Board about his thoughts on the interactions of Trustees with District employees outside of Board meetings and committee meetings. Hopefully, the establishment and implementation of these procedures will result in a better understanding by Trustees of their role in the day-to-day operations of the District.

Thank you again for your willingness to talk with me. I hope you will have an enjoyable remainder of the summer and a successful 2019-20 school year.

Sincerely,

A handwritten signature in black ink that reads 'Andrea White'. The signature is fluid and cursive, with the first name 'Andrea' written in a larger, more prominent script than the last name 'White'.

Andrea E. White

c: Clifford Bush, Esq. (Via regular First-Class U.S. Mail)

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August 13, 2019

Via Certified Mail/Return Receipt Requested

#7018 1830 0000 3380 9227

Daniel Fallon  
318 Cockle Lane  
Beaufort, SC 29906

Re: Complaint Against Beaufort County Board of Education Trustee

Dear Mr. Fallon:

I am writing to follow up on our meeting on June 26, 2019, during which we discussed the grievance you filed in response to an incident in your office on June 13, 2019, involving Beaufort County Board of Education Trustee Will Smith.

In your grievance, you state that on the morning of June 13<sup>th</sup>, Mr. Smith came into your office unannounced and without an appointment. He asked you several questions about your computer and then began to focus on papers on your desk. You were concerned because you often have confidential student data in your office. Later that same day, Mr. Smith returned to your office and questioned you about a text you had sent the prior evening to Alice Walton upon observing Mr. Smith at the District Office door after the office had closed for the day. You reported Mr. Smith told you that "this is his building" and that you had no right to question him being on District property.

You also reported you have observed Mr. Smith on multiple occasions walking around the District Office during work hours. You stated his conduct was distracting for employees and that you were particularly concerned about his ability to access confidential student and/or employee information in your office.

You shared that after reflecting on the June 13<sup>th</sup> incident, you were concerned about the possible impact on your position in the District, since the Board approves the budget and was searching for ways to cut costs. Accordingly, you spoke with Ms. Walton and Dr. Berg and decided to file a grievance.

You said that Mr. Smith had offered to apologize to you, but that you preferred he email that apology rather than meet with you in person. You said you never received an email from Mr. Smith. When I asked you during our meeting about the relief you were seeking, you stated you wanted Mr. Smith to follow the chain of command and avoid confronting employees while they are working.

On behalf of the Board, I have shared your concerns and my conclusions about the June 13<sup>th</sup> incident with District Superintendent Dr. Rodriguez. I understand Dr. Rodriguez is in the process of developing procedures to share with the Board concerning the impact of Board Governance Policies 5.1 and 3.4, specifically, how Trustees should interact with District employees outside of Board meetings and

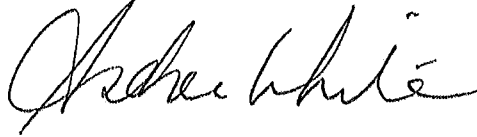
Daniel Fallon  
August 13, 2019  
Page 2

committee meetings. Hopefully, the establishment and implementation of these procedures will result in a better understanding by Trustees of their role in the day-to-day operations of the District.

Should there be future instances where Mr. Smith interacts with you in a manner that you find intimidating, please report those incidents directly to Dr. Rodriguez.

Thank you again for your willingness to talk with me.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea White", written in a cursive style.

Andrea E. White

c: Clifford Bush, Esq. (Via regular First-Class U.S. Mail)



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August 13, 2019

Via Certified Mail/Return Receipt Requested

#7018 1830 0000 3380 9241

Charity Summers  
809 North Magnolia Street  
Summerville, SC 29483

Re: Complaint Against Beaufort County Board of Education Trustee

Dear Ms. Summers:

I am writing to follow up on our meeting on June 26, 2019, during which we discussed the grievance and harassment complaints you filed on June 13, 2019, regarding the conduct of Beaufort County Board of Education Trustee Will Smith.

In your complaints, you state that on the evening of May 31, 2019, between 8:00 and 9:00 pm, Mr. Smith entered your office space at Beaufort High School, where you were working in a conference room with your assistant principals on a final check of student transcripts for graduation. Mr. Smith insisted you stop what you were doing and meet with him privately in your office. You then accompanied Mr. Smith into your office, where you stated he began questioning you about why student transcripts were being checked. You stated he was in close physical proximity to you during this conversation and that you felt uncomfortable and intimidated.

You considered reporting Mr. Smith's conduct after that incident but decided you needed to focus on the upcoming graduation practice and ceremony. On June 3<sup>rd</sup>, Mr. Smith again entered Beaufort High School without following the established rules for visiting the school and confronted you in the gymnasium where you were leading graduation practice. He called you away from practice and you followed him into the small gym area, where he began questioning you about the dress code for graduation. After listening to Mr. Smith for a few minutes, you informed him you had to return to the students whom you were assisting.

During our meeting, you became very emotional, stating you did not feel safe in your building as the result of Mr. Smith's actions. You shared that you were considering leaving the District if the situation did not improve. As relief for your complaints, you are asking that Mr. Smith conduct himself in accordance with the protocol for Trustees and, specifically, that he follow Board Governance Policy 3.4 "Board Member Code of Conduct" in visiting Beaufort High School and interacting with you and your staff.

On behalf of the Board, I have shared your concerns and my recommendations about your recent interactions with Mr. Smith with District Superintendent Dr. Rodriguez. Dr. Rodriguez is in the process of developing procedures to share with the Board concerning the impact of Board Governance Policies 5.1 and 3.4, specifically, how Trustees should properly visit schools and interact with District employees outside of Board meetings and committee meetings. Hopefully, the establishment and

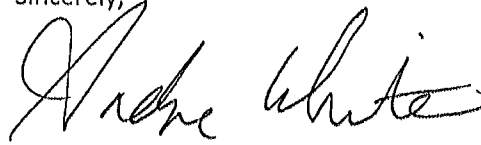
Charity Summers  
August 13, 2019  
Page 2

implementation of these procedures will result in a better understanding by Mr. Smith of his role in the day-to-day operations of the District.

Should you encounter further instances where Mr. Smith interacts with you and/or your staff in a manner that you find intimidating, please report those incidents directly to Dr. Rodriguez.

Thank you again for your willingness to talk with me.

Sincerely,

A handwritten signature in cursive script, appearing to read "Andrea White". The signature is fluid and written in dark ink.

Andrea E. White

c: Clifford Bush, Esquire (Via regular First-Class U.S. Mail)

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August 13, 2019

Via Certified Mail/Return Receipt Requested

#7018 1830 0000 3380 9258

Bonnie Almond  
2697 Bluestem  
Beaufort, SC 29902

Re: Complaint Against Beaufort County Board of Education Trustee

Dear Ms. Almond:

I am writing to follow up on our meeting on June 26, 2019, during which we discussed the grievance you forwarded Dr. Herbert Berg on June 11, 2019, regarding an incident in your office on June 3, 2019, involving Beaufort County Board of Education Trustee Will Smith.

In your grievance, you state Mr. Smith came into your office unannounced and without an appointment. He then he sat down across from your desk and questioned you about the dress codes for graduation across the District. He directed you to send an email informing all District principals they had to allow students to decorate their caps and wear bow ties at graduation. You said he was loud and agitated in giving you that directive. You told Mr. Smith you would not send an email unless so directed by Dr. Berg and Mr. Smith then left your office.

You reported that you have observed Mr. Smith on multiple occasions walking around the District Office during work hours and interrupting employees who were working. You stated his conduct created a hostile work environment and an unnecessary distraction for staff. You also said you have seen Mr. Smith walking around outside the District Office on the weekends and that, when Mr. Smith enters the District Office building, he often does not enter through the front door, as do other visitors.

When I asked you during our meeting about the relief you were seeking, you stated you wanted Mr. Smith to follow the appropriate protocol and Board Policy related to interactions between Trustees and District employees. You also shared you were leaving the District effective June 30, 2019.

On behalf of the Board, I have shared your concerns and my recommendations about the June 3<sup>rd</sup> incident with District Superintendent Dr. Rodriguez. I understand Dr. Rodriguez is in the process of developing procedures to share with the Board concerning the impact of Board Governance Policy 5.1 and, specifically, how Trustees should interact with District employees outside of Board meetings and committee meetings. Hopefully, the establishment and implementation of these procedures will result in a better understanding by Trustees of their role in the day-to-day operations of the District.

Bonnie Almond  
August 13, 2019  
Page 2

Thank you again for your willingness to talk with me. I wish you well in your future endeavors.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrea E. White". The signature is fluid and cursive, with the first name "Andrea" written in a larger, more prominent script than the last name "White".

Andrea E. White

c: Clifford Bush, Esq. (Via regular First-Class U.S. Mail)