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Read more: <http://www.edexcellence.net/flypaper/index.php/2010/03/i3-analysis/>

<http://r20.rs6.net/tn.jsp?et=1103177996159&s=65750&e=001Qhnb5WXzYPECBe1MBOZLBr-rnmrYvqG9yvT_L4F2pK-lHbhxT1WsOBd_92WXvJ9Yi-N5ro87KgGjtIqRIK6ioVx1QHvDdnpYM8NLP31AumoHOAKP-xYJ7kBocidRv6mYCdoVN0v06IZ5w_MU2OksuJ9jnyulHA3JZd2Wu8zqxh_ddoW3H9r77QG3XvstYtmAzsEijjF6GYkiLJ7NqRvRZCaRnAOm0Zx47a5AJ_JEXd7JsREsOiSNHVoDJbmakOhSOH_whFbeYPV

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Phillip Autrey

Director of Program Management

717-215-6741

Search

From: Phillip Autrey <pautrey@usskills.net>
Sent: Friday, March 12, 2010 8:20 AM
To: Nicole Rowe; 'Jon Muller'; Olesen, Susie; Michael Perik
Subject: Article on i3

The rundown on I3

Andy Smarick of the Thomas B. Fordham Institute has read the 377-page final application for the federal Investing in Innovation Fund (I3), and writes on his Flypaper blog that "not all that much changed since the draft documents were released last year." The competitive grant program for districts, nonprofits, and groups of schools is still "wholly focused" on high-need students, with the same four priority areas as the Race to the Top initiative: teacher and principal quality; better use of data; improved standards and assessments; and improving failing schools. Unlike RtTT, extra consideration will be given to proposals in four targeted areas: early childhood; college access and success; special education and LEP; and rural education. In Smarick's analysis, "the greatest disappointment is that the Department did not reconsider its earlier decision to disallow private schools from making up a 'consortium of schools'" -- the upshot of which is that faith-based urban schools will be excluded from participation. Andrew Rotherham of Education Sector writes that Smarick's synopsis misses the big understory -- the inclusion of evidence standards in the final draft. "These standards set a pretty high bar for the big money that largely reflects the views of some senior administration officials with strong views on research evidence," says Rotherham. "As a result, there are some organizations, including some Smarick cites, that may not be eligible for the big money. Not because they're not producing results, but because they don't have evaluations of sufficient methodological rigor completed yet."

Read more: <http://www.edexcellence.net/flypaper/index.php/2010/03/i3-analysis/>

Related: <http://www.eduwonk.com/2010/03/i3.html>

Phillip Autrey
Director of Program Management
717-215-6741

Search

From: Olesen, Susie
Sent: Tuesday, March 09, 2010 8:11 PM
To: 'Michael Perik'; 'NicoleR@review.com'; 'pautrey@usskills.net'
Subject: FW: IASB Memo on Skills Iowa

Thought you might enjoy the note we received from Reg Reynolds, the board secretary/business manager at Ruthven-Ayrshire. She's a jewel. Read from the bottom up.

-----Original Message-----

From: Olesen, Susie
Sent: Tuesday, March 09, 2010 7:02 PM
To: 'Rereyn@ruthven.k12.ia.us'
Subject: Re: IASB Memo on Skills Iowa

That would be fabulous, Reg! Thanks!

----- Original Message -----

From: Reg Reynolds <Rereyn@ruthven.k12.ia.us>
To: Olesen, Susie
Sent: Tue Mar 09 18:56:25 2010
Subject: RE: IASB Memo on Skills Iowa

Want this to go to the newspaper?

Regina Reynolds

Board Secretary / Bookkeeper

Ruthven-Ayrshire CSD

Box 159

Ruthven, Iowa 51358

rereyn@ruthven.k12.ia.us

712-837-5211

712-837-5210 Fax

From: ia-sb@ia-sb.org [mailto:ia-sb@ia-sb.org]
Sent: Tuesday, March 09, 2010 5:40 PM
To: Reg Reynolds
Subject: IASB Memo on Skills Iowa

IASB Memo on Skills Iowa

The Des Moines Register ran a story today about an IASB program called Skills Iowa. We imagine you have many questions, so today we compiled some information in hopes of answering them. Please contact us with any others.

What is Skills Iowa?

Skills Iowa provides two technology tools to Iowa schools and the training and support to implement them:

- * Skills Tutor provides 5 – 10 minute tutorials in reading comprehension, vocabulary, mathematics, language, library skills and some science to students in grades 3 -12.
- * Assessment Center is a tool that can be used to assess students in grades 3-12 in reading comprehension, mathematics and the conventions of language so they can determine where to go next with their instruction.

Both of these programs have excellent reporting features that can analyze data and provide specific information much more quickly than has been possible in the past. As in the business world, the computer can be used to do things we have traditionally done in schools by hand more quickly and efficiently.

IASB provides not only the tools but also the training and support for implementation of the tools. The research is clear that unless educators receive significant training and support, most educational innovations will go by the wayside. So to help ensure implementation with students and resulting student learning, we provide that necessary support for implementation.

Both of these tools are web-based, so students, teachers, principals, and parents can access them wherever they have access to the Internet – at home, at school, at the public library or community centers. These tools and the training and support to implement them are provided at no cost to the local district and paid for by a grant.

How many schools and student participate in Skills Iowa?

Currently Skills Iowa serves approximately 85,000 Iowa kids in 114 school districts in 300 buildings.

Does Skills Iowa work?

A study done of the 2008-09 Skills Iowa project using Iowa Test data as the indicator of learning found that when the Skills Iowa tools were used, student achievement went up, particularly among the most struggling learners. IASB has made recommendations for further study to see if these conclusions will be supported in future years. We know that implementation is critically important to the success of this project, so we continue to try to figure out how to make sure the data and information schools get from these tools is used to drive instruction.

How is Skills Iowa used in Iowa schools?

Our goal is that Skills Iowa data is used to determine where students and teachers go next in their instruction. That is the most important focus of the project. Beyond that, local schools determine how they can best use Skills Iowa to support the learning of their students.

How long has IASB been involved with Skills Iowa (and before that Following the Leader) and who is involved?

IASB has been involved with this program since the 2004-05 school year. At that time, the leaders of the program were looking for a new group to manage it in Iowa - they asked ISEA first, but they were not interested. The offer came to IASB next, and we agreed to participate. The program has been provided in the following number of school buildings:

04-05 - 93 school buildings

05-06 - 222 school buildings

06-07 - 210 school buildings

07-08 - 225 school buildings

08-09 - 225 school buildings

09-10 - 300 school buildings

If you want a list of the 300 participating school buildings this year, go to the Skills Iowa Web site: www.skillsiowa.org
<<http://www.skillsiowa.org/>>

How do schools become involved the program?

IASB has sent out numerous emails to school superintendents inviting them to join the program. If a school responds with interest, Susie Olesen, the project director, or another person working for Skills Iowa, goes to the school and demonstrates the use of the tools, usually to a leadership team from the interested school, and the school decides whether it's a good fit.

If you have additional questions, please send Susie an email at solesen@ia-sb.org, call her at 800-795-4272 or visit www.skillsiowa.org.

Search

From: Michael Perik <MPerik@Review.com>
Sent: Tuesday, March 09, 2010 7:54 PM
To: jonathon.muller@gmail.com; Olesen, Susie
Subject: Fw: IG report

FYI

----- Original Message -----

From: Michael Perik
To: 'mdelagardelle@ia-sb.org' <mdelagardelle@ia-sb.org>
Sent: Tue Mar 09 17:11:59 2010
Subject: Fw: IG report

Mary. It was nice to catch up. I am forwarding the IG report that I referenced in our call. Let me know if I can be of any further help.

I'll be thinking of you and wishing you all the best.

Looking forward to our lunch in April.

Best
Michael.

----- Original Message -----

From: Nicole Rowe
To: Michael Perik
Cc: Nicole Rowe
Sent: Tue Mar 09 17:06:51 2010
Subject: IG report

The link below goes to the relevant document, which says on pages 2 and 3 that ATI and TPR charged lower prices to ELC than to other customers and there was no conflict of interest.

<http://www2.ed.gov/about/offices/list/oig/auditreports/a03f0003.doc>

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF INSPECTOR GENERAL

THE WANAMAKER BUILDING

100 PENN SQUARE EAST, SUITE 502

PHILADELPHIA, PA 19107

PHONE (215) 656-6900 · FAX (215) 656-6397

<file://localhost/Users/nicolerowe-colclasure/Library/Caches/TemporaryItems/msoclip/0/clip_image006.png>

<file://localhost/Users/nicolerowe-colclasure/Library/Caches/TemporaryItems/msoclip/0/clip_image008.png>

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July 28, 2006

Control Number

ED-OIG/A03F0003

Ms. Faye P. Taylor

Chief Executive Officer

Following the Leaders

200 5th Avenue East, Suite B

Springfield, TN 37172

Dear Ms. Taylor:

This Final Audit Report, entitled Education Leaders Council's Subcontracting Activities, presents the results of our audit. The objectives of the audit were to determine if (1) the Education Leaders Council's (ELC's) subcontracting activities complied with the procurement standards set forth in the Education Department General Administrative Regulations (EDGAR), (2) the subcontract costs for Achievement Technologies, Incorporated (ATI) and the Princeton Review (TPR) charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. Our review covered the period July 1, 2002, through December 31, 2004.

BACKGROUND

ELC is a non-profit organization, founded in 1995, that was formerly located in Washington, DC. According to its mission statement, ELC was committed to leading educational change focused on improved academic achievement for all students. In November 2005, ELC planned or implemented changes that included focusing exclusively on the Following the Leaders (FTL) project, its school-based initiative. As a result, ELC changed its name to Following the Leaders,^[1] and relocated to Tennessee. According to the organization, its mission is to serve as a catalyst for the application of technology to core instructional processes in order to raise student achievement and fulfill the goals of the No Child Left Behind Act. To accomplish its mission, the organization states that it will assist schools and districts in the selection and implementation of technology-based resources and support services designed to help students achieve academic proficiency in core subjects.

The Department of Education's (the Department's) Office of Innovation and Improvement (OII) administers the Fund for the Improvement of Education (FIE). The FIE supports nationally significant programs to improve the quality of elementary and secondary education at the state and local levels. The FIE also supports grants to entities that have been earmarked by Congress in appropriations legislation. During the period July 1, 2002, through December 31, 2004, ELC received three FIE grants totaling \$23,376,534 for the FTL project. In addition, for fiscal year 2005, Congress directed six grants, totaling \$9,594,623 in awards, to ELC for FTL projects in various states.

ELC described the FTL project as a package of tools to assist states and school districts in meeting the requirements of the No Child Left Behind Act. As of December 31, 2004, the FTL project provided technology resources and support to over 600 schools in 11 states. According to ELC, the FTL project helps teachers and administrators incorporate standards-based curriculum into their classrooms, and assists with the analysis and reporting of student performance data. The FTL project's primary service providers were ATI and TPR. During the period July 1, 2002, through December

31, 2004, the grant expenses for these two service providers accounted for 75 percent of total grant awards made to ELC during the period. The grant expenses for ATI totaled \$14,489,593 and the grant expenses for TPR totaled \$3,048,427. The FTL project's primary software products were ATI's SkillsTutor[2] and TPR's Homeroom.

Attachment 1 provides supplemental background information on the FIE grant awards, ELC's contracts with ATI and TPR, the SkillsTutor and Homeroom software products, and the states participating in the FTL project.

AUDIT RESULTS

The objectives of the audit were to determine if (1) ELC's subcontracting activities complied with the procurement standards set forth in EDGAR, (2) the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. We found that ELC's subcontracting activities did not comply with the procurement standards set forth in EDGAR. Specifically, we found that ELC did not have written procurement procedures and did not comply with procurement standards when it awarded contracts to ATI and TPR. We also found that ELC did not perform and document an adequate cost or price analysis. As a result, while the subcontracts' costs were allocable to the federal grants, we were unable to determine if the costs charged by ATI and TPR were reasonable relative to other vendors' prices. However, the prices paid by ELC in 2003 and 2004 for ATI's SkillsTutor software, TPR's Homeroom software, and training appeared reasonable relative to the prices paid by other clients of ATI and TPR and the list prices for the software and training. Additionally, while ATI and TPR made significant contributions[3] to ELC and its affiliate in 2003, we found no conflicts of interest issues between ELC and the subcontractors. A draft of this report was provided to ELC for review and comment. In its comments on the draft report, ELC concurred with our finding and did not disagree with the recommendations. We have incorporated ELC's comments, where appropriate, into the report and provide ELC's full response as an attachment to the report.

FINDING - ELC's Subcontracting Activities Did Not Comply With the Procurement Standards Set Forth in EDGAR.

We found that ELC's subcontracting activities did not comply with the procurement standards set forth in EDGAR. Specifically, we found that ELC did not have written procurement procedures and did not comply with procurement standards when it awarded contracts to ATI and TPR. These instances of non-compliance appear to be the result of inadequate controls. For example, ELC did not develop written procurement policies and procedures until early 2005, even though the Department's first grant award was made to ELC in July 2002.

Recipients are required under EDGAR, to establish policies and procedures for procurement. Regulations in 34 C.F.R. §§ 74.40 through 74.48 contain the Procurement Standards to be used by grantees.[4] These Procurement Standards include:

* The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. 34 C.F.R. § 74.42

* All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. 34 C.F.R. § 74.43

* All recipients shall establish written procurement procedures. 34 C.F.R. § 74.44(a)

Recipients shall, on request, make available for the Secretary, procurement documents, such as request for proposals or invitations for bids, independent cost estimates, et cetera, when certain conditions apply. Examples of these conditions include (1) a recipient's procurement procedures fail to comply with the procurement standards, and (2) the procurement is expected to exceed \$25,000 and is to be awarded without competition. 34 C.F.R. § 74.44(e)

* Some form of cost or price analysis must be made and documented in the procurement files in connection with every procurement action. 34 C.F.R. § 74.45

Procurement records for purchases in excess of \$25,000 must include the following at a minimum: (a) basis for contractor selection, (b) justification for lack of competition when competitive bids or offers are not obtained, and (c) basis for award cost or price. 34 C.F.R. § 74.46

In addition, regulations in 34 C.F.R. § 74.53(b) require recipients to retain financial records, supporting documents, statistical records, and all other records pertinent to an award for a period of three years from the date of submission of the final expenditure report.

The management of ELC was responsible for establishing and maintaining effective internal control over federal programs that provides reasonable assurance that the grantee is managing federal awards in compliance with laws, regulations, and grant provisions. Additionally, the management of ELC was responsible for complying with laws, regulations, and grant provisions related to its federal programs.

ELC Did Not Have Written Procurement Procedures

During the period of our audit, July 1, 2002, through December 31, 2004, ELC did not have written procurement policies and procedures in accordance with regulations. Regulations in 34 C.F.R. § 74.44(a) require that all grantees shall establish written procurement procedures. ELC was notified of the requirement to have written procurement policies

and procedures through a calendar year 2002 single audit finding that recommended ELC implement written procedures to comply with 34 C.F.R. § 74.44. In the schedule of prior audit findings that accompanied ELC's calendar year 2003 financial statements and single audit report, ELC noted that written policies were continuing to be updated and that completion was scheduled by the fourth quarter of 2004.

ELC's procurement policies entitled Procurement Procedures for Following the Leaders, did not address all the requirements set forth in EDGAR. These procurement policies were prepared in January 2005, in advance of our audit. They consisted mainly of a statement that ELC would follow the procedures laid out in 34 C.F.R. §§ 74.41 through 74.48 and a verbatim copy of regulations in 34 C.F.R. § 74.44.

In early 2005, ELC adopted a Finance Protocol Manual that provided a summary of ELC's financial practices. ELC provided the Finance Protocol Manual to us in April 2005. The procurement procedures established in ELC's Finance Protocol Manual did not address all the requirements set forth in EDGAR. Specifically, competitive bids for contracts under \$25,000 and professional service contracts were not required; whereas, regulations in 34 C.F.R. § 74.43 specify that all procurement should be conducted in a manner to provide, to the maximum extent practical, open and free competition. The manual also did not specify the use of solicitations for goods and services as required in 34 C.F.R. § 74.44(a)(3), the type of procurement instrument used shall be determined to be appropriate for the particular procurement and for promoting the best interest of the program or project as required in 34 C.F.R. § 74.44(c), and all the required contract provisions contained in 34 C.F.R. § 74.48 and Appendix A.

Furthermore, despite receiving its first grant award in July 2002, ELC did not adopt a conflict of interest policy until May 2004. ELC's conflict of interest policy did not fully comply with the requirements established in 34 C.F.R. § 74.42. Specifically, ELC's conflict of interest policy (1) allowed, with the approval of ELC's board of directors, an officer or director to participate in procurement decisions even if a real or apparent conflict of interest existed; (2) did not address all individuals specified in 34 C.F.R. § 74.42, such as employees or agents; (3) did not address the solicitation or acceptance of gratuities, favors, or anything of monetary value that is not a substantial amount; and (4) did not specify the disciplinary actions applied to violations, except that, in certain circumstances, the board could require the resignation of the director or officer.

We informed ELC that its procurement and conflict of interest policies did not comply with all the requirements set forth in EDGAR. In March 2006, ELC adopted revised policies and procedures covering procurement and conflicts of interest. ELC provided us with an opportunity to review and comment on drafts of the policies.

ELC Did Not Comply With Procurement Standards

ELC did not comply with procurement standards set forth in regulations when it awarded contracts to the primary FTL service providers. We found that ELC did not award the contracts to ATI and TPR in a manner that provided open and

free competition; did not perform and document an adequate cost or price analysis; and did not document the basis for the selection of the contractors, the justification for the lack of competition, and the basis for the award cost or price.

ELC did not comply with regulations in 34 C.F.R. § 74.43 that require all procurement transactions to be conducted in a manner to provide, to the maximum extent practical, open and free competition. ELC's former Chief Executive Officer and former Chief of Staff, who were at ELC when the contracts were awarded, noted that ELC did not hold a competition for the FTL project's vendors, because ATI and TPR were included in the FTL grant proposals as partners. According to the ATI's Chief Executive Officer, while ATI provided special services to ELC, ATI viewed ELC as a customer; ATI was not a partner or sub-grantee on the grants. Similarly, according to TPR's Chief Executive Officer, while TPR treated ELC as a peer, TPR considered itself a vendor for ELC.

ELC also did not comply with regulations in 34 C.F.R. § 74.46 that require that procurement records for purchases in excess of \$25,000 must include the basis for contractor selection, the justification for lack of competition, and the basis for award cost or price. ELC's former Chief of Staff noted that ELC performed an informal comparison of vendors and concluded that ATI had the best product, and that the only documentation of this comparison was a vendor comparison prepared in November 2002. The former Chief of Staff also added that there was no formal written justification for the selection of TPR. Similarly, based upon our conversation with ELC's former Chief Executive Officer, there was no formal written justification for ELC's selection of ATI and TPR. The former Chief Executive Officer stated that, at the time of the initial grant, ATI was the only vendor providing the needed services and that ELC thought ATI's costs were reasonable. Additionally, the former Chief Executive Officer stated that ELC did not have a formal process where it documented the different vendors' prices in the marketplace, but claimed ELC knew that ATI's and TPR's prices were competitive relative to other school-based products.

ELC provided us with a two-page matrix comparing nine vendors to nine criteria established by ELC.^[5] This document was prepared in November 2002, which was after the Department awarded the grant to ELC, and ELC awarded the initial contract to ATI (both of which occurred in July 2002). The document was prepared in response to a Department request for ELC to clarify the justification for selecting ATI in a non-competitive manner. Based upon the information contained in the document, at least one other vendor in addition to ATI met all of the criteria and seven vendors met at least seven of the nine criteria. It is possible that, in addition to ATI, some of the other vendors could have put together or modified their offerings to meet all of ELC's criteria. As a result, the document prepared by ELC did not adequately justify the lack of competition for the procurement action and ELC's basis for the selection of ATI for the FTL project. TPR was not among the nine vendors included in the document.

ELC also did not comply with regulations in 34 C.F.R. § 74.45 that require that some form of cost or price analysis to be made and documented in connection with every procurement action. The November 2002 matrix presented pricing information for six of the nine vendors. However, the pricing information was generally presented on a per student basis and is not comparable among vendors (i.e., some specified a range of costs, training costs, and implementation costs, whereas others did not). As a result, the information contained in the matrix was insufficient to conduct a pricing analysis. Furthermore, ELC provided the audit team with no documentation of a cost or price analysis for the subsequent contract that included TPR.

One of the rationales cited by ELC officials in their statements to us on selecting ATI and TPR as service providers for the FTL project was a June 2004 Forrester Consulting report.[6] ELC commissioned the study that compared software company offerings that provided assessment, diagnostic, and/or remedial solutions to help students improve test scores. According to ELC officials, the Forrester Consulting report indicated that the integrated ATI and TPR products provided a unique tool not found elsewhere in the marketplace. We reviewed the report and interviewed the Project Director at Forrester Consulting. Forrester Consulting assessed the products of ten companies, including ATI and TPR.[7] Based upon information contained in the report, it appears that in addition to the ATI and TPR combination, five other vendors met many of the criteria specified by ELC. As a result, the study indicated that, in addition to ATI and TPR, other vendors were capable of providing ELC with the software and services for the FTL project. While we do not know the exact number of vendors that were capable of providing the required software and services in 2002, when ELC contracted with ATI and later TPR, the report indicated that ATI and TPR were most likely not the only vendors capable of providing the software or services for FTL. According to the Project Director at Forrester Consulting, ELC's use of the ATI and TPR combination met all the criteria, and a combination of other vendors could have met all the criteria. As a result, the Forrester Consulting report did not adequately justify the lack of competition and basis for the selection of ATI and TPR.

ELC's subcontracts with ATI and TPR represented the majority of the costs for the FTL project. During the audit period, the grant expenses of \$17,538,020 for ATI and TPR accounted for 75 percent of total grant awards made to ELC during the period. Had ELC issued a solicitation that established all the requirements that bidders were to fulfill and conducted the procurement in a manner to provide free and open competition, ELC may have been able to obtain the needed services at a better value. In addition, because ELC did not comply with the procurement standards set forth in regulations, ELC could not readily demonstrate that it was a prudent steward of federal grant funds when contracting with FTL's service providers.

Recommendations:

We recommend that the Department's Chief Financial Officer, in collaboration with the Assistant Deputy Secretary for Innovation and Improvement, require ELC (renamed FTL) to:

1.1 Adopt procurement policies and procedures that comply with all the requirements set forth in regulations in 34 C.F.R. §§ 74.40 through 74.48. In addition, such policies and procedures should address the record retention requirements established in 34 C.F.R. § 74.53.

1.2 Ensure that it complies with procurement and documentation standards set forth in Department regulations when renewing or awarding any federally funded contract.

ELC's Comments:

ELC concurred that it did not have the required written procurement policies in place at the time of our audit. ELC added that it has developed written procurement policies with input from the OIG that comply with all EDGAR requirements. ELC also acknowledged that documentation of its procurement process for the primary FTL service providers was deemed insufficient. ELC noted that it had responded to the Department's questions about its use of sole source procurement, and the Department had approved the applications and budgets, which included ATI and TPR. Additionally, ELC noted that ATI's and TPR's products were purchased at a "steep discount."

OIG's Response:

When we provided comments on the drafts of ELC's policies and procedures, we informed ELC that our comments were for its benefit in drafting policies and procedures and should not be considered as an approval of such policies and procedures. The procurement policies adopted by ELC, incorporated many, but not all, of the comments and suggestions that we provided. Additionally, the Department's approval of ELC's grant applications and knowledge of ELC's sole source contracts with ATI and TPR did not relieve ELC of its requirement to comply with the procurement standards set forth in EDGAR. Furthermore, our comparison of the prices for software and training paid by ELC to the prices paid by other clients of ATI and TPR found that ELC was not the only client to which discounts were extended by ATI and TPR.

We have included Attachments 2 and 3 to present summary-level information on ELC's and Forrester Consulting's comparison of software vendors' offerings, both of which are discussed in the finding.

OTHER MATTERS

Our January 2006 audit report entitled *The Education Leaders Council's Drawdown and Expenditure of Federal Funds* (control number ED-OIG/A03F0010), reviewed whether federal funds drawdown by ELC for the FTL project were used for ELC's operations, and whether expenditures allocated to the federally funded FTL project were reasonable, allocable, and allowable in accordance with regulations. In general, we found that ELC drew down grant funds that could have been used to cover operating deficits in ELC's non-FTL activities, charged indirect costs to the federal grants even though it did not have an approved indirect costs plan, and charged questioned and unsupported costs to the federal grants. A copy of the audit report, including ELC's comments on the report, may be obtained from the Department's Office of Inspector General website at <http://www.ed.gov/about/offices/list/oig/auditreports/a03f0010.pdf>.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of the audit were to determine if (1) the ELC's subcontracting activities complied with the procurement standards set forth in EDGAR, (2) the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. Our review covered the period July 1, 2002, through December 31, 2004.

To achieve the audit objectives, we performed the following. We reviewed applicable criteria contained in EDGAR (34 C.F.R. Part 74); OMB Circular A-122, Cost Principles for Non-Profit Organizations; and OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. We reviewed ELC's grant applications and the grant award notices for the fiscal year 2002, 2003, and 2004 grant awards. We reviewed ELC's single audit reports and management letters for fiscal years 2002 and 2003. We also interviewed ELC's current Chief Executive Officer and Chief Financial Officer, and ELC's former Chief Executive Officers, Chief of Staff, Chief Operating Officer, Director of Federal Programs, Chief Policy Officer, and Chairman of the Board of Directors.

To determine if ELC's subcontracting activities complied with procurement standards, we performed the following. We reviewed ELC's policies and procedures covering procurement. We reviewed ELC's contracts and memorandum of understanding with ATI and TPR. We reviewed documents provided by ELC regarding the selection of ATI and TPR. We also reviewed the Forrester Consulting study entitled Use of Technology to Improve Student Achievement and interviewed the Project Director at Forrester Consulting.

To determine if the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, we performed the following. We interviewed officials at ATI, including the Chief Executive Officer, Chief Financial Officer, Director of Finance, and Director of Project Management. We interviewed officials at TPR, including the Chief Executive Officer, Executive Vice President for Strategic Development, Executive Vice President for the K-12 Division, Vice President for the K-12 Division, and Division Controller for Test Preparation. We reviewed financial statements and reports for ATI and TPR covering calendar years 2002, 2003, and 2004. We reviewed all invoices submitted to ELC by ATI and TPR during the audit period. We compared the prices paid by ELC for software and training to ATI's and TPR's list prices. We compared ELC's purchase prices for software and training to the prices paid by ATI's and TPR's other clients. We judgmentally selected sales to ATI's and TPR's other clients for review. The universe of ATI's K-12 MegaSuite sales consisted of 13 sales in 2003 and 21 sales in 2004, excluding returns and sales to ELC. For each year, 2003 and 2004, the four largest sales to unique clients were selected. The universe of ATI's training sales was 51 sales in 2003 and 47 sales in 2004. Three training sales from 2003 and four training sales from 2004 were selected based upon the amount of the sale and the sales amount relative to ATI's list prices. The universe of TPR's Homeroom software sales consisted of 908 sales during the period August 2000 through December 2004. We selected the 20 largest Homeroom sales to unique clients and 10 smaller Homeroom sales; these selections were also used to review training sales. In selecting sales for review, we excluded multiple sales to the same client (other than the largest sale) and sales to ELC. Because there is no assurance that the judgmental samples were representative of the respective universes, the results should not be projected to the unsampled records.

To determine if any conflict of interest issues exist between ELC and its subcontractors, we performed the following. We reviewed ELC's Form 990, Return of Organization Exempt From Income Tax, for calendar years 2001, 2002, 2003, and 2004. We compared listings of officers, employees, and board members of ELC and its subcontractors. We reviewed ELC's sources of non-federal revenue for calendar years 2001, 2002, 2003, and 2004. We compared ELC's monthly bank account balances for calendar years 2002 through 2004 to estimates of ELC's monthly operating expenses. We reviewed documents pertaining to the significant contributions that ELC and its affiliate received from ATI and TPR in 2003.

The audit team obtained electronic files from ELC's accounting systems of record of ELC's 2001 and 2002 non-federal revenue, 2002 federal grant expenses, and 2003 and 2004 general ledgers. We conducted a preliminary assessment of the computer-processed data that was obtained from ELC. The audit team assessed the completeness of the 2001, 2002, and 2003 electronic data by comparing it to information contained in ELC's respective audited financial statements and, in the case of grant expenses, to GAPS drawdown data. All of the data was considered fairly complete. The audit team also assessed the accuracy of the data that was material to the audit's objectives by verifying it to documentation or through discussions. Nothing came to our attention in this limited review to indicate the data was not accurate. The audit team was unable to assess the completeness of the 2004 electronic data because ELC had not issued audited financial statements at the time our audit was performed. However, the data was obtained from ELC's accounting system of record and represents the same data used by ELC's management for decision-making and reporting purposes. Therefore, we considered the data sufficiently reliable for the purposes of this review.

As part of our audit, we assessed ELC's system of internal control, policies, procedures and practices applicable to ELC's subcontracting activities. For purposes of the audit, we assessed and classified the significant controls into the following category: procurement of goods and services with federal funds. Because of inherent limitations, a study and evaluation made for the limited purposes described above would not necessarily disclose all material weaknesses in internal controls. However, our assessment disclosed significant internal control weaknesses that adversely affected ELC's ability to administer the federal grant funds. These weaknesses resulted in ELC's procurement activities not complying with regulations. These weaknesses and their effects are fully discussed in the Audit Results section of this audit report.

We conducted on-site fieldwork at ELC's offices in Washington, DC during the period January 25, 2005, through March 28, 2005; at ATI's offices in Newton, MA during the period March 14, 2005, through March 18, 2005; and at TPR's offices in New York City, NY during the period May 24, 2005, through May 25, 2005. On March 31, 2006, we held an exit conference with ELC's management. Our audit was performed in accordance with generally accepted government auditing standards appropriate to the scope of the review described above.

ADMINISTRATIVE MATTERS

This report incorporates comments you provided in response to the draft report. If you have any additional comments or information that you believe may have a bearing on the resolution of this audit, you should send them directly to the following Department of Education officials, who will consider them before taking the final Departmental action on this audit:

William McCabe

Acting Chief Financial Officer

U.S. Department of Education

400 Maryland Avenue, SW

Washington, D.C. 20202-4300

Margo Anderson

Associate Assistant Deputy Secretary

Office of Innovation and Improvement

400 Maryland Avenue, SW

Washington, D.C. 20202-5900

It is the policy of the U.S. Department of Education to expedite the resolution of audits by initiating timely action on the findings and recommendations contained herein. Therefore, receipt of your comments within 30 days would be appreciated.

Statements that managerial practices need improvements, as well as other conclusions and recommendations in this report, represent the opinions of the Office of Inspector General. Determinations of corrective action to be taken will be made by the appropriate Department of Education officials.

In accordance with the Freedom of Information Act (5 U.S.C. § 552), reports issued by the Office of Inspector General are available to members of the press and general public to the extent information contained therein is not subject to exemptions in the Act.

We appreciate the cooperation and assistance extended by your staff during the audit. If you have any questions, please contact me at (215) 656-6279.

Sincerely,

/s/

Bernard Tadley

Regional Inspector General for Audit

cc. James Horne, Chairman, FTL

Attachments

Attachment 1: Supplemental Background Information

FIE Grants Awards:

During the period July 1, 2002, through December 31, 2004, ELC received three FIE grants totaling \$23,376,534 for the FTL project, as follows:

Award Date

Award Number

Award Amount

Award Type

July 1, 2002

R215U020001

\$3,501,000

Unsolicited grant

May 1, 2003

U215K030213

\$9,934,999

Congressionally directed

June 25, 2004

U215K040252

\$9,940,535

Congressionally directed

When the fiscal year 2005 grants, of \$9,594,623, to ELC are included, ELC was awarded FIE grants totaling \$32,971,157.

ATI and TPR Contracts:

In July 2002, ELC and ATI entered into a contract for the license, support, and implementation of ATI's Achieve Resource Center, Project Achieve Software Suite, and SkillsTutor software in up to 15 schools in one state. In October 2002, the contract was amended. The amendments changed the contract's term and authorized software licenses for six states. In January 2003, the contract was amended and restated. In addition to ELC and ATI, TPR became a party to the contract. The term of the amended and restated contract was January 1, 2003, through December 31, 2005. Under the contract, ELC guaranteed purchases from ATI and TPR equal to a percentage (ranging from 75 percent to 77 percent) of the funding ELC received for the FTL project during the term of the contract. ATI and TPR were to provide licenses, training and support for their products.

ATI's SkillsTutor and TPR's Homeroom:

ELC describes these products as follows. SkillsTutor is a web-based tool designed to help students master core subjects and skills. It focuses on four key areas, consisting of supplemental instruction and tutoring; diagnostic and prescriptive lessons; research-based content; and individualized instruction aligned to state and national standards. Homeroom is an online formative assessment and benchmarking tool aligned to state standards and tests and designed to increase student achievement. It allows the tracking of student performance to assess trends and opportunities for remediation, and the use of data to develop individualized learning plans.

States Participating in the FTL Project:

State

No. of Schools

State

No. of Schools

State

No. of Schools

Alaska

135

Arizona

7

Florida

25

Iowa

80

Illinois

77

Massachusetts

42

Mississippi

83

Ohio

45

Pennsylvania

27

Tennessee

51

West Virginia

61

Total

633

Source: ATI's 2004 Billing Summary

Attachment 2: Summary of ELC's Comparison of Software Vendors

Company

Criteria

Pricing Information

Presented Per

Aligned With State Standards

Prescribes Individual Student Learning Path

Generates Curriculum & Lesson Plans

Creates Assessment Tests

Training & Service

Web Based

Parent Console

Student Console

Tutoring Component

Achievement Technologies, Incorporated

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Student, Teacher & School

Company 2

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No

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Grade & Subject

Company 3

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No

No

Not Available

Company 4

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No

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No

Student

Company 5

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No

No

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No

No

Student, Implementation, Training

Company 6

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No

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Limited

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No

No

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Student

Company 7

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No

Not Available

Company 8

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No

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Not Available

Company 9

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Module & Student

Note: ? indicates that the vendor met the criteria.

Source: ELC's vendor comparison matrix, prepared November 2002.

Attachment 3: Summary of Forrester Consulting's Comparison of Software Company Offerings

Forrester Consulting reviewed software that provided assessment, diagnostic and/or remedial solutions to help schools improve student test scores. Forrester Consulting reviewed the software from 10 companies, which were identified by ELC, and noted which offerings met specific criteria established by ELC. In the report's Executive Summary, Forrester Consulting states, "In most cases the companies meet many of the criteria. Some do not have alignment to textbooks or remedial content built into their application. Others are developing this capability. Still others believe that teachers have access to many materials, and as long as teachers know the specific area of students weakness, they can provide their own remedial materials."

Criteria

The Princeton Review

Achievement Technologies, Incorporated

Company 3

Company 4

Company 5

Company 6

Company 7

Company 8

Company 9

Company 10

Software Emphasis

Analysis

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Assessment

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Remediation

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Formative Assessments

Aligned to State Standards

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Linked to Specific Textbooks

?

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?

?

Pending

Custom

No

No

No

?

Remediation Strategies

Aligned to State Standards

?

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No

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No

No

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Linked to Specific Textbooks

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No

Custom

No

No

Some

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Test Item Banks

Sufficient to Assess Grades 3-12

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Not Available

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?

Same Idiom and Format of State Mandated Assessments

-

Similar

Not Available

-

Possibly

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Custom

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Possibly

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Data

Can be Disaggregated According to NCLB Specifications

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Reporting Capabilities for Administrators, Principals, Teachers & Parents

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The Princeton Review

Achievement Technologies, Incorporated

Company 3

Company 4

Company 5

Company 6

Company 7

Company 8

Company 9

Company 10

Project Management

Onsite Training - Initial

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Varies

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Online

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Onsite Training - Ongoing

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Support

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Support

Follow-up School Visits

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Consultant Services to District & School Leadership

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Not Applicable

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Customization

Downloading Student Information Into System

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Inputting Textbook Correlations

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No

No

No

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Inputting Alignment With State Standards

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No

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Hardware Compatibility

Hosted

Hosted

Hosted / LAN

Hosted / LAN

Hosted / PC

Hosted

Hosted

Hosted

Hosted / LAN

Hosted

Aggregation / Usage and Performance Data

Student

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School

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District

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State

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No

National

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No

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Possibly

Possibly

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Possibly

Possibly

No

Note: ? indicates that the vendor met the criteria.

Source: Forrester Consulting report entitled Use of Technology to Improve Student Achievement, Review of Research and Software, dated June 28, 2004.

Mr. Bernard Tadley
Office of the Inspector General
U.S. Department of Education
The Wannamaker Building
100 Penn Square East, Suite 502
Philadelphia, PA 19107

June 6, 2006

On behalf of Following the Leaders, Inc., we submit the following response to ED-OIG audit number A03-F003, Education Leaders Council's Subcontracting Activities, dated May 8, 2006 and prepared by the U.S. Department of Education's Office of the Inspector General (OIG)

In December of 2005, The Education Leaders Council (ELC) re-framed its organizational mission and changed its name to Following the Leaders (FTL). A new Chief Executive Officer, Dr. Faye P. Taylor, assumed leadership of the organization. Dr. Taylor replaced Mr. Theodor Rebarber who was the CEO from October, 2004 until December 2005. During their tenures, Dr. Taylor and Mr. Rebarber have worked diligently to correct operational difficulties that ELC had encountered primarily during the first six months of 2004.

FTL is now re-organized and in full compliance with all federal regulations governing the use of federal funds awarded by the United States Congress for the Following the Leaders program. Thus, while we concur with the findings concerning certain procurement protocols, we are pleased to report that we have corrected these problems.

The OIG's report identified one finding:

1. ELC's Subcontracting Activities Did Not Comply With the Procurement Standards Set Forth in EDGAR.

ELC Did Not Have Written Procurement Records

Auditee response: We concur that ELC did not have appropriate written procurement policies in place during the period audited by the OIG. However, new management has since developed written procurement policies with input from the OIG that comply with all EDGAR requirements. In addition, procurement activities since June of 2005 have been reviewed and approved by the Department of Education.

ELC Did Not Comply With Procurement Standards

Auditee Response: The OIG audit notes that no public bidding or similar open procurement process was used to enter into contracts with Achievement Technologies (ATI) and The Princeton Review (TPR). As the OIG audit also notes, however, ELC included ATI and TPR in its budget application to the Department of Education. ELC answered the Department's questions about sole source procurement to the satisfaction of the Department and the budget was approved. ELC subsequently included ATI and TPR by name in each budget application, each of which was also approved. ELC submitted program reports as required under the terms of the awards to the Department; these reports contained detailed updates on the objectives and projected outcomes of the grant activities. Again, the Department did not indicate any dissatisfaction with ELC's progress or with ATI and TPR's contribution. Finally, ATI and TPR's products were offered to Following the Leaders participants at a steep discount and neither ELC nor Department staff had reason to question the value of the services received (nor have they challenged costs under current contracts).

In conclusion, while we do not disagree with the importance of clear and sound operating protocols and acknowledge that procedures were not always written down as required, we do believe that the value of services and the deliverables received met the program objectives. Clearly, following certain steps prior to engaging a contractor's services can help ensure the quality of the product received. ELC believed that they had taken such steps, but documentation of the process was deemed insufficient. The organization has added additional requirements to its procurement protocols which will ensure that sufficient documentation exists to demonstrate that procurement decisions are consistent with the letter as well as the spirit of Federal regulations.

Sincerely,

/s/

Meave G. O'Marah, consulting Chief Financial Officer on behalf of Following the Leaders (formerly Education Leaders Council)

[1] In order to differentiate the FTL organization from the project, the report refers to the organization as ELC, its former name.

[2] ELC's January 2003 contract defined SkillsTutor as ATI's K-12 MegaSuite, which included modules of ATI's SkillsTutor, Learning Milestones, and K-2 Learning Milestones software.

[3] In 2003, ELC and its affiliate, the Education Leaders Action Council, reported \$1,326,817 in revenue from non-federal sources. In the same year, ELC and its affiliate received \$325,000 from TPR and \$147,000 from ATI.

[4] Unless otherwise noted, all references to 34 C.F.R. Part 74 are to the July 1, 2002, edition.

[5] Attachment 2 presents a summary of ELC's comparison of the nine vendors.

[6] Forrester Consulting report entitled Use of Technology to Improve Student Achievement, Review of Research and Software, dated June 28, 2004.

[7] Attachment 3 presents a summary of the software comparison contained in the Forrester Consulting report.

Search

From: Olesen, Susie
Sent: Tuesday, March 09, 2010 5:51 PM
To: 'Michael Perik'; 'pautrey@usskills.net'; 'jeff@linkstrategies.net'; 'NicoleR@review.com'; 'Barron, Rob (Harkin)'
Subject: FW: IASB Memo on Skills Iowa

Hi Mike, Phillip, Nicole, Jeff, and Rob:

This went out this afternoon to all the superintendents and school board members in the state. You are welcome to share any part of it and pass it on. Thanks so much for supporting this fine project, which is helping Iowa principals, students, teachers, and parents be successful in school.

Best to all,

Susie

From: IA-SB
Sent: Tuesday, March 09, 2010 5:42 PM
To: Olesen, Susie
Subject: IASB Memo on Skills Iowa

IASB Memo on Skills Iowa

The Des Moines Register ran a story today about an IASB program called Skills Iowa. We imagine you have many questions, so today we compiled some information in hopes of answering them. Please contact us with any others.

What is Skills Iowa?

Skills Iowa provides two technology tools to Iowa schools and the training and support to implement them:

- Skills Tutor provides 5 – 10 minute tutorials in reading comprehension, vocabulary, mathematics, language, library skills and some science to students in grades 3 -12.
- Assessment Center is a tool that can be used to assess students in grades 3-12 in reading comprehension, mathematics and the conventions of language so they can determine where to go next with their instruction.

Both of these programs have excellent reporting features that can analyze data and provide specific information much more quickly than has been possible in the past. As in the business world, the computer can be used to do things we have traditionally done in schools by hand more quickly and efficiently.

IASB provides not only the tools but also the training and support for implementation of the tools. The research is clear that unless educators receive significant training and support, most educational innovations will go by the wayside. So to help ensure implementation with students and resulting student learning, we provide that necessary support for implementation.

Both of these tools are web-based, so students, teachers, principals, and parents can access them wherever they have access to the Internet – at home, at school, at the public library or community centers. These tools and the training and support to implement them are provided at no cost to the local district and paid for by a grant.

How many schools and student participate in Skills Iowa?

Currently Skills Iowa serves approximately 85,000 Iowa kids in 114 school districts in 300 buildings.

Does Skills Iowa work?

A study done of the 2008-09 Skills Iowa project using Iowa Test data as the indicator of learning found that when the Skills Iowa tools were used, student achievement went up, particularly among the most struggling learners. IASB has made recommendations for further study to see if these conclusions will be supported in future years. We know that

implementation is critically important to the success of this project, so we continue to try to figure out how to make sure the data and information schools get from these tools is used to drive instruction.

How is Skills Iowa used in Iowa schools?

Our goal is that Skills Iowa data is used to determine where students and teachers go next in their instruction. That is the most important focus of the project. Beyond that, local schools determine how they can best use Skills Iowa to support the learning of their students.

How long has IASB been involved with Skills Iowa (and before that Following the Leader) and who is involved?

IASB has been involved with this program since the 2004-05 school year. At that time, the leaders of the program were looking for a new group to manage it in Iowa - they asked ISEA first, but they were not interested. The offer came to IASB next, and we agreed to participate. The program has been provided in the following number of school buildings:

- 04-05 - 93 school buildings
- 05-06 - 222 school buildings
- 06-07 - 210 school buildings
- 07-08 - 225 school buildings
- 08-09 - 225 school buildings
- 09-10 - 300 school buildings

If you want a list of the 300 participating school buildings this year, go to the Skills Iowa Web site: www.skillsiowa.org

How do schools become involved the program?

IASB has sent out numerous emails to school superintendents inviting them to join the program. If a school responds with interest, Susie Olesen, the project director, or another person working for Skills Iowa, goes to the school and demonstrates the use of the tools, usually to a leadership team from the interested school, and the school decides whether it's a good fit.

If you have additional questions, please send Susie an email at solesen@ia-sb.org, call her at 800-795-4272 or visit www.skillsiowa.org.

Search

From: Michael Perik <MPerik@Review.com>
Sent: Tuesday, March 09, 2010 5:12 PM
To: Delagardelle, Mary
Subject: Fw: IG report

Mary. It was nice to catch up. I am forwarding the IG report that I referenced in our call. Let me know if I can be of any further help.

I'll be thinking of you and wishing you all the best.

Looking forward to our lunch in April.

Best
Michael.

----- Original Message -----

From: Nicole Rowe
To: Michael Perik
Cc: Nicole Rowe
Sent: Tue Mar 09 17:06:51 2010
Subject: IG report

The link below goes to the relevant document, which says on pages 2 and 3 that ATI and TPR charged lower prices to ELC than to other customers and there was no conflict of interest.

<http://www2.ed.gov/about/offices/list/oig/auditreports/a03f0003.doc>

UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF INSPECTOR GENERAL

THE WANAMAKER BUILDING

100 PENN SQUARE EAST, SUITE 502

PHILADELPHIA, PA 19107

PHONE (215) 656-6900 - FAX (215) 656-6397

<file://localhost/Users/nicolerowe-colclasure/Library/Caches/TemporaryItems/msoclip/0/clip_image006.png>
<file://localhost/Users/nicolerowe-colclasure/Library/Caches/TemporaryItems/msoclip/0/clip_image008.png>

UNITED STATES DEPARTMENT OF EDUCATION

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THE WANAMAKER BUILDING

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July 28, 2006

Control Number

ED-OIG/A03F0003

Ms. Faye P. Taylor

Chief Executive Officer

Following the Leaders

200 5th Avenue East, Suite B

Springfield, TN 37172

Dear Ms. Taylor:

This Final Audit Report, entitled Education Leaders Council's Subcontracting Activities, presents the results of our audit. The objectives of the audit were to determine if (1) the Education Leaders Council's (ELC's) subcontracting activities complied with the procurement standards set forth in the Education Department General Administrative Regulations (EDGAR), (2) the subcontract costs for Achievement Technologies, Incorporated (ATI) and the Princeton Review (TPR) charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. Our review covered the period July 1, 2002, through December 31, 2004.

BACKGROUND

ELC is a non-profit organization, founded in 1995, that was formerly located in Washington, DC. According to its mission statement, ELC was committed to leading educational change focused on improved academic achievement for all students. In November 2005, ELC planned or implemented changes that included focusing exclusively on the Following the Leaders (FTL) project, its school-based initiative. As a result, ELC changed its name to Following the Leaders,[1] and relocated to Tennessee. According to the organization, its mission is to serve as a catalyst for the application of technology to core instructional processes in order to raise student achievement and fulfill the goals of the No Child Left Behind Act. To accomplish its mission, the organization states that it will assist schools and districts in the selection and implementation of technology-based resources and support services designed to help students achieve academic proficiency in core subjects.

The Department of Education's (the Department's) Office of Innovation and Improvement (OII) administers the Fund for the Improvement of Education (FIE). The FIE supports nationally significant programs to improve the quality of elementary and secondary education at the state and local levels. The FIE also supports grants to entities that have been earmarked by Congress in appropriations legislation. During the period July 1, 2002, through December 31, 2004, ELC received three FIE grants totaling \$23,376,534 for the FTL project. In addition, for fiscal year 2005, Congress directed six grants, totaling \$9,594,623 in awards, to ELC for FTL projects in various states.

ELC described the FTL project as a package of tools to assist states and school districts in meeting the requirements of the No Child Left Behind Act. As of December 31, 2004, the FTL project provided technology resources and support to over 600 schools in 11 states. According to ELC, the FTL project helps teachers and administrators incorporate standards-based curriculum into their classrooms, and assists with the analysis and reporting of student performance data. The FTL project's primary service providers were ATI and TPR. During the period July 1, 2002, through December 31, 2004, the grant expenses for these two service providers accounted for 75 percent of total grant awards made to ELC during the period. The grant expenses for ATI totaled \$14,489,593 and the grant expenses for TPR totaled \$3,048,427. The FTL project's primary software products were ATI's SkillsTutor[2] and TPR's Homeroom.

Attachment 1 provides supplemental background information on the FIE grant awards, ELC's contracts with ATI and TPR, the SkillsTutor and Homeroom software products, and the states participating in the FTL project.

AUDIT RESULTS

The objectives of the audit were to determine if (1) ELC's subcontracting activities complied with the procurement standards set forth in EDGAR, (2) the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. We found that ELC's subcontracting activities did not comply with the procurement standards set forth in EDGAR. Specifically, we found that ELC did not have written procurement procedures and did not comply with procurement standards when it awarded contracts to ATI and TPR. We also found that ELC did not perform and document an adequate cost or price analysis. As a result, while the subcontracts' costs were allocable to the federal grants, we were unable to determine if the costs charged by ATI and TPR were reasonable relative to other vendors' prices. However, the prices paid by ELC in 2003 and 2004 for ATI's SkillsTutor software, TPR's Homeroom software, and training appeared reasonable relative to the prices paid by other clients of ATI and TPR and the list prices for the software and training. Additionally, while ATI and TPR made significant contributions^[3] to ELC and its affiliate in 2003, we found no conflicts of interest issues between ELC and the subcontractors. A draft of this report was provided to ELC for review and comment. In its comments on the draft report, ELC concurred with our finding and did not disagree with the recommendations. We have incorporated ELC's comments, where appropriate, into the report and provide ELC's full response as an attachment to the report.

FINDING - ELC's Subcontracting Activities Did Not Comply With the Procurement Standards Set Forth in EDGAR.

We found that ELC's subcontracting activities did not comply with the procurement standards set forth in EDGAR. Specifically, we found that ELC did not have written procurement procedures and did not comply with procurement standards when it awarded contracts to ATI and TPR. These instances of non-compliance appear to be the result of inadequate controls. For example, ELC did not develop written procurement policies and procedures until early 2005, even though the Department's first grant award was made to ELC in July 2002.

Recipients are required under EDGAR, to establish policies and procedures for procurement. Regulations in 34 C.F.R. §§ 74.40 through 74.48 contain the Procurement Standards to be used by grantees.^[4] These Procurement Standards include:

- * The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. 34 C.F.R. § 74.42

* All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. 34 C.F.R. § 74.43

* All recipients shall establish written procurement procedures. 34 C.F.R. § 74.44(a)

· Recipients shall, on request, make available for the Secretary, procurement documents, such as request for proposals or invitations for bids, independent cost estimates, et cetera, when certain conditions apply. Examples of these conditions include (1) a recipient's procurement procedures fail to comply with the procurement standards, and (2) the procurement is expected to exceed \$25,000 and is to be awarded without competition. 34 C.F.R. § 74.44(e)

* Some form of cost or price analysis must be made and documented in the procurement files in connection with every procurement action. 34 C.F.R. § 74.45

· Procurement records for purchases in excess of \$25,000 must include the following at a minimum: (a) basis for contractor selection, (b) justification for lack of competition when competitive bids or offers are not obtained, and (c) basis for award cost or price. 34 C.F.R. § 74.46

In addition, regulations in 34 C.F.R. § 74.53(b) require recipients to retain financial records, supporting documents, statistical records, and all other records pertinent to an award for a period of three years from the date of submission of the final expenditure report.

The management of ELC was responsible for establishing and maintaining effective internal control over federal programs that provides reasonable assurance that the grantee is managing federal awards in compliance with laws, regulations, and grant provisions. Additionally, the management of ELC was responsible for complying with laws, regulations, and grant provisions related to its federal programs.

ELC Did Not Have Written Procurement Procedures

During the period of our audit, July 1, 2002, through December 31, 2004, ELC did not have written procurement policies and procedures in accordance with regulations. Regulations in 34 C.F.R. § 74.44(a) require that all grantees shall establish written procurement procedures. ELC was notified of the requirement to have written procurement policies and procedures through a calendar year 2002 single audit finding that recommended ELC implement written procedures to comply with 34 C.F.R. § 74.44. In the schedule of prior audit findings that accompanied ELC's calendar year 2003 financial statements and single audit report, ELC noted that written policies were continuing to be updated and that completion was scheduled by the fourth quarter of 2004.

ELC's procurement policies entitled Procurement Procedures for Following the Leaders, did not address all the requirements set forth in EDGAR. These procurement policies were prepared in January 2005, in advance of our audit. They consisted mainly of a statement that ELC would follow the procedures laid out in 34 C.F.R. §§ 74.41 through 74.48 and a verbatim copy of regulations in 34 C.F.R. § 74.44.

In early 2005, ELC adopted a Finance Protocol Manual that provided a summary of ELC's financial practices. ELC provided the Finance Protocol Manual to us in April 2005. The procurement procedures established in ELC's Finance Protocol Manual did not address all the requirements set forth in EDGAR. Specifically, competitive bids for contracts under \$25,000 and professional service contracts were not required; whereas, regulations in 34 C.F.R. § 74.43 specify that all procurement should be conducted in a manner to provide, to the maximum extent practical, open and free competition. The manual also did not specify the use of solicitations for goods and services as required in 34 C.F.R. § 74.44(a)(3), the type of procurement instrument used shall be determined to be appropriate for the particular procurement and for promoting the best interest of the program or project as required in 34 C.F.R. § 74.44(c), and all the required contract provisions contained in 34 C.F.R. § 74.48 and Appendix A.

Furthermore, despite receiving its first grant award in July 2002, ELC did not adopt a conflict of interest policy until May 2004. ELC's conflict of interest policy did not fully comply with the requirements established in 34 C.F.R. § 74.42. Specifically, ELC's conflict of interest policy (1) allowed, with the approval of ELC's board of directors, an officer or director to participate in procurement decisions even if a real or apparent conflict of interest existed; (2) did not address all individuals specified in 34 C.F.R. § 74.42, such as employees or agents; (3) did not address the solicitation or acceptance of gratuities, favors, or anything of monetary value that is not a substantial amount; and (4) did not specify the disciplinary actions applied to violations, except that, in certain circumstances, the board could require the resignation of the director or officer.

We informed ELC that its procurement and conflict of interest policies did not comply with all the requirements set forth in EDGAR. In March 2006, ELC adopted revised policies and procedures covering procurement and conflicts of interest. ELC provided us with an opportunity to review and comment on drafts of the policies.

ELC Did Not Comply With Procurement Standards

ELC did not comply with procurement standards set forth in regulations when it awarded contracts to the primary FTL service providers. We found that ELC did not award the contracts to ATI and TPR in a manner that provided open and free competition; did not perform and document an adequate cost or price analysis; and did not document the basis for the selection of the contractors, the justification for the lack of competition, and the basis for the award cost or price.

ELC did not comply with regulations in 34 C.F.R. § 74.43 that require all procurement transactions to be conducted in a manner to provide, to the maximum extent practical, open and free competition. ELC's former Chief Executive Officer and former Chief of Staff, who were at ELC when the contracts were awarded, noted that ELC did not hold a competition for the FTL project's vendors, because ATI and TPR were included in the FTL grant proposals as partners. According to the ATI's Chief Executive Officer, while ATI provided special services to ELC, ATI viewed ELC as a customer; ATI was not a partner or sub-grantee on the grants. Similarly, according to TPR's Chief Executive Officer, while TPR treated ELC as a peer, TPR considered itself a vendor for ELC.

ELC also did not comply with regulations in 34 C.F.R. § 74.46 that require that procurement records for purchases in excess of \$25,000 must include the basis for contractor selection, the justification for lack of competition, and the basis for award cost or price. ELC's former Chief of Staff noted that ELC performed an informal comparison of vendors and concluded that ATI had the best product, and that the only documentation of this comparison was a vendor comparison prepared in November 2002. The former Chief of Staff also added that there was no formal written justification for the selection of TPR. Similarly, based upon our conversation with ELC's former Chief Executive Officer, there was no formal written justification for ELC's selection of ATI and TPR. The former Chief Executive Officer stated that, at the time of the initial grant, ATI was the only vendor providing the needed services and that ELC thought ATI's costs were reasonable. Additionally, the former Chief Executive Officer stated that ELC did not have a formal process where it documented the different vendors' prices in the marketplace, but claimed ELC knew that ATI's and TPR's prices were competitive relative to other school-based products.

ELC provided us with a two-page matrix comparing nine vendors to nine criteria established by ELC.[5] This document was prepared in November 2002, which was after the Department awarded the grant to ELC, and ELC awarded the initial contract to ATI (both of which occurred in July 2002). The document was prepared in response to a Department request for ELC to clarify the justification for selecting ATI in a non-competitive manner. Based upon the information contained in the document, at least one other vendor in addition to ATI met all of the criteria and seven vendors met at least seven of the nine criteria. It is possible that, in addition to ATI, some of the other vendors could have put together or modified their offerings to meet all of ELC's criteria. As a result, the document prepared by ELC did not adequately justify the lack of competition for the procurement action and ELC's basis for the selection of ATI for the FTL project. TPR was not among the nine vendors included in the document.

ELC also did not comply with regulations in 34 C.F.R. § 74.45 that require that some form of cost or price analysis to be made and documented in connection with every procurement action. The November 2002 matrix presented pricing information for six of the nine vendors. However, the pricing information was generally presented on a per student basis and is not comparable among vendors (i.e., some specified a range of costs, training costs, and implementation costs, whereas others did not). As a result, the information contained in the matrix was insufficient to conduct a pricing analysis. Furthermore, ELC provided the audit team with no documentation of a cost or price analysis for the subsequent contract that included TPR.

One of the rationales cited by ELC officials in their statements to us on selecting ATI and TPR as service providers for the FTL project was a June 2004 Forrester Consulting report.[6] ELC commissioned the study that compared software company offerings that provided assessment, diagnostic, and/or remedial solutions to help students improve test scores. According to ELC officials, the Forrester Consulting report indicated that the integrated ATI and TPR products provided a unique tool not found elsewhere in the marketplace. We reviewed the report and interviewed the Project Director at Forrester Consulting. Forrester Consulting assessed the products of ten companies, including ATI and TPR.[7]

Based upon information contained in the report, it appears that in addition to the ATI and TPR combination, five other vendors met many of the criteria specified by ELC. As a result, the study indicated that, in addition to ATI and TPR, other vendors were capable of providing ELC with the software and services for the FTL project. While we do not know the exact number of vendors that were capable of providing the required software and services in 2002, when ELC contracted with ATI and later TPR, the report indicated that ATI and TPR were most likely not the only vendors capable of providing the software or services for FTL. According to the Project Director at Forrester Consulting, ELC's use of the ATI and TPR combination met all the criteria, and a combination of other vendors could have met all the criteria. As a result, the Forrester Consulting report did not adequately justify the lack of competition and basis for the selection of ATI and TPR.

ELC's subcontracts with ATI and TPR represented the majority of the costs for the FTL project. During the audit period, the grant expenses of \$17,538,020 for ATI and TPR accounted for 75 percent of total grant awards made to ELC during the period. Had ELC issued a solicitation that established all the requirements that bidders were to fulfill and conducted the procurement in a manner to provide free and open competition, ELC may have been able to obtain the needed services at a better value. In addition, because ELC did not comply with the procurement standards set forth in regulations, ELC could not readily demonstrate that it was a prudent steward of federal grant funds when contracting with FTL's service providers.

Recommendations:

We recommend that the Department's Chief Financial Officer, in collaboration with the Assistant Deputy Secretary for Innovation and Improvement, require ELC (renamed FTL) to:

1.1 Adopt procurement policies and procedures that comply with all the requirements set forth in regulations in 34 C.F.R. §§ 74.40 through 74.48. In addition, such policies and procedures should address the record retention requirements established in 34 C.F.R. § 74.53.

1.2 Ensure that it complies with procurement and documentation standards set forth in Department regulations when renewing or awarding any federally funded contract.

ELC's Comments:

ELC concurred that it did not have the required written procurement policies in place at the time of our audit. ELC added that it has developed written procurement policies with input from the OIG that comply with all EDGAR requirements. ELC also acknowledged that documentation of its procurement process for the primary FTL service

providers was deemed insufficient. ELC noted that it had responded to the Department's questions about its use of sole source procurement, and the Department had approved the applications and budgets, which included ATI and TPR. Additionally, ELC noted that ATI's and TPR's products were purchased at a "steep discount."

OIG's Response:

When we provided comments on the drafts of ELC's policies and procedures, we informed ELC that our comments were for its benefit in drafting policies and procedures and should not be considered as an approval of such policies and procedures. The procurement policies adopted by ELC, incorporated many, but not all, of the comments and suggestions that we provided. Additionally, the Department's approval of ELC's grant applications and knowledge of ELC's sole source contracts with ATI and TPR did not relieve ELC of its requirement to comply with the procurement standards set forth in EDGAR. Furthermore, our comparison of the prices for software and training paid by ELC to the prices paid by other clients of ATI and TPR found that ELC was not the only client to which discounts were extended by ATI and TPR.

We have included Attachments 2 and 3 to present summary-level information on ELC's and Forrester Consulting's comparison of software vendors' offerings, both of which are discussed in the finding.

OTHER MATTERS

Our January 2006 audit report entitled *The Education Leaders Council's Drawdown and Expenditure of Federal Funds* (control number ED-OIG/A03F0010), reviewed whether federal funds drawdown by ELC for the FTL project were used for ELC's operations, and whether expenditures allocated to the federally funded FTL project were reasonable, allocable, and allowable in accordance with regulations. In general, we found that ELC drew down grant funds that could have been used to cover operating deficits in ELC's non-FTL activities, charged indirect costs to the federal grants even though it did not have an approved indirect costs plan, and charged questioned and unsupported costs to the federal grants. A copy of the audit report, including ELC's comments on the report, may be obtained from the Department's Office of Inspector General website at <http://www.ed.gov/about/offices/list/oig/auditreports/a03f0010.pdf>.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of the audit were to determine if (1) the ELC's subcontracting activities complied with the procurement standards set forth in EDGAR, (2) the subcontract costs for ATI and TPR charged to the federal grants were reasonable

and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. Our review covered the period July 1, 2002, through December 31, 2004.

To achieve the audit objectives, we performed the following. We reviewed applicable criteria contained in EDGAR (34 C.F.R. Part 74); OMB Circular A-122, Cost Principles for Non-Profit Organizations; and OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations. We reviewed ELC's grant applications and the grant award notices for the fiscal year 2002, 2003, and 2004 grant awards. We reviewed ELC's single audit reports and management letters for fiscal years 2002 and 2003. We also interviewed ELC's current Chief Executive Officer and Chief Financial Officer, and ELC's former Chief Executive Officers, Chief of Staff, Chief Operating Officer, Director of Federal Programs, Chief Policy Officer, and Chairman of the Board of Directors.

To determine if ELC's subcontracting activities complied with procurement standards, we performed the following. We reviewed ELC's policies and procedures covering procurement. We reviewed ELC's contracts and memorandum of understanding with ATI and TPR. We reviewed documents provided by ELC regarding the selection of ATI and TPR. We also reviewed the Forrester Consulting study entitled Use of Technology to Improve Student Achievement and interviewed the Project Director at Forrester Consulting.

To determine if the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, we performed the following. We interviewed officials at ATI, including the Chief Executive Officer, Chief Financial Officer, Director of Finance, and Director of Project Management. We interviewed officials at TPR, including the Chief Executive Officer, Executive Vice President for Strategic Development, Executive Vice President for the K-12 Division, Vice President for the K-12 Division, and Division Controller for Test Preparation. We reviewed financial statements and reports for ATI and TPR covering calendar years 2002, 2003, and 2004. We reviewed all invoices submitted to ELC by ATI and TPR during the audit period. We compared the prices paid by ELC for software and training to ATI's and TPR's list prices. We compared ELC's purchase prices for software and training to the prices paid by ATI's and TPR's other clients. We judgmentally selected sales to ATI's and TPR's other clients for review. The universe of ATI's K-12 MegaSuite sales consisted of 13 sales in 2003 and 21 sales in 2004, excluding returns and sales to ELC. For each year, 2003 and 2004, the four largest sales to unique clients were selected. The universe of ATI's training sales was 51 sales in 2003 and 47 sales in 2004. Three training sales from 2003 and four training sales from 2004 were selected based upon the amount of the sale and the sales amount relative to ATI's list prices. The universe of TPR's Homeroom software sales consisted of 908 sales during the period August 2000 through December 2004. We selected the 20 largest Homeroom sales to unique clients and 10 smaller Homeroom sales; these selections were also used to review training sales. In selecting sales for review, we excluded multiple sales to the same client (other than the largest sale) and sales to ELC. Because there is no assurance that the judgmental samples were representative of the respective universes, the results should not be projected to the unsampled records.

To determine if any conflict of interest issues exist between ELC and its subcontractors, we performed the following. We reviewed ELC's Form 990, Return of Organization Exempt From Income Tax, for calendar years 2001, 2002, 2003, and 2004. We compared listings of officers, employees, and board members of ELC and its subcontractors. We reviewed ELC's sources of non-federal revenue for calendar years 2001, 2002, 2003, and 2004. We compared ELC's monthly bank account balances for calendar years 2002 through 2004 to estimates of ELC's monthly operating expenses. We reviewed documents pertaining to the significant contributions that ELC and its affiliate received from ATI and TPR in 2003.

The audit team obtained electronic files from ELC's accounting systems of record of ELC's 2001 and 2002 non-federal revenue, 2002 federal grant expenses, and 2003 and 2004 general ledgers. We conducted a preliminary assessment of the computer-processed data that was obtained from ELC. The audit team assessed the completeness of the 2001, 2002, and 2003 electronic data by comparing it to information contained in ELC's respective audited financial statements and, in the case of grant expenses, to GAPS drawdown data. All of the data was considered fairly complete. The audit team also assessed the accuracy of the data that was material to the audit's objectives by verifying it to documentation or through discussions. Nothing came to our attention in this limited review to indicate the data was not accurate. The audit team was unable to assess the completeness of the 2004 electronic data because ELC had not issued audited financial statements at the time our audit was performed. However, the data was obtained from ELC's accounting system of record and represents the same data used by ELC's management for decision-making and reporting purposes. Therefore, we considered the data sufficiently reliable for the purposes of this review.

As part of our audit, we assessed ELC's system of internal control, policies, procedures and practices applicable to ELC's subcontracting activities. For purposes of the audit, we assessed and classified the significant controls into the following category: procurement of goods and services with federal funds. Because of inherent limitations, a study and evaluation made for the limited purposes described above would not necessarily disclose all material weaknesses in internal controls. However, our assessment disclosed significant internal control weaknesses that adversely affected ELC's ability to administer the federal grant funds. These weaknesses resulted in ELC's procurement activities not complying with regulations. These weaknesses and their effects are fully discussed in the Audit Results section of this audit report.

We conducted on-site fieldwork at ELC's offices in Washington, DC during the period January 25, 2005, through March 28, 2005; at ATI's offices in Newton, MA during the period March 14, 2005, through March 18, 2005; and at TPR's offices in New York City, NY during the period May 24, 2005, through May 25, 2005. On March 31, 2006, we held an exit conference with ELC's management. Our audit was performed in accordance with generally accepted government auditing standards appropriate to the scope of the review described above.

ADMINISTRATIVE MATTERS

This report incorporates comments you provided in response to the draft report. If you have any additional comments or information that you believe may have a bearing on the resolution of this audit, you should send them directly to the following Department of Education officials, who will consider them before taking the final Departmental action on this audit:

William McCabe

Acting Chief Financial Officer

U.S. Department of Education

400 Maryland Avenue, SW
Washington, D.C. 20202-4300

Margo Anderson

Associate Assistant Deputy Secretary

Office of Innovation and Improvement

400 Maryland Avenue, SW

Washington, D.C. 20202-5900

It is the policy of the U.S. Department of Education to expedite the resolution of audits by initiating timely action on the findings and recommendations contained herein. Therefore, receipt of your comments within 30 days would be appreciated.

Statements that managerial practices need improvements, as well as other conclusions and recommendations in this report, represent the opinions of the Office of Inspector General. Determinations of corrective action to be taken will be made by the appropriate Department of Education officials.

In accordance with the Freedom of Information Act (5 U.S.C. § 552), reports issued by the Office of Inspector General are available to members of the press and general public to the extent information contained therein is not subject to exemptions in the Act.

We appreciate the cooperation and assistance extended by your staff during the audit. If you have any questions, please contact me at (215) 656-6279.

Sincerely,

/s/

Bernard Tadley

Regional Inspector General for Audit

cc. James Horne, Chairman, FTL

Attachments

Attachment 1: Supplemental Background Information

FIE Grants Awards:

During the period July 1, 2002, through December 31, 2004, ELC received three FIE grants totaling \$23,376,534 for the FTL project, as follows:

Award Date

Award Number

Award Amount

Award Type

July 1, 2002

R215U020001

\$3,501,000

Unsolicited grant

May 1, 2003

U215K030213

\$9,934,999

Congressionally directed

June 25, 2004

U215K040252

\$9,940,535

Congressionally directed

When the fiscal year 2005 grants, of \$9,594,623, to ELC are included, ELC was awarded FIE grants totaling \$32,971,157.

ATI and TPR Contracts:

In July 2002, ELC and ATI entered into a contract for the license, support, and implementation of ATI's Achieve Resource Center, Project Achieve Software Suite, and SkillsTutor software in up to 15 schools in one state. In October 2002, the contract was amended. The amendments changed the contract's term and authorized software licenses for six states. In January 2003, the contract was amended and restated. In addition to ELC and ATI, TPR became a party to the contract. The term of the amended and restated contract was January 1, 2003, through December 31, 2005. Under the contract, ELC guaranteed purchases from ATI and TPR equal to a percentage (ranging from 75 percent to 77 percent) of the funding ELC received for the FTL project during the term of the contract. ATI and TPR were to provide licenses, training and support for their products.

ATI's SkillsTutor and TPR's Homeroom:

ELC describes these products as follows. SkillsTutor is a web-based tool designed to help students master core subjects and skills. It focuses on four key areas, consisting of supplemental instruction and tutoring; diagnostic and prescriptive lessons; research-based content; and individualized instruction aligned to state and national standards. Homeroom is an

online formative assessment and benchmarking tool aligned to state standards and tests and designed to increase student achievement. It allows the tracking of student performance to assess trends and opportunities for remediation, and the use of data to develop individualized learning plans.

States Participating in the FTL Project:

State	No. of Schools
Alaska	135
Arizona	7
Florida	25
Iowa	80
Illinois	77
Massachusetts	42
Mississippi	83

Ohio

45

Pennsylvania

27

Tennessee

51

West Virginia

61

Total

633

Source: ATI's 2004 Billing Summary

Attachment 2: Summary of ELC's Comparison of Software Vendors

Company

Criteria

Pricing Information

Presented Per

Aligned With State Standards

Prescribes Individual Student Learning Path

Generates Curriculum & Lesson Plans

Creates Assessment Tests

Training & Service

Web Based

Parent Console

Student Console

Tutoring Component

Achievement Technologies, Incorporated

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Student, Teacher & School

Company 2

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No

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Grade & Subject

Company 3

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No

No

Not Available

Company 4

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No

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No

Student

Company 5

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No

No

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No

No

Student, Implementation, Training

Company 6

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No

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Limited

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No

No

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Student

Company 7

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No

Not Available

Company 8

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No

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Not Available

Company 9

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Module & Student

Note: ? indicates that the vendor met the criteria.

Source: ELC's vendor comparison matrix, prepared November 2002.

Attachment 3: Summary of Forrester Consulting's Comparison of Software Company Offerings

Forrester Consulting reviewed software that provided assessment, diagnostic and/or remedial solutions to help schools improve student test scores. Forrester Consulting reviewed the software from 10 companies, which were identified by ELC, and noted which offerings met specific criteria established by ELC. In the report's Executive Summary, Forrester Consulting states, "In most cases the companies meet many of the criteria. Some do not have alignment to textbooks or remedial content built into their application. Others are developing this capability. Still others believe that teachers have access to many materials, and as long as teachers know the specific area of students weakness, they can provide their own remedial materials."

Criteria

The Princeton Review

Achievement Technologies, Incorporated

Company 3

Company 4

Company 5

Company 6

Company 7

Company 8

Company 9

Company 10

Software Emphasis

Analysis

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Assessment

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Remediation

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Formative Assessments

Aligned to State Standards

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Linked to Specific Textbooks

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Pending

Custom

No

No

No

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Remediation Strategies

Aligned to State Standards

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No

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No

No

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Linked to Specific Textbooks

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No

Custom

No

No

Some

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Test Item Banks

Sufficient to Assess Grades 3-12

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Not Available

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Same Idiom and Format of State Mandated Assessments

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Similar

Not Available

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Possibly

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Custom

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Possibly

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Data

Can be Disaggregated According to NCLB Specifications

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Reporting Capabilities for Administrators, Principals, Teachers & Parents

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Criteria

The Princeton Review

Achievement Technologies, Incorporated

Company 3

Company 4

Company 5

Company 6

Company 7

Company 8

Company 9

Company 10

Project Management

Onsite Training - Initial

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Varies

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Online

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Onsite Training - Ongoing

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Support

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Support

Follow-up School Visits

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Consultant Services to District & School Leadership

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Not Applicable

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Customization

Downloading Student Information Into System

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Inputting Textbook Correlations

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No

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Inputting Alignment With State Standards

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No

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Hardware Compatibility

Hosted

Hosted

Hosted / LAN

Hosted / LAN

Hosted / PC

Hosted

Hosted

Hosted

Hosted / LAN

Hosted

Aggregation / Usage and Performance Data

Student

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School

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State

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National

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Possibly

Possibly

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Possibly

Possibly

No

Note: ? indicates that the vendor met the criteria.

Source: Forrester Consulting report entitled Use of Technology to Improve Student Achievement, Review of Research and Software, dated June 28, 2004.

Mr. Bernard Tadley
Office of the Inspector General
U.S. Department of Education
The Wannamaker Building
100 Penn Square East, Suite 502
Philadelphia, PA 19107

June 6, 2006

On behalf of Following the Leaders, Inc., we submit the following response to ED-OIG audit number A03-F003, Education Leaders Council's Subcontracting Activities, dated May 8, 2006 and prepared by the U.S. Department of Education's Office of the Inspector General (OIG)

In December of 2005, The Education Leaders Council (ELC) re-framed its organizational mission and changed its name to Following the Leaders (FTL). A new Chief Executive Officer, Dr. Faye P. Taylor, assumed leadership of the organization. Dr. Taylor replaced Mr. Theodor Rebarber who was the CEO from October, 2004 until December 2005. During their tenures, Dr. Taylor and Mr. Rebarber have worked diligently to correct operational difficulties that ELC had encountered primarily during the first six months of 2004.

FTL is now re-organized and in full compliance with all federal regulations governing the use of federal funds awarded by the United States Congress for the Following the Leaders program. Thus, while we concur with the findings concerning certain procurement protocols, we are pleased to report that we have corrected these problems.

The OIG's report identified one finding:

1. ELC's Subcontracting Activities Did Not Comply With the Procurement Standards Set Forth in EDGAR.

ELC Did Not Have Written Procurement Records

Auditee response: We concur that ELC did not have appropriate written procurement policies in place during the period audited by the OIG. However, new management has since developed written procurement policies with input from the OIG that comply with all EDGAR requirements. In addition, procurement activities since June of 2005 have been reviewed and approved by the Department of Education.

ELC Did Not Comply With Procurement Standards

Auditee Response: The OIG audit notes that no public bidding or similar open procurement process was used to enter into contracts with Achievement Technologies (ATI) and The Princeton Review (TPR). As the OIG audit also notes, however, ELC included ATI and TPR in its budget application to the Department of Education. ELC answered the Department's questions about sole source procurement to the satisfaction of the Department and the budget was approved. ELC subsequently included ATI and TPR by name in each budget application, each of which was also approved. ELC submitted program reports as required under the terms of the awards to the Department; these reports contained detailed updates on the objectives and projected outcomes of the grant activities. Again, the Department did not indicate any dissatisfaction with ELC's progress or with ATI and TPR's contribution. Finally, ATI and TPR's products were offered to Following the Leaders participants at a steep discount and neither ELC nor Department staff had reason to question the value of the services received (nor have they challenged costs under current contracts).

In conclusion, while we do not disagree with the importance of clear and sound operating protocols and acknowledge that procedures were not always written down as required, we do believe that the value of services and the deliverables received met the program objectives. Clearly, following certain steps prior to engaging a contractor's services can help ensure the quality of the product received. ELC believed that they had taken such steps, but documentation of the process was deemed insufficient. The organization has added additional requirements to its procurement protocols which will ensure that sufficient documentation exists to demonstrate that procurement decisions are consistent with the letter as well as the spirit of Federal regulations.

Sincerely,

/s/

Meave G. O'Marah, consulting Chief Financial Officer on behalf of Following the Leaders (formerly Education Leaders Council)

[1] In order to differentiate the FTL organization from the project, the report refers to the organization as ELC, its former name.

[2] ELC's January 2003 contract defined SkillsTutor as ATI's K-12 MegaSuite, which included modules of ATI's SkillsTutor, Learning Milestones, and K-2 Learning Milestones software.

[3] In 2003, ELC and its affiliate, the Education Leaders Action Council, reported \$1,326,817 in revenue from non-federal sources. In the same year, ELC and its affiliate received \$325,000 from TPR and \$147,000 from ATI.

[4] Unless otherwise noted, all references to 34 C.F.R. Part 74 are to the July 1, 2002, edition.

[5] Attachment 2 presents a summary of ELC's comparison of the nine vendors.

[6] Forrester Consulting report entitled Use of Technology to Improve Student Achievement, Review of Research and Software, dated June 28, 2004.

[7] Attachment 3 presents a summary of the software comparison contained in the Forrester Consulting report.

Search

From: Delagardelle, Mary
Sent: Tuesday, March 09, 2010 4:39 PM
To: 'mperik@review.com'
Subject: Checking in

Hi Michael,

It was great talking to you. Thanks again for your encouragement and for your patience with our circumstances. Take care and I'll look forward to that lunch meeting in Iowa. Mary

Mary L. Delagardelle, Ph.D.
Deputy Executive Director, IASB
Executive Director, ISBF
8000 Grand Ave.
Des Moines, Iowa 50312
(515) 247-7066
mdelagardelle@ia-sb.org

Search

From: Nicole Rowe Colclasure <nicole_m_rowe@yahoo.com>
Sent: Tuesday, March 09, 2010 9:06 AM
To: Michael Perik; Olesen, Susie; Jon Muller; jeff@linkstrategies.com; Paul Dinino; Phil Autrey
Cc: Me--TPR
Subject: IG report

Following and linked is the relevant document. The findings on pages 2 and 3 say that the prices charged were lower than for other customers and there was no conflict of interest.

<http://74.125.95.132/search?q=cache:I-pco1shl.UJ:www2.ed.gov/about/offices/list/oig/auditreports/a03f0003.doc+department+of+education+OIG+following+the+leaders+vendor+report+achievement+technologies&cd=2&hl=en&ct=clnk&gl=us&client=safari>



UNITED STATES DEPARTMENT OF EDUCATION

OFFICE OF INSPECTOR GENERAL

THE WANAMAKER BUILDING

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July 28, 2006

Control Number

ED-OIG/A03F0003

Ms. Faye P. Taylor

Chief Executive Officer

Following the Leaders

200 5th Avenue East, Suite B

Springfield, TN 37172

Dear Ms. Taylor:

This **Final Audit Report**, entitled *Education Leaders Council's Subcontracting Activities*, presents the results of our audit. The objectives of the audit were to determine if (1) the Education Leaders Council's (ELC's) subcontracting activities complied with the procurement standards set forth in the Education Department General Administrative Regulations (EDGAR), (2) the subcontract costs for Achievement Technologies, Incorporated (ATI) and the Princeton Review (TPR) charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. Our review covered the period July 1, 2002, through December 31, 2004.

ELC is a non-profit organization, founded in 1995, that was formerly located in Washington, DC. According to its mission statement, ELC was committed to leading educational change focused on improved academic achievement for all students. In November 2005, ELC planned or implemented changes that included focusing exclusively on the Following the Leaders (FTL) project, its school-based initiative. As a result, ELC changed its name to Following the Leaders,^{i[1]} and relocated to Tennessee. According to the organization, its mission is to serve as a catalyst for the application of technology to core instructional processes in order to raise student achievement and fulfill the goals of the No Child Left Behind Act. To accomplish its mission, the organization states that it will assist schools and districts in the selection and implementation of technology-based resources and support services designed to help students achieve academic proficiency in core subjects.

The Department of Education's (the Department's) Office of Innovation and Improvement (OII) administers the Fund for the Improvement of Education (FIE). The FIE supports nationally significant programs to improve the quality of elementary and secondary education at the state and local levels. The FIE also supports grants to entities that have been earmarked by Congress in appropriations legislation. During the period July 1, 2002, through December 31, 2004, ELC received three FIE grants totaling \$23,376,534 for the FTL project. In addition, for fiscal year 2005, Congress directed six grants, totaling \$9,594,623 in awards, to ELC for FTL projects in various states.

ELC described the FTL project as a package of tools to assist states and school districts in meeting the requirements of the No Child Left Behind Act. As of December 31, 2004, the FTL project provided technology resources and support to over 600 schools in 11 states. According to ELC, the FTL project helps teachers and administrators incorporate standards-based curriculum into their classrooms, and assists with the analysis and reporting of student performance data. The FTL project's primary service providers were ATI and TPR. During the period July 1, 2002, through December 31, 2004, the grant expenses for these two service providers accounted for 75 percent of total grant awards made to ELC during the period. The grant expenses for ATI totaled \$14,489,593 and the grant expenses for TPR totaled \$3,048,427. The FTL project's primary software products were ATI's SkillsTutor^{i[2]} and TPR's Homeroom.

Attachment 1 provides supplemental background information on the FIE grant awards, ELC's contracts with ATI and TPR, the SkillsTutor and Homeroom software products, and the states participating in the FTL project.

AUDIT RESULTS

The objectives of the audit were to determine if (1) ELC's subcontracting activities complied with the procurement standards set forth in EDGAR, (2) the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. We found that ELC's subcontracting activities did not comply with the procurement standards set forth in EDGAR. Specifically, we found that ELC did not have written procurement procedures and did not comply with procurement standards when it awarded contracts to ATI and TPR. We also found that ELC did not perform and document an adequate cost or price analysis. As a result, while the subcontracts' costs were allocable to the federal grants, we were unable to determine if the costs charged by ATI and TPR were reasonable relative to other vendors' prices. **However, the prices paid by ELC in 2003 and 2004 for ATI's SkillsTutor software, TPR's Homeroom software, and training appeared reasonable relative to the prices paid by other clients of ATI and TPR and the list prices for the software and training.** Additionally, while ATI and TPR made significant contributions^{iii[3]} to ELC and its affiliate in 2003, **we found no conflicts of interest issues between ELC and the subcontractors.** A draft of this report was provided to ELC for review and comment. In its comments on the draft report, ELC concurred with our finding and did not disagree with the recommendations. We have incorporated ELC's comments, where appropriate, into the report and provide ELC's full response as an attachment to the report.

FINDING – ELC's Subcontracting Activities Did Not Comply With the Procurement Standards Set Forth in EDGAR.

We found that ELC's subcontracting activities did not comply with the procurement standards set forth in EDGAR. Specifically, we found that ELC did not have written procurement procedures and did not comply with procurement standards when it awarded contracts to ATI and TPR. These instances of non-compliance appear to be the result of inadequate controls. For example, ELC did not develop written procurement policies and procedures until early 2005, even though the Department's first grant award was made to ELC in July 2002.

Recipients are required under EDGAR, to establish policies and procedures for procurement. Regulations in 34 C.F.R. §§ 74.40 through 74.48 contain the Procurement Standards to be used by grantees.^{iv[4]} These Procurement Standards include:

- The recipient shall maintain written standards of conduct governing the performance of its employees engaged in the award and administration of contracts. 34 C.F.R. § 74.42
- All procurement transactions shall be conducted in a manner to provide, to the maximum extent practical, open and free competition. 34 C.F.R. § 74.43
- All recipients shall establish written procurement procedures. 34 C.F.R. § 74.44(a)

- Recipients shall, on request, make available for the Secretary, procurement documents, such as request for proposals or invitations for bids, independent cost estimates, et cetera, when certain conditions apply. Examples of these conditions include (1) a recipient's procurement procedures fail to comply with the procurement standards, and (2) the procurement is expected to exceed \$25,000 and is to be awarded without competition. 34 C.F.R. § 74.44(e)
- Some form of cost or price analysis must be made and documented in the procurement files in connection with every procurement action. 34 C.F.R. § 74.45
- Procurement records for purchases in excess of \$25,000 must include the following at a minimum: (a) basis for contractor selection, (b) justification for lack of competition when competitive bids or offers are not obtained, and (c) basis for award cost or price. 34 C.F.R. § 74.46

In addition, regulations in 34 C.F.R. §74.53(b) require recipients to retain financial records, supporting documents, statistical records, and all other records pertinent to an award for a period of three years from the date of submission of the final expenditure report.

The management of ELC was responsible for establishing and maintaining effective internal control over federal programs that provides reasonable assurance that the grantee is managing federal awards in compliance with laws, regulations, and grant provisions. Additionally, the management of ELC was responsible for complying with laws, regulations, and grant provisions related to its federal programs.

ELC Did Not Have Written Procurement Procedures

During the period of our audit, July 1, 2002, through December 31, 2004, ELC did not have written procurement policies and procedures in accordance with regulations. Regulations in 34 C.F.R. § 74.44(a) require that all grantees shall establish written procurement procedures. ELC was notified of the requirement to have written procurement policies and procedures through a calendar year 2002 single audit finding that recommended ELC implement written procedures to comply with 34 C.F.R. § 74.44. In the schedule of prior audit findings that accompanied ELC's calendar year 2003 financial statements and single audit report, ELC noted that written policies were continuing to be updated and that completion was scheduled by the fourth quarter of 2004.

ELC's procurement policies entitled *Procurement Procedures for Following the Leaders*, did not address all the requirements set forth in EDGAR. These procurement policies were prepared in January 2005, in advance of

our audit. They consisted mainly of a statement that ELC would follow the procedures laid out in 34 C.F.R. §§ 74.41 through 74.48 and a verbatim copy of regulations in 34 C.F.R. § 74.44.

In early 2005, ELC adopted a Finance Protocol Manual that provided a summary of ELC's financial practices. ELC provided the Finance Protocol Manual to us in April 2005. The procurement procedures established in ELC's Finance Protocol Manual did not address all the requirements set forth in EDGAR. Specifically, competitive bids for contracts under \$25,000 and professional service contracts were not required; whereas, regulations in 34 C.F.R. § 74.43 specify that all procurement should be conducted in a manner to provide, to the maximum extent practical, open and free competition. The manual also did not specify the use of solicitations for goods and services as required in 34 C.F.R. § 74.44(a)(3), the type of procurement instrument used shall be determined to be appropriate for the particular procurement and for promoting the best interest of the program or project as required in 34 C.F.R. § 74.44(c), and all the required contract provisions contained in 34 C.F.R. § 74.48 and Appendix A.

Furthermore, despite receiving its first grant award in July 2002, ELC did not adopt a conflict of interest policy until May 2004. ELC's conflict of interest policy did not fully comply with the requirements established in 34 C.F.R. § 74.42. Specifically, ELC's conflict of interest policy (1) allowed, with the approval of ELC's board of directors, an officer or director to participate in procurement decisions even if a real or apparent conflict of interest existed; (2) did not address all individuals specified in 34 C.F.R. § 74.42, such as employees or agents; (3) did not address the solicitation or acceptance of gratuities, favors, or anything of monetary value that is not a substantial amount; and (4) did not specify the disciplinary actions applied to violations, except that, in certain circumstances, the board could require the resignation of the director or officer.

We informed ELC that its procurement and conflict of interest policies did not comply with all the requirements set forth in EDGAR. In March 2006, ELC adopted revised policies and procedures covering procurement and conflicts of interest. ELC provided us with an opportunity to review and comment on drafts of the policies.

ELC Did Not Comply With Procurement Standards

ELC did not comply with procurement standards set forth in regulations when it awarded contracts to the primary FTL service providers. We found that ELC did not award the contracts to ATI and TPR in a manner that provided open and free competition; did not perform and document an adequate cost or price analysis; and did not document the basis for the selection of the contractors, the justification for the lack of competition, and the basis for the award cost or price.

ELC did not comply with regulations in 34 C.F.R. § 74.43 that require all procurement transactions to be conducted in a manner to provide, to the maximum extent practical, open and free competition. ELC's former Chief Executive Officer and former Chief of Staff, who were at ELC when the contracts were awarded, noted that ELC did not hold a competition for the FTL project's vendors, because ATI and TPR were included in the

FTL grant proposals as partners. According to the ATI's Chief Executive Officer, while ATI provided special services to ELC, ATI viewed ELC as a customer; ATI was not a partner or sub-grantee on the grants. Similarly, according to TPR's Chief Executive Officer, while TPR treated ELC as a peer, TPR considered itself a vendor for ELC.

ELC also did not comply with regulations in 34 C.F.R. § 74.46 that require that procurement records for purchases in excess of \$25,000 must include the basis for contractor selection, the justification for lack of competition, and the basis for award cost or price. ELC's former Chief of Staff noted that ELC performed an informal comparison of vendors and concluded that ATI had the best product, and that the only documentation of this comparison was a vendor comparison prepared in November 2002. The former Chief of Staff also added that there was no formal written justification for the selection of TPR. Similarly, based upon our conversation with ELC's former Chief Executive Officer, there was no formal written justification for ELC's selection of ATI and TPR. The former Chief Executive Officer stated that, at the time of the initial grant, ATI was the only vendor providing the needed services and that ELC thought ATI's costs were reasonable. Additionally, the former Chief Executive Officer stated that ELC did not have a formal process where it documented the different vendors' prices in the marketplace, but claimed ELC knew that ATI's and TPR's prices were competitive relative to other school-based products.

ELC provided us with a two-page matrix comparing nine vendors to nine criteria established by ELC.^{vi[5]} This document was prepared in November 2002, which was after the Department awarded the grant to ELC, and ELC awarded the initial contract to ATI (both of which occurred in July 2002). The document was prepared in response to a Department request for ELC to clarify the justification for selecting ATI in a non-competitive manner. Based upon the information contained in the document, at least one other vendor in addition to ATI met all of the criteria and seven vendors met at least seven of the nine criteria. It is possible that, in addition to ATI, some of the other vendors could have put together or modified their offerings to meet all of ELC's criteria. As a result, the document prepared by ELC did not adequately justify the lack of competition for the procurement action and ELC's basis for the selection of ATI for the FTL project. TPR was not among the nine vendors included in the document.

ELC also did not comply with regulations in 34 C.F.R. § 74.45 that require that some form of cost or price analysis to be made and documented in connection with every procurement action. The November 2002 matrix presented pricing information for six of the nine vendors. However, the pricing information was generally presented on a per student basis and is not comparable among vendors (i.e., some specified a range of costs, training costs, and implementation costs, whereas others did not). As a result, the information contained in the matrix was insufficient to conduct a pricing analysis. Furthermore, ELC provided the audit team with no documentation of a cost or price analysis for the subsequent contract that included TPR.

One of the rationales cited by ELC officials in their statements to us on selecting ATI and TPR as service providers for the FTL project was a June 2004 Forrester Consulting report.^{vi[6]} ELC commissioned the study that compared software company offerings that provided assessment, diagnostic, and/or remedial solutions to help students improve test scores. According to ELC officials, the Forrester Consulting report indicated that the integrated ATI and TPR products provided a unique tool not found elsewhere in the marketplace. We reviewed the report and interviewed the Project Director at Forrester Consulting. Forrester Consulting assessed the

products of ten companies, including ATI and TPR.^{vii}7] Based upon information contained in the report, it appears that in addition to the ATI and TPR combination, five other vendors met many of the criteria specified by ELC. As a result, the study indicated that, in addition to ATI and TPR, other vendors were capable of providing ELC with the software and services for the FTL project. While we do not know the exact number of vendors that were capable of providing the required software and services in 2002, when ELC contracted with ATI and later TPR, the report indicated that ATI and TPR were most likely not the only vendors capable of providing the software or services for FTL. According to the Project Director at Forrester Consulting, ELC's use of the ATI and TPR combination met all the criteria, and a combination of other vendors could have met all the criteria. As a result, the Forrester Consulting report did not adequately justify the lack of competition and basis for the selection of ATI and TPR.

ELC's subcontracts with ATI and TPR represented the majority of the costs for the FTL project. During the audit period, the grant expenses of \$17,538,020 for ATI and TPR accounted for 75 percent of total grant awards made to ELC during the period. Had ELC issued a solicitation that established all the requirements that bidders were to fulfill and conducted the procurement in a manner to provide free and open competition, ELC may have been able to obtain the needed services at a better value. In addition, because ELC did not comply with the procurement standards set forth in regulations, ELC could not readily demonstrate that it was a prudent steward of federal grant funds when contracting with FTL's service providers.

Recommendations:

We recommend that the Department's Chief Financial Officer, in collaboration with the Assistant Deputy Secretary for Innovation and Improvement, require ELC (renamed FTL) to:

- 1.1 Adopt procurement policies and procedures that comply with all the requirements set forth in regulations in 34 C.F.R. §§ 74.40 through 74.48. In addition, such policies and procedures should address the record retention requirements established in 34 C.F.R. § 74.53.
- 1.2 Ensure that it complies with procurement and documentation standards set forth in Department regulations when renewing or awarding any federally funded contract.

ELC's Comments:

ELC concurred that it did not have the required written procurement policies in place at the time of our audit. ELC added that it has developed written procurement policies with input from the OIG that comply with all EDGAR requirements. ELC also acknowledged that documentation of its procurement process for the primary FTL service providers was deemed insufficient. ELC noted that it had responded to the Department's questions about its use of sole source procurement, and the Department had approved the applications and budgets, which included ATI and TPR. Additionally, ELC noted that ATI's and TPR's products were purchased at a "steep discount."

OIG's Response:

When we provided comments on the drafts of ELC's policies and procedures, we informed ELC that our comments were for its benefit in drafting policies and procedures and should not be considered as an approval of such policies and procedures. The procurement policies adopted by ELC, incorporated many, but not all, of the comments and suggestions that we provided. Additionally, the Department's approval of ELC's grant applications and knowledge of ELC's sole source contracts with ATI and TPR did not relieve ELC of its requirement to comply with the procurement standards set forth in EDGAR. Furthermore, our comparison of the prices for software and training paid by ELC to the prices paid by other clients of ATI and TPR found that ELC was not the only client to which discounts were extended by ATI and TPR.

We have included Attachments 2 and 3 to present summary-level information on ELC's and Forrester Consulting's comparison of software vendors' offerings, both of which are discussed in the finding.

OTHER MATTERS

Our January 2006 audit report entitled *The Education Leaders Council's Drawdown and Expenditure of Federal Funds* (control number ED-OIG/A03F0010), reviewed whether federal funds drawdown by ELC for the FTL project were used for ELC's operations, and whether expenditures allocated to the federally funded FTL project were reasonable, allocable, and allowable in accordance with regulations. In general, we found that ELC drew down grant funds that could have been used to cover operating deficits in ELC's non-FTL activities, charged indirect costs to the federal grants even though it did not have an approved indirect costs plan, and charged questioned and unsupported costs to the federal grants. A copy of the audit report, including ELC's comments on the report, may be obtained from the Department's Office of Inspector General website at <http://www.ed.gov/about/offices/list/oig/auditreports/a03f0010.pdf>.

OBJECTIVES, SCOPE, AND METHODOLOGY

The objectives of the audit were to determine if (1) the ELC's subcontracting activities complied with the procurement standards set forth in EDGAR, (2) the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, and (3) any conflict of interest issues exist between ELC and its subcontractors. Our review covered the period July 1, 2002, through December 31, 2004.

To achieve the audit objectives, we performed the following. We reviewed applicable criteria contained in EDGAR (34 C.F.R. Part 74); OMB Circular A-122, *Cost Principles for Non-Profit Organizations*; and OMB Circular A-110, *Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations*. We reviewed ELC's grant applications and the grant award notices for the fiscal year 2002, 2003, and 2004 grant awards. We reviewed ELC's single audit reports and management letters for fiscal years 2002 and 2003. We also interviewed ELC's current Chief Executive Officer and Chief Financial Officer, and ELC's former Chief Executive Officers, Chief of Staff, Chief Operating Officer, Director of Federal Programs, Chief Policy Officer, and Chairman of the Board of Directors.

To determine if ELC's subcontracting activities complied with procurement standards, we performed the following. We reviewed ELC's policies and procedures covering procurement. We reviewed ELC's contracts and memorandum of understanding with ATI and TPR. We reviewed documents provided by ELC regarding the

selection of ATI and TPR. We also reviewed the Forrester Consulting study entitled *Use of Technology to Improve Student Achievement* and interviewed the Project Director at Forrester Consulting.

To determine if the subcontract costs for ATI and TPR charged to the federal grants were reasonable and allocable, we performed the following. We interviewed officials at ATI, including the Chief Executive Officer, Chief Financial Officer, Director of Finance, and Director of Project Management. We interviewed officials at TPR, including the Chief Executive Officer, Executive Vice President for Strategic Development, Executive Vice President for the K-12 Division, Vice President for the K-12 Division, and Division Controller for Test Preparation. We reviewed financial statements and reports for ATI and TPR covering calendar years 2002, 2003, and 2004. We reviewed all invoices submitted to ELC by ATI and TPR during the audit period. We compared the prices paid by ELC for software and training to ATI's and TPR's list prices. We compared ELC's purchase prices for software and training to the prices paid by ATI's and TPR's other clients. We judgmentally selected sales to ATI's and TPR's other clients for review. The universe of ATI's K-12 MegaSuite sales consisted of 13 sales in 2003 and 21 sales in 2004, excluding returns and sales to ELC. For each year, 2003 and 2004, the four largest sales to unique clients were selected. The universe of ATI's training sales was 51 sales in 2003 and 47 sales in 2004. Three training sales from 2003 and four training sales from 2004 were selected based upon the amount of the sale and the sales amount relative to ATI's list prices. The universe of TPR's Homeroom software sales consisted of 908 sales during the period August 2000 through December 2004. We selected the 20 largest Homeroom sales to unique clients and 10 smaller Homeroom sales; these selections were also used to review training sales. In selecting sales for review, we excluded multiple sales to the same client (other than the largest sale) and sales to ELC. Because there is no assurance that the judgmental samples were representative of the respective universes, the results should not be projected to the unsampled records.

To determine if any conflict of interest issues exist between ELC and its subcontractors, we performed the following. We reviewed ELC's Form 990, Return of Organization Exempt From Income Tax, for calendar years 2001, 2002, 2003, and 2004. We compared listings of officers, employees, and board members of ELC and its subcontractors. We reviewed ELC's sources of non-federal revenue for calendar years 2001, 2002, 2003, and 2004. We compared ELC's monthly bank account balances for calendar years 2002 through 2004 to estimates of ELC's monthly operating expenses. We reviewed documents pertaining to the significant contributions that ELC and its affiliate received from ATI and TPR in 2003.

The audit team obtained electronic files from ELC's accounting systems of record of ELC's 2001 and 2002 non-federal revenue, 2002 federal grant expenses, and 2003 and 2004 general ledgers. We conducted a preliminary assessment of the computer-processed data that was obtained from ELC. The audit team assessed the completeness of the 2001, 2002, and 2003 electronic data by comparing it to information contained in ELC's respective audited financial statements and, in the case of grant expenses, to GAPS drawdown data. All of the data was considered fairly complete. The audit team also assessed the accuracy of the data that was material to the audit's objectives by verifying it to documentation or through discussions. Nothing came to our attention in this limited review to indicate the data was not accurate. The audit team was unable to assess the completeness of the 2004 electronic data because ELC had not issued audited financial statements at the time our audit was performed. However, the data was obtained from ELC's accounting system of record and represents the same data used by ELC's management for decision-making and reporting purposes. Therefore, we considered the data sufficiently reliable for the purposes of this review.

As part of our audit, we assessed ELC's system of internal control, policies, procedures and practices applicable to ELC's subcontracting activities. For purposes of the audit, we assessed and classified the significant controls into the following category: procurement of goods and services with federal funds. Because of inherent limitations, a study and evaluation made for the limited purposes described above would not necessarily disclose all material weaknesses in internal controls. However, our assessment disclosed significant internal control weaknesses that adversely affected ELC's ability to administer the federal grant funds. These weaknesses resulted in ELC's procurement activities not complying with regulations. These weaknesses and their effects are fully discussed in the Audit Results section of this audit report.

We conducted on-site fieldwork at ELC's offices in Washington, DC during the period January 25, 2005, through March 28, 2005; at ATT's offices in Newton, MA during the period March 14, 2005, through March 18, 2005; and at TPR's offices in New York City, NY during the period May 24, 2005, through May 25, 2005. On March 31, 2006, we held an exit conference with ELC's management. Our audit was performed in accordance with generally accepted government auditing standards appropriate to the scope of the review described above.

ADMINISTRATIVE MATTERS

This report incorporates comments you provided in response to the draft report. If you have any additional comments or information that you believe may have a bearing on the resolution of this audit, you should send them directly to the following Department of Education officials, who will consider them before taking the final Departmental action on this audit:

William McCabe
Acting Chief Financial Officer
U.S. Department of Education
400 Maryland Avenue, SW
Washington, D.C. 20202-4300

Margo Anderson

Associate Assistant Deputy Secretary
Office of Innovation and Improvement
400 Maryland Avenue, SW
Washington, D.C. 20202-5900

It is the policy of the U.S. Department of Education to expedite the resolution of audits by initiating timely action on the findings and recommendations contained herein. Therefore, receipt of your comments within 30 days would be appreciated.

Statements that managerial practices need improvements, as well as other conclusions and recommendations in this report, represent the opinions of the Office of Inspector General. Determinations of corrective action to be taken will be made by the appropriate Department of Education officials.

In accordance with the Freedom of Information Act (5 U.S.C. § 552), reports issued by the Office of Inspector General are available to members of the press and general public to the extent information contained therein is not subject to exemptions in the Act.

We appreciate the cooperation and assistance extended by your staff during the audit. If you have any questions, please contact me at (215) 656-6279.

Sincerely,

/s/

Bernard Tadley

Regional Inspector General for Audit

cc: James Horne, Chairman, FTL

Attachments

Attachment 1: Supplemental Background Information

FIE Grants Awards:

During the period July 1, 2002, through December 31, 2004, ELC received three FIE grants totaling \$23,376,534 for the FTL project, as follows:

Award Date	Award Number	Award Amount	Award Type
July 1, 2002	R215U020001	\$3,501,000	Unsolicited grant
May 1, 2003	U215K030213	\$9,934,999	Congressionally directed
June 25, 2004	U215K040252	\$9,940,535	Congressionally directed

When the fiscal year 2005 grants, of \$9,594,623, to ELC are included, ELC was awarded FIE grants totaling \$32,971,157.

ATI and TPR Contracts:

In July 2002, ELC and ATI entered into a contract for the license, support, and implementation of ATI's Achieve Resource Center, Project Achieve Software Suite, and SkillsTutor software in up to 15 schools in one state. In October 2002, the contract was amended. The amendments changed the contract's term and authorized software licenses for six states. In January 2003, the contract was amended and restated. In addition to ELC and ATI, TPR became a party to the contract. The term of the amended and restated contract was January 1, 2003, through December 31, 2005. Under the contract, ELC guaranteed purchases from ATI and TPR equal to a percentage (ranging from 75 percent to 77 percent) of the funding ELC received for the FTL project during the term of the contract. ATI and TPR were to provide licenses, training and support for their products.

ATI's SkillsTutor and TPR's Homeroom:

ELC describes these products as follows. SkillsTutor is a web-based tool designed to help students master core subjects and skills. It focuses on four key areas, consisting of supplemental instruction and tutoring; diagnostic and prescriptive lessons; research-based content; and individualized instruction aligned to state and national standards. Homeroom is an online formative assessment and benchmarking tool aligned to state standards and

tests and designed to increase student achievement. It allows the tracking of student performance to assess trends and opportunities for remediation, and the use of data to develop individualized learning plans.

States Participating in the FTL Project:

State	No. of Schools	State	No. of Schools	State	No. of Schools
Alaska	135	Arizona	7	Florida	25
Iowa	80	Illinois	77	Massachusetts	42
Mississippi	83	Ohio	45	Pennsylvania	27
Tennessee	51	West Virginia	61	Total	633
Source: ATI's 2004 Billing Summary					

Attachment 2: Summary of ELC's Comparison of Software Vendors

Company	Criteria								
	Aligned With State Standards	Prescribes Individual Student Learning Path	Generates Curriculum & Lesson Plans	Creates Assessment Tests	Training & Service	Web Based	Parent Console	Student Console	Tutoring Component
Achievement Technologies, Incorporated	√	√	√	√	√	√	√	√	√
Company 2	√	√	√	√	√	√	No	√	√
Company 3	√	√	√	√	√	√	√	No	No
Company 4	√	No	√	√	√	√	√	√	No
Company 5	√	No	No	√	√	√	√	No	No
Company 6	√	No	√	√	Limited	√	No	No	√
Company 7	√	√	√	√	√	√	√	√	No
Company 8	√	√	√	√	√	√	√	No	√
Company 9	√	√	√	√	√	√	√	√	√

Note: √ indicates that the vendor met the criteria.

Source: ELC's vendor comparison matrix, prepared November 2002.

Attachment 3: Summary of Forrester Consulting's Comparison of Software Company Offerings

Forrester Consulting reviewed software that provided assessment, diagnostic and/or remedial solutions to help schools improve student test scores. Forrester Consulting reviewed the software from 10 companies, which were identified by ELC, and noted which offerings met specific criteria established by ELC. In the report's Executive Summary, Forrester Consulting states, "In most cases the companies meet many of the criteria. Some do not have alignment to textbooks or remedial content built into their application. Others are developing this capability. Still others believe that teachers have access to many materials, and as long as teachers know the specific area of students weakness, they can provide their own remedial materials."

Criteria	The Princeton Review	Achievement Technologies, Incorporated	Company 3	Company 4	Company 5	Company 6	Company 7	Company 8	Company 9	Company 10
Software Emphasis										
Analysis	√	-	√	√	√	√	√	√	√	√
Assessment	√	-	√	√	√	√	√	√	√	√
Remediation	-	√	-	√	√	√	-	-	-	-
Formative Assessments										
Aligned to State Standards	√	√	√	√	√	√	√	√	√	√
Linked to Specific Textbooks	√	√	√	√	Pending	Custom	No	No	No	√
Remediation Strategies										
Aligned to State Standards	√	√	√	√	No	√	No	No	√	√
Linked to Specific Textbooks	√	√	√	√	No	Custom	No	No	Some	√
Test Item Banks										
Sufficient to Assess Grades 3-12	√	√	Not Available	√	√	√	√	√	√	√
Same Idiom and Format of State Mandated Assessments	-	Similar	Not Available	-	Possibly	√	Custom	√	Possibly	√
Data										
Can be Disaggregated According to NCLB Specifications	√	√	√	√	√	√	√	√	√	√
Reporting Capabilities for Administrators, Principals, Teachers & Parents	√	√	√	√	√	√	√	√	√	√

Criteria	The Princeton Review	Achievement Technologies, Incorporated	Company 3	Company 4	Company 5	Company 6	Company 7	Company 8	Company 9	Company 10
Project Management										
Onsite Training – Initial	√	√	√	√	√	√	Varies	√	Online	√
Onsite Training - Ongoing	-	√	√	√	√	√	√	Support	√	Support
Follow-up School Visits	-	√	√	√	√	√	√	√	√	√
Consultant Services to District & School Leadership	√	√	√	√	√	√	Not Applicable	√	√	√
Customization										
Downloading Student Information Into System	√	√	√	√	√	√	√	√	√	√
Inputting Textbook Correlations	√	√	√	√	√	√	No	No	No	√
Inputting Alignment With State Standards	√	√	√	√	√	√	√	No	√	√
Hardware Compatibility	Hosted	Hosted	Hosted / LAN	Hosted / LAN	Hosted / PC	Hosted	Hosted	Hosted	Hosted / LAN	Hosted
Aggregation / Usage and Performance Data										
Student	√	√	√	√	√	√	√	√	√	√
School	√	√	√	√	√	√	√	√	√	√
District	√	√	√	√	√	√	√	√	√	√
State	-	No	√	√	√	√	√	√	√	No
National	-	No	√	Possibly	Possibly	√	√	Possibly	Possibly	No

Note: √ indicates that the vendor met the criteria.

Source: Forrester Consulting report entitled *Use of Technology to Improve Student Achievement, Review of Research and Software*, dated June 28, 2004.

Mr. Bernard Tadley
Office of the Inspector General
U.S. Department of Education
The Wannamaker Building
100 Penn Square East, Suite 502
Philadelphia, PA 19107

June 6, 2006

On behalf of Following the Leaders, Inc., we submit the following response to ED-OIG audit number A03-F003, Education Leaders Council's Subcontracting Activities, dated May 8, 2006 and prepared by the U.S. Department of Education's Office of the Inspector General (OIG)

In December of 2005, The Education Leaders Council (ELC) re-framed its organizational mission and changed its name to Following the Leaders (FTL). A new Chief Executive Officer, Dr. Faye P. Taylor, assumed leadership of the organization. Dr. Taylor replaced Mr. Theodor Rebarber who was the CEO from October, 2004 until December 2005. During their tenures, Dr. Taylor and Mr. Rebarber have worked diligently to correct operational difficulties that ELC had encountered primarily during the first six months of 2004.

FTL is now re-organized and in full compliance with all federal regulations governing the use of federal funds awarded by the United States Congress for the Following the Leaders program. Thus, while we concur with the findings concerning certain procurement protocols, we are pleased to report that we have corrected these problems.

The OIG's report identified one finding:

1. *ELC's Subcontracting Activities Did Not Comply With the Procurement Standards Set Forth in EDGAR.*

ELC Did Not Have Written Procurement Records

Auditee response: We concur that ELC did not have appropriate written procurement policies in place during the period audited by the OIG. However, new management has since developed written procurement policies with input from the OIG that comply with all EDGAR requirements. In addition, procurement activities since June of 2005 have been reviewed and approved by the Department of Education.

ELC Did Not Comply With Procurement Standards

Auditee Response: The OIG audit notes that no public bidding or similar open procurement process was used to enter into contracts with Achievement Technologies (ATI) and The Princeton Review (TPR). As the OIG audit also notes, however, ELC included ATI and TPR in its budget application to the Department of Education. ELC answered the Department's questions about sole source procurement to the satisfaction of the Department and the budget was approved. ELC subsequently included ATI and TPR by name in each budget application, each of which was also approved. ELC submitted program reports as required under the terms of the awards to the Department; these reports contained detailed updates on the objectives and projected outcomes of the grant activities. Again, the Department did not indicate any dissatisfaction with ELC's progress or with ATI and TPR's contribution. Finally, ATI and TPR's products were offered to Following the Leaders participants at a steep discount and neither ELC nor Department staff had reason to question the value of the services received (nor have they challenged costs under current contracts).

In conclusion, while we do not disagree with the importance of clear and sound operating protocols and acknowledge that procedures were not always written down as required, we do believe that the value of services and the deliverables received met the program objectives. Clearly, following certain steps prior to engaging a contractor's services can help ensure the quality of the product received. ELC believed that they had taken such steps, but documentation of the process was deemed insufficient. The organization has added additional requirements to its procurement protocols which will ensure that sufficient documentation exists to demonstrate that procurement decisions are consistent with the letter as well as the spirit of Federal regulations.

Sincerely,

/s/

Meave G. O'Marah, consulting Chief Financial Officer on behalf of Following the Leaders (formerly Education Leaders Council)

ⁱ(1) In order to differentiate the FTL organization from the project, the report refers to the organization as ELC, its former name.

ⁱⁱ(2) ELC's January 2003 contract defined SkillsTutor as ATI's K-12 MegaSuite, which included modules of ATI's SkillsTutor, Learning Milestones, and K-2 Learning Milestones software.

ⁱⁱⁱ(3) In 2003, ELC and its affiliate, the Education Leaders Action Council, reported \$1,326,817 in revenue from non-federal sources. In the same year, ELC and its affiliate received \$325,000 from TPR and \$147,000 from ATI.

^{iv}(4) Unless otherwise noted, all references to 34 C.F.R. Part 74 are to the July 1, 2002, edition.

^v(5) Attachment 2 presents a summary of ELC's comparison of the nine vendors.

^{vi}(6) Forrester Consulting report entitled *Use of Technology to Improve Student Achievement, Review of Research and Software*, dated June 28, 2004.

^{vii}(7) Attachment 3 presents a summary of the software comparison contained in the Forrester Consulting report.

Search

From: Olesen, Susie
Sent: Monday, March 08, 2010 4:52 PM
To: 'pautrey@usskills.net'
Cc: 'Michael Perik'; 'NicoleR@review.com'
Subject: Skills Iowa Final Report 08-09
Attachments: SkillsIowa_2008-09_Final Report_January2010.pdf

Hi all -

Here's a copy of the 2008-09 final report for Skills Iowa.

The new grant award arrived today. I will get after it tomorrow. Thanks,

Susie

Susan Olesen
Project Director
Skills Iowa |
641-745-5284 (cell)
641-743-6423 (home office)
641-743-6129 (fax)

Search

From: Olesen, Susie
Sent: Wednesday, January 20, 2010 3:48 PM
To: 'Phillip Autrey'; 'NicoleR@review.com'; 'Michael Perik'
Subject: FW: US Department of ED Earmark

Wanted you to see this grant award. I look forward to another year of working with you, Friends

Warmest regards,

Susie

From: Teller, Stephanie [mailto:Stephanie.Teller@ed.gov]
Sent: Wednesday, January 20, 2010 3:31 PM
To: Olesen, Susie
Subject: FW: US Department of ED Earmark

Dear Ms. Susan Olesen:

Iowa Association of School Boards was cited as a recipient of a Fund for the Improvement of Education (FIE) earmark in the US Department of Education Appropriations Act of 2010. I am writing to verify that your organization is the proper entity for this earmark award.

The congressional language for this earmark is: "Iowa Association of School Boards, Des Moines, IA, for continuation and expansion of the SKILLS Iowa program" in the amount of \$3,550,000.

In order to receive this earmark, you will need to submit an application to the Department of Education. We will send you a letter requesting the application, with guidelines on how to prepare the application along with the required forms. But first, I need to verify that you are the person to whom we should send the application guidelines. Please verify that the contact information given to us below is correct, and provide me with any changes.

Entity: Iowa Association of School Boards
Name: Susan Olesen
Title:
Address: 6000 Second Avenue
City: Des Moines
State: IA
Zip: 50312
Email: solesen@ia-sb.org
Phone: (515) 288-1991x222
Fax:

I will be coordinating the review of your application for this earmark and I look forward to working with you. Please let me know if you have any questions.

Thank you,
Stephanie

Stephanie L. Teller
Special Assistant
Teacher Quality Programs
U.S. Department of Education
Office of Innovation & Improvement

400 Maryland Ave. SW
Washington, DC 20202
Phone: (202) 260-0563
Fax: (202) 401-8466
Email: Stephanie.Teller@ed.gov

Search

From: Lagerblade, Randy
Sent: Monday, November 30, 2009 7:52 AM
To: 'Michael Perik'
Subject: RE: IASB Check

Good Morning Michael,

I'm glad that you found the check. Unfortunately, we have already placed a stop payment on it. The replacement check is being overnight delivered to you (at the right address). Please let me know if you do not have it by mid-morning tomorrow. Again, I apologize for the mishaps that have plagued this check.

Thanks,
Randy

Randall W. Lagerblade, CPA
Controller
515-247-7031

Any tax advice contained in this communication (including any attachments, enclosures or other accompanying materials) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions. Furthermore, this communication was not intended or written to support the promotion or marketing of any of the transactions or matters it may address.

-----Original Message-----

From: Michael Perik [mailto:MPerik@Review.com]
Sent: Sunday, November 29, 2009 7:41 AM
To: Lagerblade, Randy
Subject: IASB Check

Randy. Our landlord at the old address actually delivered the original check to us late last week. If you haven't stopped payment already we could go ahead and deposit it. Otherwise we'll return it to you for your records and will look forward to getting the replacement check.

Search

From: Michael Perik <MPerik@Review.com>
Sent: Sunday, November 29, 2009 7:41 AM
To: Lagerblade, Randy
Subject: IASB Check

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Search

From: Lagerblade, Randy
Sent: Tuesday, November 24, 2009 9:00 AM
To: 'Michael Perik'
Subject: RE: Out of Office AutoReply: Perik Invoice

Good Morning,
Sorry, but I have been out sick for a few days. It should have processed, but I will check on it this morning and let you know when you should have it.
Thanks,
Randy

Randall W. Lagerblade, CPA
Controller
515-247-7031

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-----Original Message-----

From: Michael Perik [mailto:MPerik@Review.com]
Sent: Tuesday, November 24, 2009 7:26 AM
To: Lagerblade, Randy
Subject: Re: Out of Office AutoReply: Perik Invoice

Randy. Just checking again on the check's status?

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Sent: Sun Nov 22 10:04:23 2009
Subject: Out of Office AutoReply: Perik Invoice

I will be out of the office on Wednesday & Thursday for our Annual Convention and on Friday for IASB's Board Meeting. I will be checking email and voice mail periodically, but may not respond until next Monday.
Thanks and I hope to see you at the Convention.
Randy

Search

From: Michael Perik <MPerik@Review.com>
Sent: Tuesday, November 24, 2009 7:26 AM
To: Lagerblade, Randy
Subject: Re: Out of Office AutoReply: Perik Invoice

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Randy

Search

From: Michael Perik <MPerik@Review.com>
Sent: Sunday, November 22, 2009 10:04 AM
To: Lagerblade, Randy
Cc: Olesen, Susie; Schueth, Jena
Subject: Re: Perik Invoice

Hi. Randy. I was just checking on the status of the replacement check.

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>; Schueth, Jena <JSchueth@ia-sb.org>
Sent: Tue Nov 17 11:56:35 2009
Subject: RE: Perik Invoice

Michael,

I apologize for the outdated address and delayed delivery of the check.
I will go ahead and issue a stop payment on the check and process a new one for you. We will also send it by overnight delivery once it has been processed.

Just to verify the address that the check should be going:

US Skills LLC
111 Speen Street
Suite 550
Framingham, MA 01701

Thank you for your patience in all of this.
Randy

Randall W. Lagerblade, CPA
Controller
515-247-7031

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-----Original Message-----

From: Michael Perik [mailto:MPerik@Review.com]
Sent: Tuesday, November 17, 2009 9:43 AM
To: Lagerblade, Randy
Cc: Olesen, Susie; Schueth, Jena

Subject: Re: Perik Invoice

Randy. That address is a couple of years old. Our new address was on the invoice. Can you stop payment on that check and issue a new one. I could give you our fedex number for it. It could take weeks for that envelope to be returned to you if it is ever returned.

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>; Schueth, Jena <JSchueth@ia-sb.org>
Sent: Tue Nov 17 09:37:08 2009
Subject: RE: Perik Invoice

Hi Michael,

I'm sorry to hear about the check. Here is the address that we sent it to:

US Skills LLC
93 Stafford St.
Worcester, MA 01603

Let me know if this is not correct.

Thanks,
Randy
Randall W. Lagerblade, CPA
Controller
515-247-7031

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-----Original Message-----

From: Michael Perik [mailto:MPerik@Review.com]
Sent: Tuesday, November 17, 2009 6:05 AM
To: Lagerblade, Randy
Cc: Olesen, Susie
Subject: Re: Perik Invoice

Randy. Still no check. What address did you send it to?

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>
Sent: Mon Nov 09 10:30:22 2009

Subject: FW: Perik Invoice

Good Morning,

We processed the check last week and put the check in the "proverbial" mail on Thursday night. Please let me know if you have not received it in the next day or two.

Thanks,

Randy

Randall W. Lagerblade, CPA

Controller

515-247-7031

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From: Olesen, Susie
Sent: Sunday, November 08, 2009 11:28 PM
To: Lagerblade, Randy
Subject: Perik Invoice

Hi Randy:

I spoke with Mike Perik on Friday and he wondered where IASB was with his invoice for \$107,900 for the last 13 schools. I checked my email and we received it and I forwarded it on to you on October 12. If you would like to communicate directly with him, I have attached his contact information. If you have any questions, let me know. Thanks, Randy.

Susie

Susan Olesen

Project Director

Skills Iowa

641-745-5284 (cell)

641-743-6129 (fax)

Search

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Sent: Sunday, November 22, 2009 10:04 AM
To: Lagerblade, Randy
Cc: Olesen, Susie; Schueth, Jena
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Sent: Tue Nov 17 11:56:35 2009
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I will go ahead and issue a stop payment on the check and process a new one for you. We will also send it by overnight delivery once it has been processed.

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111 Speen Street
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Framingham, MA 01701

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Susan Olesen

Project Director

Skills Iowa

641-745-5284 (cell)

641-743-6129 (fax)

Search

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Sent: Tuesday, November 17, 2009 1:26 PM
To: Lagerblade, Randy
Cc: Olesen, Susie; Schueth, Jena
Subject: Re: Perik Invoice

Randy. Many thanks for this. I appreciate it very much

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>; Schueth, Jena <JSchueth@ia-sb.org>
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Cc: Olesen, Susie <solesen@ia-sb.org>; Schueth, Jena <JSchueth@ia-sb.org>
Sent: Tue Nov 17 09:37:08 2009
Subject: RE: Perik Invoice

Hi Michael,

I'm sorry to hear about the check. Here is the address that we sent it to:

US Skills LLC
93 Stafford St.
Worcester, MA 01603

Let me know if this is not correct.

Thanks,
Randy
Randall W. Lagerblade, CPA
Controller
515-247-7031

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Sent: Tuesday, November 17, 2009 6:05 AM
To: Lagerblade, Randy
Cc: Olesen, Susie
Subject: Re: Perik Invoice

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Susie

Susan Olesen

Project Director

Skills Iowa

641-745-5284 (cell)

641-743-6129 (fax)

Search

From: Michael Perik <MPerik@Review.com>
Sent: Tuesday, November 17, 2009 1:26 PM
To: Lagerblade, Randy
Cc: Olesen, Susie; Schueth, Jena
Subject: Re: Perik Invoice

Randy. Many thanks for this. I appreciate it very much

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>; Schueth, Jena <JSchueth@ia-sb.org>
Sent: Tue Nov 17 12:56:35 2009
Subject: RE: Perik Invoice

Michael,

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I will go ahead and issue a stop payment on the check and process a new one for you. We will also send it by overnight delivery once it has been processed.

Just to verify the address that the check should be going:

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111 Speen Street
Suite 550
Framingham, MA 01701

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I spoke with Mike Perik on Friday and he wondered where IASB was with his invoice for \$107,900 for the last 13 schools. I checked my email and we received it and I forwarded it on to you on October 12. If you would like to communicate directly with him, I have attached his contact information. If you have any questions, let me know. Thanks, Randy.

Susie

Susan Olesen

Project Director

Skills Iowa

641-745-5284 (cell)

641-743-6129 (fax)

Search

From: Michael Perik <MPerik@Review.com>
Sent: Tuesday, November 17, 2009 6:05 AM
To: Lagerblade, Randy
Cc: Olesen, Susie
Subject: Re: Perik Invoice

Randy. Still no check. What address did you send it to?

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>
Sent: Mon Nov 09 10:30:22 2009
Subject: FW: Perik Invoice

Good Morning,

We processed the check last week and put the check in the "proverbial" mail on Thursday night. Please let me know if you have not received it in the next day or two.

Thanks,
Randy

Randall W. Lagerblade, CPA
Controller
515-247-7031

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From: Olesen, Susie
Sent: Sunday, November 08, 2009 11:28 PM
To: Lagerblade, Randy
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Search

From: Michael Perik <MPerik@Review.com>
Sent: Saturday, November 14, 2009 10:26 AM
To: Lagerblade, Randy
Cc: Olesen, Susie
Subject: Re: Perik Invoice

Randy. We never got the check. Could you check the address you sent it to?

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
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Cc: Olesen, Susie <solesen@ia-sb.org>
Sent: Mon Nov 09 10:30:22 2009
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Search

From: Michael Perik <MPerik@Review.com>
Sent: Monday, November 09, 2009 7:00 PM
To: Lagerblade, Randy
Cc: Olesen, Susie
Subject: Re: Perik Invoice

Randy. Thanks for the update. It hasn't arrived yet but I'm sure it will be here in a day or so.

Many Thanks
Mike

----- Original Message -----

From: Lagerblade, Randy <rlagerblade@IA-SB.org>
To: Michael Perik
Cc: Olesen, Susie <solesen@ia-sb.org>
Sent: Mon Nov 09 10:30:22 2009
Subject: FW: Perik Invoice

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Cc: Olesen, Susie
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Many Thanks
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Search

From: Olesen, Susie
Sent: Monday, November 09, 2009 9:51 AM
To: 'Michael Perik'
Subject: RE:

Yup - I think Randy's doing a good job.

-----Original Message-----

From: Michael Perik [mailto:MPerik@Review.com]
Sent: Monday, November 09, 2009 9:48 AM
To: Olesen, Susie
Subject:

Susie. Thanks. Good Sign.

Search

From: Olesen, Susie
Sent: Monday, November 09, 2009 9:32 AM
To: Lagerblade, Randy; 'MPerik@Review.com'
Subject: RE: Perik Invoice

Thanks so much, Randy.

From: Lagerblade, Randy
Sent: Monday, November 09, 2009 9:30 AM
To: MPerik@Review.com
Cc: Olesen, Susie
Subject: FW: Perik Invoice

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Susan Olesen
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641-743-6129 (fax)

Search

From: Michael Perik <MPerik@Review.com>
Sent: Tuesday, October 27, 2009 5:52 PM
To: Olesen, Susie
Subject: Re: Invoice

Susie. Thanks so much for following up on this item for us. I'm really looking forward to seeing you next week when I'm in the state.

----- Original Message -----

From: Olesen, Susie <solesen@ia-sb.org>
To: Michael Perik
Sent: Tue Oct 27 17:38:47 2009
Subject: Invoice

Hi Michael:

I received a note today from Randy Lagerblade, the IASB Controller, that indicated he had received your invoice and would process it this week. Thanks.

Susie

Susan Olesen

Project Director

Skills Iowa

641-745-5284 (cell)

641-743-6129 (fax)

Search

From: Olesen, Susie
Sent: Tuesday, October 27, 2009 4:39 PM
To: 'Michael Perik'
Subject: Invoice

Hi Michael:

I received a note today from Randy Lagerblade, the IASB Controller, that indicated he had received your invoice and would process it this week. Thanks.

Susie

Susan Olesen
Project Director
Skills Iowa |
641-745-5284 (cell)
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Search

From: Olesen, Susie
Sent: Thursday, October 15, 2009 4:42 PM
To: 'NicoleR@review.com'; 'Michael Perik'; 'Phillip Autrey'
Cc: 'Linda Kraft'; Lippold, Jim
Subject: FW: Hello from Manson!

Read from the bottom up. Thought you might enjoy hearing about the good work two of our Skills Iowa folks are doing and what a gift these tools are to Iowa kids. I'm passing this on to Senator Harkin's office. What a great way to end the day!

Hope you are all well.

Susie

From: Olesen, Susie
Sent: Thursday, October 15, 2009 4:40 PM
To: 'Godwin'
Subject: RE: Hello from Manson!

Hi Bridget -

I was having an AVERAGE day until I heard from you and now it's FABULOUS. Thanks so much for recognizing the hard work and devotion of the fine folks who work for Skills Iowa. They respond well and do their best work when they get to interact with hard working, committed faculty and I know you must be one of those great people. Thanks for all you do. Have a good Friday and a great weekend. And thanks so much for recognizing Jim and Linda. I agree that they are both really good at their jobs and committed to helping Iowa educators get the tools they need to teach all kids.

Susie

From: Godwin [mailto:godwin@lowatelecom.net]
Sent: Thursday, October 15, 2009 4:22 PM
To: Olesen, Susie
Subject: Hello from Manson!

Hi, Susie.
My name is Bridget Godwin. I am the Skills Iowa coordinating teacher in the MNW CD. I've had the pleasure of working with Jim Lippold this year. He has been very helpful, I'm calling him often with questions and he is always so nice. Linda Kraft came to spend the day in our district and she was amazing! I learned so much today from her and am excited about this program all over again! Thank you for choosing such great leaders to help us understand and implement Skills Iowa! :) I hope your day was as enjoyable as mine.
Bridget Godwin

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To: Olesen, Susie
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Bridget Godwin

Search

From: Olesen, Susie
Sent: Monday, October 12, 2009 1:40 PM
To: 'Michael Perik'
Subject: RE:

Thanks, Michael. It is a pleasure to work with you. Hope you are warmer in Rhode Island than we are in Iowa!

Susie

-----Original Message-----

From: Michael Perik [mailto:MPerik@Review.com]
Sent: Monday, October 12, 2009 1:25 PM
To: Olesen, Susie
Subject: Fw:

Susie, I hope you have had a wonderful weekend. As we discussed I am enclosing an invoice for the additional 13 schools that we were requested to activate into the Skills Iowa Software Suite.

As always we appreciate the opportunity to be of service to the IASB and your state's students and teachers.

Best Regards
Michael

----- Original Message -----

From: Michael Perik <michaelperik@hotmail.com>
To: Michael Perik
Sent: Mon Oct 12 14:15:47 2009
Subject:

Hotmail: Free, trusted and rich email service. Get it now. <<http://clk.atdmt.com/GBL/go/171222984/direct/01/>>

Search

From: Michael Perik <MPerik@Review.com>
Sent: Monday, October 12, 2009 1:25 PM
To: Olesen, Susie
Subject: Fw:
Attachments: SkillsIA AddSchools 0909.xls; IASB Invoice. Federal 2009 New2.xls

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To: Michael Perik

Sent: Mon Oct 12 14:15:47 2009

Subject:

Hotmail: Free, trusted and rich email service. Get it now. <<http://clk.atdmt.com/GBL/go/171222984/direct/01/>>

Search

From: Gannon, Mary
Sent: Tuesday, March 23, 2010 10:13 AM
To: [REDACTED]
Cc: [REDACTED]
Subject: [REDACTED]

[REDACTED] you need to contact Carol Greta at the Iowa Department of Education. I've cc-ed Carol for you. Thanks.

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, March 23, 2010 10:09 AM
To: Gannon, Mary; Blair, Darlene
Cc: [REDACTED]
Subject: [REDACTED]

Good morning,

I am writing to inquire if there is a process that can be done to appeal a decision made by our local school board.

It was determined some time ago that a school in our district was going to have to close due to decreased enrollment and budget issues. The decision came down to two schools [REDACTED]

While I am tied to [REDACTED] through the PTA and understand that I have personal stake in this as well, I have great concern with this decision on another level. Four of the seven voting members have a personal affiliation with [REDACTED]. Two have children that attend the school, one has a wife on staff and one lives directly across the street. [REDACTED]. It was those four that voted to keep [REDACTED]. The other three strongly felt that [REDACTED] was the better school. The District Improvement Team stated in their findings that [REDACTED] was the most efficient school to keep open, as did many parents when the district did a school tour so that the community could compare schools.

Another concern is that the proceedings at the meeting last night were confusing with some board members not clear on how the vote was being taken and the president of the board many times told other board members that their opinions were out of line.

The concerns brought forth by the community members that spoke on [REDACTED] were often of concerns of decline in property value rather than the benefits of one school over the other. [REDACTED] is a larger building, has separate gym and cafeteria and has room to expand [REDACTED] in enrollment, [REDACTED] [REDACTED] landlocked and the cafeteria/ gym is much too small for the students they already have.

Myself and others strongly believe that this decision was based on personal bias and are interested in finding out if we have any options on requesting an appeal with the process being taken to a [REDACTED] that has no personal loss or gain in this decision.

Thank you for your consideration,
[REDACTED]

Search

From: [REDACTED]
Sent: Monday, February 08, 2010 10:45 AM
To: Vens, Mary Jane
Subject: RE:

I don't know that coming from me, anything is going to be received. I will ask [REDACTED] about the ethics policy.

From: Vens, Mary Jane [mailto:mvens@ia-sb.org]
Sent: Monday, February 08, 2010 10:24 AM
To: [REDACTED]
Subject: RE:

All you really can do is keep emphasizing, at the board table, getting the board to agree...that this is an important decision and one that has to be made together...every step of the way. This is frustrating to keep repeating, but it is important.

Do you think doing a review of your ethics policy would be helpful?

From: [REDACTED]
Sent: Monday, February 08, 2010 9:56 AM
To: Vens, Mary Jane
Subject: RE:

I have told [REDACTED] what you have said and will talk to [REDACTED]

We have a meeting tonight with a work session on budget cuts and I've heard that we will have a full room.

[REDACTED] put a flyer down at the coffee shop asking community members if they wanted to be on the committee to choose the new superintendent to call the office by 1:00 today. I don't know how to make him understand that he cannot act as the board and do these kinds of things on his own.

Thanks,
Linda

From: Vens, Mary Jane [mailto:mvens@ia-sb.org]
Sent: Monday, February 08, 2010 9:12 AM
To: [REDACTED]
Subject: RE:

Ask your board president to get an item on the agenda regarding positive steps the board can take, [REDACTED], that will strengthen the school system. For example the board might want to get some talking points on your good student achievement results out. Try to refocus the majority of the board on the fact that this is a district who needs strong leadership to move it into the future.

CC this to your superintendent and ask what he thinks.

Sent: Thursday, February 04, 2010 2:09 PM

To: Vens, Mary Jane

Subject: RE:

Mary Jane,

I'm sure you've heard by now that [REDACTED] Unfortunately [REDACTED] made it well known that he was against it and gave "reasons" why the school should not pass it, in spite of the vote of the Board. A coalition was formed who took his information (even some that was erroneous) and ran with it. I'm not sure why [REDACTED] would want to take on our district - (1) Our Board is dysfunctional (2) Our community doesn't support the school system (3) We are probably going to be in trouble financially. I've heard already that some of our employees are beginning to look for different jobs. The sad thing is that the kids are the ones who will suffer. I'm not sure what to do next.

Linda

From: Vens, Mary Jane [mailto:mvens@ia-sb.org]

Sent: Tuesday, January 12, 2010 2:38 PM

Subject: RE:
[REDACTED]

Well. Oh my.

#1, I know this is not going to be what you want to hear, but this could possibly be the worst time imaginable for you to leave the board.

In times of challenge the natural need for the board to have well-educated (especially in the role of the board), thoughtful board members increases many fold. You are so needed at this time. Try finding some outlets from stress (run a mile after every board meeting, call me the next morning, keep a journal on what happens and devise positive actions for you to take.... anything that helps you stay focused and doesn't let this "get to you" too much.)

#2. [REDACTED] I am glad that the board passed it. Now, how can the board help "up the interest" of the public in voting for it? I would ask you to consider ways you can get a clear vision of your financial picture before the board at every meeting. Stan is very good at this, and even though he is leaving he can do a great deal of good helping this clarity come before the public at every turn. Enlist the help of other administration to keep this focused reporting going and clear. Make sure it is not just one person speaking. Or one viewpoint. You have some talented former board members. Enlist their help in attending meetings and using their informed knowledge to "set the record straight." Jackie Black on our staff can be of help to you and Stan on thinking about ways to clarify the picture, and about the positive impact of good information being continually provided for the board to use as a communication tool to the public.

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Please let me know what you are thinking and what I can do.

Mary Jane

Sent: Tuesday, January 12, 2010 12:47 PM
To: Vens, Mary Jane
Subject:

Dear Mary Jane,

I need some information and you may just want to tell me who I need to ask if it's not you. I am seriously considering resigning from [REDACTED] and don't know what steps I need to take.

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[REDACTED]

Search

From: Vens, Mary Jane
Sent: Monday, February 08, 2010 10:24 AM
To: [REDACTED]
Subject: RE:

All you really can do is keep emphasizing, at the board table, getting the board to agree...that this is an important decision and one that has to be made together...every step of the way. This is frustrating to keep repeating, but it is important.

Do you think doing a review of your ethics policy would be helpful?

From: [REDACTED]
Sent: Monday, February 08, 2010 9:56 AM
To: Vens, Mary Jane
Subject: RE:

I have told [REDACTED] Board President, what you have said and will talk to [REDACTED]

We have a meeting tonight with a work session on budget cuts and I've heard that we will have a full room.

[REDACTED] put a flyer down at the coffee shop asking community members if they wanted to be on the committee to choose the new superintendent to call the office by 1:00 today. I don't know how to make him understand that he cannot act as the board and do these kinds of things on his own.

Thanks,
[REDACTED]

From: Vens, Mary Jane [mailto:mvens@ia-sb.org]
Sent: Monday, February 08, 2010 9:12 AM
Subject: RE: [REDACTED]

Ask your board president to get an item on the agenda regarding positive steps the board can take, in view of [REDACTED] not passing, that will strengthen the school system. For example the board might want to get some talking points on your good student achievement results out. Try to refocus the majority of the board on the fact that this is a district who needs strong leadership to move it into the future.

CC: this to your superintendent and ask what he thinks.

From: [REDACTED]
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Mary Jane,

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[REDACTED]

From: Vens, Mary Jane [mailto:mvens@ia-sb.org]

Sent: Tuesday, January 12, 2010 2:38 PM

Subject: RE:

[REDACTED]

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I know you have probably heard that we are having problems with our new board member. We are close to being dysfunctional. I have tried to talk to him but do not have any effect as (1) he does not respect women and (2) he knows what we need to do and if the other Board members would just follow his lead we could straighten everything that needs fixed. We voted to bring [REDACTED] to the public for another vote (he voted no and the rest of us yes – which is the way most votes go). He has been talking to community members telling them that we don't really need [REDACTED] that he could trim \$700,000 from our budget immediately if the rest of us would just listen. Unfortunately his trimming involves cutting our special ed program and other things that we can't do. The public doesn't know what is involved but has the perception that he has the answers but that the rest of us are stuck in our old way of doing things. We really need the ISL but I feel we're fighting a losing battle when the public knows the Board is not united in this.

On top of this [REDACTED] has resigned so we need to replace him or share with another district. [REDACTED] stated last night that he wants to look for someone quite different – someone without an education degree. Theresa just kind of ignored him and we went on and set a time to interview consultant firms but I can see now that it is going to be another conflict.

Honestly I don't know if I have strength or presence of mind to fight this battle.

Because [REDACTED] has resigned I feel that he doesn't want to fight the battle either. (Although [REDACTED] doesn't respect him either.)

I have asked [REDACTED] if she may need to contact IASB to get some help or suggestions as to what to do, but so far she hasn't.

As you can see, I'm really struggling. What should I do?



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From: Black, Jackie
Sent: Friday, March 12, 2010 8:00 AM
To: Heiligenthal, Harry
Cc: Blair, Darlene; Gannon, Mary; Maxson, Connie; Forgrave, Megan
Subject: Jackie B-re ISCAP Tim O, Steve H and series of emails re IASB

Good morning Harry,

Please see the below sequence of emails. I would like you to be aware of this information.

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To: Smith, LeGrande
Subject: FW: ISCAP

I received some correspondence below and my response is attached. We are probably going to have to respond strongly, including potentially a meeting or at a minimum a conference call. I guess I should have anticipated this question, it is a fair question. FYI.

I am out today but I know you are looking for a document that I have in my file. I know of the document but will have to do a little digging to get it for you. thanks for the call last week.

From: Oswald, Timothy
Sent: Tuesday, March 09, 2010 10:37 AM
To: Halvorsen Stephen
Cc: Richter Brian
Subject: ISCAP

Hi Steve,

ISCAP is a 28E organization not owned by IASB. IASB is not your borrower, and you have no exposure to IASB, nor do you have any right to demand repayment from IASB if there is ever a shortage in ISCAP. The collateral you have in exchange for your credit exposure is the GIC, which is controlled by iscap and no iasb, and the school's repayment obligation under each individual warrant, which is not pledged or controlled by iasb. IASB provides administrative assistance to ISCAP (they administer the draws and repayments, which are

handled by the trustee, and they administer the receipt of documents etc submitted by schools to evidence their interest in ISCAP). The only item of interest would be the FLR, which my memory is controlled by the trustee on behalf of the credit bank (you).

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I would like to talk about the going forward program, obviously we are operating on an understanding that you are interested in being the credit provider. When do you have time for a discussion (today is bad for me)?

Tim

From: stephen.halvorsen@usbank.com [mailto:stephen.halvorsen@usbank.com]
Sent: Tuesday, March 09, 2010 8:10 AM
To: Oswald, Timothy
Cc: brian.richter@usbank.com
Subject: ISCAP - IASB - Recent articles in the press

Hi Tim,

I have read the recent articles in the Des Moines Register regarding alleged financial misconduct and oversight problems at the IASB.

I need to get comfortable knowing that the bank's collateral and source of repayment t under the Letter of Credit are in tact and uncompromised in any way. Are you in a position to provide this comfort? If there are any concerns in this regard please let me know. I would like to have a meeting with the relevant board as soon as possible if there are any concerns..

As a separate item, we should discuss how this might affect the ISCAP going forward.

Thanks.

Steve Halvorsen
Government & Nonprofits Debt Finance
Tel: (312) 325-8941

U.S. BANCORP made the following annotations

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For additional disclosure information see <http://www.piperjaffray.com/disclosures>

Search

From: Black, Jackie
Sent: Thursday, March 11, 2010 9:35 AM
To: Blair, Darlene
Cc: Gannon, Mary; Maxson, Connie; Delagardelle, Mary; Forgrave, Megan
Subject: FW: ISCAP

Hi Darlene,

As we just talked, we will want to ask Mary G. how to proceed with legal counsel in LeGrande's absence on these issues.

Thanks!

Jackie

From: Oswald, Timothy [mailto:Timothy.J.Oswald@pjc.com]
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Cc: Black, Jackie
Subject: ISCAP

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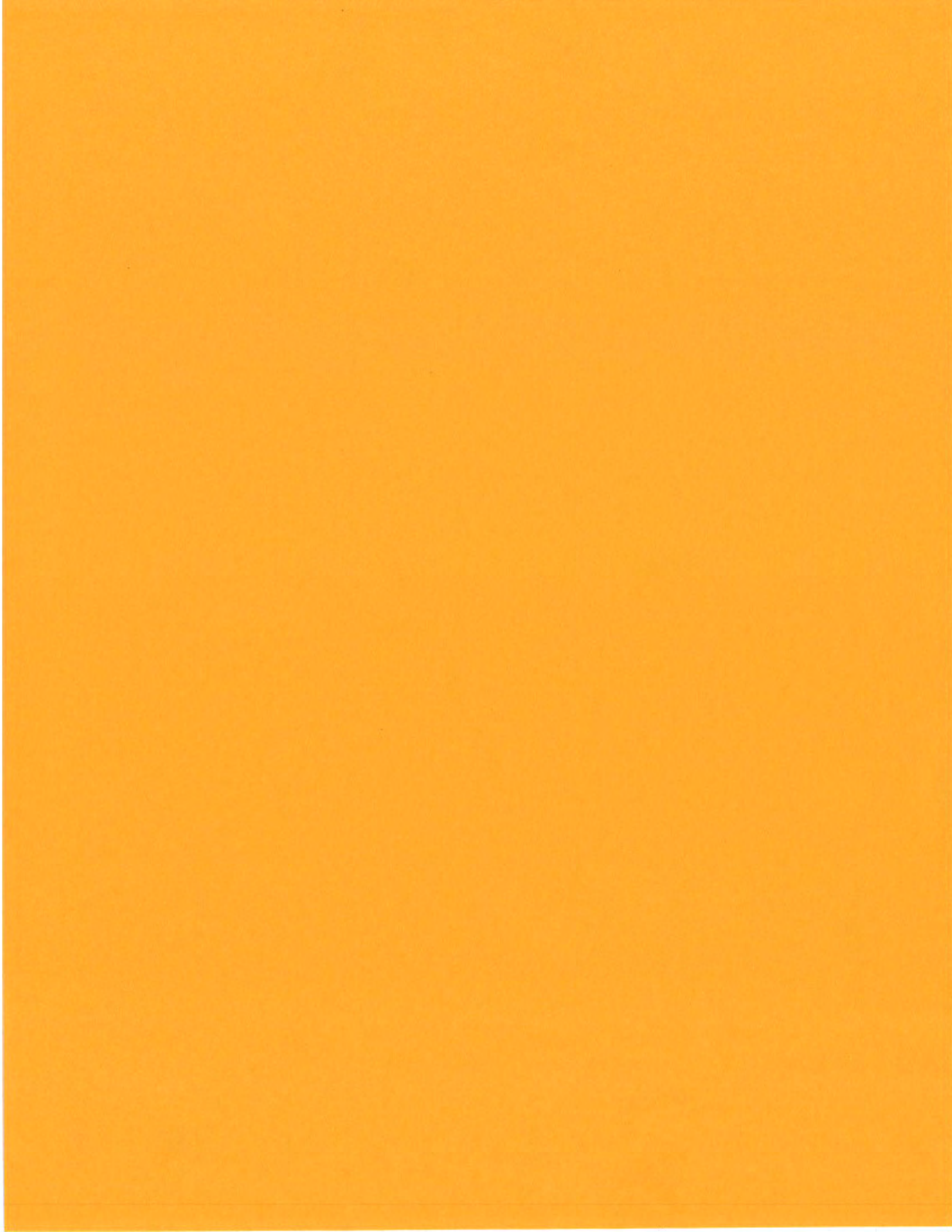
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Search

From: Forgrave, Megan
Sent: Friday, April 30, 2010 5:48 PM
To: Gannon, Mary
Subject: RE: DMR call

Thanks!

-----Original Message-----

From: Gannon, Mary
Sent: Friday, April 30, 2010 5:26 PM
To: 'elizabeth.nigut@dmps.k12.ia.us'
Cc: Forgrave, Megan
Subject: DMR call

Sheena Dooley just called and wanted to know about the confidentiality of layoffs and was calling about DM. She wanted to know if the name and position was confidential. I told her I knew the name was, until bd action, but didn't know about position as I've never been asked nor looked into it. She asked if DM's procedure was "typical" and I told her it's a long statutory process bds have to follow. I sent her to our manual on-line and she seemed fine with that. FYI.

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Search

From: Walsh, Sharon <swalsh@desmoine.gannett.com>
Sent: Friday, April 30, 2010 1:31 PM
To: Blair, Darlene
Subject: RE: ISCAP Minutes and Bills for Publication

Darlene – I can get these in on Wednesday, May 5.

Thanks!!!

Sharon

Sharon Walsh

Legals Clerk
Des Moines Register
email: legals@dmreg.com
Phone: (515) 284-8715
Fax: (515) 284-8146

From: Blair, Darlene [mailto:dblair@ia-sb.org]
Sent: Friday, April 30, 2010 1:21 PM
To: Walsh, Sharon
Subject: ISCAP Minutes and Bills for Publication

Sharon @ Des Moines Register

For Publication: Attached are the minutes and accounts paid from the April 20, 2010 ISCAP Board Meeting.
Thanks.

Darlene Blair

Executive Assistant

Iowa Association of School Boards
6000 Grand Avenue
Des Moines, IA 50312-1417
Phone: 515-247-7042
Fax: 515-247-7041
Email: dblair@ia-sb.org
www.ia-sb.org

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www.ia-sb.org

Search

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Friday, April 30, 2010 4:43 AM
To: Forgrave, Megan
Subject: Google Alert - "Iowa Association of School Boards"

Follow Up Flag: Follow up
Flag Status: Flagged

Google News Alert for: "Iowa Association of School Boards"

School board group's former chief declines to answer questions

DesMoinesRegister.com

By CLARK KAUFFMAN • ckauffman@dmreg.com • April 30, 2010 The former executive director of the Iowa Association of School Boards appeared before the ...

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Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Thursday, April 29, 2010 5:48 PM
To: Forgrave, Megan
Subject: Re: Update?

Follow Up Flag: Follow up
Flag Status: Flagged

OK, thanks.

I know that Larry's testimony raised some questions for lawmakers today ... and will for readers, as well.

Would it be possible for you to provide a breakdown of the fees paid by Welch Products to IASB for school purchases of playground tile? I'd like to know the rate of pay (per tile?) and the total amount paid since the program was launched.

I realize you may not have those numbers at your fingertips, but perhaps you could provide them next week? (I assume there's an IASB contract with Welch, and I'd like to see that, also.)

Clark

On 4/29/10 5:36 PM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Regarding Jack Hill's ties to the recruiting firm, here's what I know; you may want to double-check this with Jack, his attorney or the search firm because I have only spoken with people currently here.

I understand that Jack and Dick VandeKieft (former board member who was on the board at the time) had both at some point in the past assisted with some of the firm's searches; for those searches that they helped with, they would have received some pay. I believe they disclosed all of that at the beginning of the process, and explained that they would not receive any pay for the IASB search, as they were not involved in it in any way from the search firm's side. I do not know what kind of work either of them did on any other searches, or how extensive it was.

Thanks,
Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Tuesday, April 27, 2010 3:55 PM
To: Forgrave, Megan
Subject: Update?

Megan,

Any word on the handwriting analysis or Jack Hill's ties to the recruiting firm?

Search

From: Forgrave, Megan
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To: 'Kauffman, Clark'
Subject: RE: Update?

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Megan,

Any word on Jack Hill's affiliation with the recruiting company hired by IASB?

Clark

On 4/27/10 6:39 PM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Trying to reach one more person on the issue of ties to the recruiting firm...

And I hope to have information regarding the handwriting analysis to share with the oversight committee on Thursday.

Thanks,
Megan

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From: ShafferCompany PC <roger@shaffercpa.com>
Sent: Thursday, April 29, 2010 10:02 AM
To: Forgrave, Megan
Subject: Re: The time has arrived

I think Kathie Obradovich from the Des Moines Register is going to be on twitter at the hearing.

Roger

----- Original Message -----

From: "Forgrave, Megan" <mforgrave@ia-sb.org>
To: "ShafferCompany PC" <roger@shaffercpa.com>
Sent: Thursday, April 29, 2010 9:59 AM
Subject: RE: The time has arrived

Starts at 10:30.

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From: ShafferCompany PC [mailto:roger@shaffercpa.com]
Sent: Thursday, April 29, 2010 9:56 AM
To: Blair, Darlene; Forgrave, Megan
Subject: Re: The time has arrived

what time is the hearing today?

Roger

----- Original Message -----

From: "Forgrave, Megan" <mforgrave@ia-sb.org>
To: "jurrens" <jurrens@siebring.com>
Cc: "Wiesley, Russ" <rwiesley@mchsi.com>; "Heiligenthal, Harry" <hheiligenthal@ia-sb.org>; "Darrell Dettermann" <dgd@goldfieldaccess.net>; "George Wheeler" <georgeandlinda@mchsi.com>; "Jim Green" <jgreen@aea10.k12.ia.us>; "Joan Corbin" <joan_david@mac.com>; "Temple, Katie" <templereeve@msn.com>; "Grimley, Lee Ann" <grimleys@netins.net>; "DeZona, Marcia" <mdezonia@aol.com>; "Mike Sexton" <mike@twinlakesenviro.com>; "Clewell, Richard" <rclewell@mchsi.com>; "Roger Shaffer" <shafferr@sumner.k12.ia.us>; "Hansen, Scott" <scotth@netins.net>; "Susan Shaw" <sshaw@forestcity.k12.ia.us>; "Wieseler, Thomas" <twiesele@coe.edu>; "Nolden Gentry" <nolden.gentry@brickgentrylaw.com>; "Matt.Brick@BrickGentryLaw.com" <mbrick@mac.com>; "Blair, Darlene" <dblair@ia-sb.org>; "Stotts, Colette" <CStotts@IA-SB.org>

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Note to Board-

I know several of you are interested in hearing the oversight committee today... I have contacted a few people and Radio Iowa's Kay Henderson might blog, if her battery lasts. I haven't heard back that anyone else is livestreaming.

If I can find a wireless spot during lunch, I will send an update. I may also text updates to Darlene or Colette today and ask them to forward them on to you all.

Thank you

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To: "jurrens" <jurrens@siebring.com>
Cc: "Wiesley, Russ" <rwiesley@mchsi.com>; "Heiligenthal, Harry" <hheiligenthal@ia-sb.org>; "Darrell Dettermann" <dgd@goldfieldaccess.net>; "George Wheeler" <georgeandlinda@mchsi.com>; "Jim Green" <jgreen@aea10.k12.ia.us>; "Joan Corbin" <joan_david@mac.com>; "Temple, Katie" <templereeve@msn.com>; "Grimley, Lee Ann" <grimleys@netins.net>; "DeZona, Marcia" <mdezonia@aol.com>; "Mike Sexton" <mike@twinlakesenviro.com>; "Clewell, Richard" <rclewell@mchsi.com>; "Roger Shaffer" <shafferr@sumner.k12.ia.us>; "Hansen, Scott" <scotth@netins.net>; "Susan Shaw" <sshaw@forestcity.k12.ia.us>; "Wieseler, Thomas" <twiesele@coe.edu>; "Nolden Gentry" <nolden.gentry@brickgentrylaw.com>; "Matt.Brick@BrickGentryLaw.com" <mbrick@mac.com>; "Blair, Darlene" <d Blair@ia-sb.org>; "Stotts, Colette" <CStotts@IA-SB.org>

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Sent: Thursday, April 29, 2010 9:56 AM
To: Forgrave, Megan
Subject: Re: IASB Oversight Documents

Follow Up Flag: Follow up
Flag Status: Flagged

Good to know.

On 4/29/10 9:55 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Yes.

-----Original Message-----

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Megan,

Jack Hill has resigned?

Clark

On 4/29/10 9:39 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

IASB has placed all of the documents it is providing to the Legislative Government Oversight Committee on its Web site, and they are now available. Please visit www.ia-sb.org <<http://www.ia-sb.org>><<http://www.ia-sb.org>><<http://www.ia-sb.org>><<http://www.ia-sb.org>>, or the direct link at

<http://www.ia-sb.org/infocenter2col.aspx?fldr=278=3606=3608> <<http://www.ia-sb.org/infocenter2col.aspx?fldr=278&top=3606&bottom=3608&i>><<http://www.ia-sb.org/infocenter2col.aspx?fldr=278&top=3606&bottom=3608&i>>
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om=3608&id=9342><<http://www.ia-sb.org/infocenter2col.aspx?fldr=278&top=3606&bottom=3608&i>>

Thank you.

Megan (Hawkins) Forgrave
Communications Director
Iowa Association of School Boards
6000 Grand Avenue

Des Moines, Iowa 50312-1417

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1-800-795-4272

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Cell: (515) 229-1705

Fax: (515) 247-4680

www.ia-sb.org <<http://www.ia-sb.org/>><<http://www.ia-sb.org/>><<http://www.ia-sb.org/>><<http://www.ia-sb.org/>>

Search

From: Forgrave, Megan
Sent: Thursday, April 29, 2010 9:56 AM
To: 'Kauffman, Clark'
Subject: RE: IASB Oversight Documents

Follow Up Flag: Follow up
Flag Status: Flagged

Yes.

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Thursday, April 29, 2010 9:54 AM
To: Forgrave, Megan
Subject: Re: IASB Oversight Documents

Megan,

Jack Hill has resigned?

Clark

On 4/29/10 9:39 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

IASB has placed all of the documents it is providing to the Legislative Government Oversight Committee on its Web site, and they are now available. Please visit www.ia-sb.org <<http://www.ia-sb.org>><<http://www.ia-sb.org>> , or the direct link at <http://www.ia-sb.org/infocenter2col.aspx?fldr=278&top=3606&bottom=3608&id=9342> <<http://www.ia-sb.org/infocenter2col.aspx?fldr=278&top=3606&bottom=3608&id=9342>><<http://www.ia-sb.org/infocenter2col.aspx?fldr=278&top=3606&bottom=3608&id=9342>>

Thank you.

Megan (Hawkins) Forgrave
Communications Director
Iowa Association of School Boards
6000 Grand Avenue
Des Moines, Iowa 50312-1417
(515) 288-1991, ext. 236
1-800-795-4272
Direct Line: (515) 247-7036
Cell: (515) 229-1705
Fax: (515) 247-4680
www.ia-sb.org <<http://www.ia-sb.org/>><<http://www.ia-sb.org/>>

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Search

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Thursday, April 29, 2010 5:04 AM
To: Forgrave, Megan
Subject: Google Alert - "Iowa Association of School Boards"

Google News Alert for: "Iowa Association of School Boards"

School group's subpoena stands

DesMoinesRegister.com

By CLARK KAUFFMAN • ckauffman@dmreg.com • April 29, 2010 The former executive director of the **Iowa Association of School Boards** is expected to appear before ...

[See all stories on this topic](#)

Tip: Use a minus sign (-) in front of terms in your query that you want to exclude. [Learn more](#).

[Remove this alert.](#)
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[Manage your alerts.](#)

Search

From: Charlene Dunphy <cdunphy@crestonschools.org>
Sent: Wednesday, April 28, 2010 3:40 PM
To: Kendall, Angie
Subject: Re: Information for Thursday's ICN Session

No one from the Creston Schools will be attending.

On Wed, Apr 28, 2010 at 3:32 PM, Kendall, Angie <akendall@ia-sb.org> wrote:
April 28, 2010

ICN Contacts for Safety Group:

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Marlow	Dan	Agent	Central Financial Group	Algona
McEnany	Maxine	Director of Finance	Bettendorf CSD	Bettendorf
Hintze	Joe	Business Manager	North Scott	Bettendorf
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Deke	David	Agent	Deke Insurance	Bettendorf
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Rees	Joni	Business Manager	Guthrie Center CSD	Guthrie Center
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Kreimeyer	Robert	Agent	Ins. Store, LTD	Guthrie Center
Smith	Steve	Superintendent	Guthrie Center School	Guthrie Center
Rees	Joni	School Board Secretary	Guthrie Center School	Guthrie Center
Benton	Becky	Agent	Guthrie Center School	Guthrie Center
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Nichols	Randall	Superintendent	E-NP CSD	Iowa Falls
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Harris	Craig	Agent	Harris-Potter Agency	Iowa Falls
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Teigland	Mike	Superintendent	Indianapla CSD	Johnston
Jester	Bob		Jester Insurance	Johnston
Seefeld	John		Jester Insurance	Johnston
Kauffman	Melissa		Jester Insurance	Johnston
Friedman	Janelle		Jester Insurance	Johnston
Lane	Jim		Jester Insurance	Johnston
Ferris	Alan	Agent	Castle Dick & Kelch	Latimer
Jared	Kelly	Business Manager	West Delaware	Manchester
Schmidt	Mary	Agent	Dolan Insurance	Manchester
Dolan	John	Agent	Dolan Insurance	Manchester
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Sheetz	Jerry	Agent	Lyle Insurance Agency	Millersburg
Lyle	Janet	Agent	Lyle Insurance Agency	Millersburg
Lyle	<TD style="B			

...

[Message clipped]

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cjd

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From: Kendall, Angie
Sent: Wednesday, April 28, 2010 3:33 PM
To: Kendall, Angie
Subject: Information for Thursday's ICN Session
Attachments: Safety Group Registration & Eval Sheet.doc

Importance: High

April 28, 2010

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Westendorf	Cherie	School Secretary	Keota CSD	Millersburg
Woythaler	Lenny	President	Insterstate Ins.	Newton
Marting	Nathan	Superintendent	Jesup CSD	Oelwein
Brown	Staci	Board President	Jesup CSD	Oelwein
Vogel	Kurt	Agent	Jesup CSD	Oelwein
Patera	Jim	Superintendent	Oelwein CSD	Oelwein
Vogel	Matt	Agent	Miller-Vogel Ins.	Oelwein
Lowe	Joan	Business Manager	Oelwein CSD	Oelwein

Stocker	Charlene	Board Member	Oelwein CSD	Oelwein
Bass	Steve	Superintendent	Osage CSD	Osage
Mitchell	Karla	Board Member	Osage CSD	Osage
Blakestad	Dale	Agent	St. Ansgar CSD	Osage
Hamrick	Tom	Superintendent	St. Ansgar CSD	Osage
Stoutner	Marlene	Business Manager	Sigourney CSD	Ottumwa
Doyle	Pat	Agent	Gamrath-Doyle & Assoc	Ottumwa
Judkins	Beverly	Agent	North Side Insurance	Ottumwa
Gonnerman	Amy	Agent	North Side Insurance	Ottumwa
Shirley	Ed	Bld/Grounds Supervisor	Centerville CSD	Ottumwa
Woodruff	Mark	Agent	Mark Woodruff Ins. Agy	Ottumwa
Burgett	John	Producer	McCune & Reed Inc	Ottumwa
Donner	John	Business Manager	Ottumwa CSD	Ottumwa
Banyas	Steve	Producer/President	McCune & Reed, Inc.	Ottumwa
Bassett	Betsy	Board Sec/Bus Mgr.	Davis County	Ottumwa
Roberts	Dan	Dir. Of Support Services	Davis County	Ottumwa
Kline	Richard	Agent/Kline Ins & RE	Villisca CSD	Red Oak
Coates	Bulinda	Agent	United Group Ins.	Red Oak
Waltz	Joni	Agent	United Group Ins.	Red Oak
Schmidt	Terry	Superintendent	Red Oak CSD	Red Oak
Maxwell	Shirley	Business Manager	Red Oak CSD	Red Oak
Huls	Sue	Business Manager	Boyden-Hull CSD	Sioux Center
Grond	Steve	Superintendent	Boyden-Hull CSD	Sioux Center
Bruxvoort	Bob	Agent	Wesselink Ins Agency	Sioux Center
Gotto	Joann	Business Manager	Sioux Center Schools	Sioux Center
O'Donnell	Pat	Superintendent	Sioux Center Schools	Sioux Center
Taylor	Randy	School Board	Rock Valley CSD	Sioux Center
Mosier	Dennis	Superintendent	Rock Valley CSD	Sioux Center
Fuoss	Tom	Agent	Rock Valley/Sheldon	Sioux Center
Treimer	David	Agent	Treimer's Ins.	Sioux Center
Evans	Lynn	Superintendent	HMS	Sioux Center
Richardson	Gary	Superintendent	MOC/Floyd Valley	Sioux Center
Zeutenhorst	Tim	Agent	VanEngelenhoven Agy	Sioux Center
Hess	Wayne	Chief Financial Officer	Northwest AEA	Sioux City
Schermann	Steve	Business Manager	Northwest AEA	Sioux City

Any questions, please let me knot.

Angie Kendall

Policy/Online Services Specialist

Iowa Association of School Boards

6000 Grand Avenue

Des Moines, Iowa 50312-1417

(515) 247-7047

1-800-795-4272

FAX: (515) 247-7093

www.ia-sb.org

IASB is an organization of elected school board members dedicated to assisting school boards in achieving their goal of excellence and equity in public education.



THINK GREEN. Please consider the environment before printing this e-mail, thanks!

Search

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Doerscher	Dave	Agent	Garms Financial Service	Elkader
Stumberg	Gary	Dir. Of Admin. Services	Keystone AEA	Elkader
Shea-Tajaren	Teresa	Human Resources Assoc	Keystone AEA	Elkader
Oleson	Karen	Administrative Assistant	Spirit Lake CSD	Emmetsburg
Smith	Steve	Superintendent	Guthrie Center CSD	Guthrie Center
Rees	Joni	Business Manager	Guthrie Center CSD	Guthrie Center
Schnobrich	Forrest	Agent	Ins. Store, LTD	Guthrie Center
Kreimeyer	Robert	Agent	Ins. Store, LTD	Guthrie Center
Smith	Steve	Superintendent	Guthrie Center School	Guthrie Center
Rees	Joni	School Board Secretary	Guthrie Center School	Guthrie Center
Benton	Becky	Agent	Guthrie Center School	Guthrie Center
Robbins	John	Superintendent	Iowa Falls & Alden	Iowa Falls
Nichols	Randall	Superintendent	E-NP CSD	Iowa Falls
Vander Wilt	Gary	Agent	Brown-Hurst Ins	Iowa Falls
Larson	Loren	Agent	Harris-Potter Agency	Iowa Falls
Harris	Craig	Agent	Harris-Potter Agency	Iowa Falls
Greufe	Janet	Business Manager	Northeast Hamilton CSD	Jewel
Headley	Sue	Business Manager	South Hamilton CSD	Jewel
Moeller	Darcy	Business Manager	Indianapla CSD	Johnston
Teigland	Mike	Superintendent	Indianapla CSD	Johnston
Jester	Bob		Jester Insurance	Johnston
Seefeld	John		Jester Insurance	Johnston
Kauffman	Melissa		Jester Insurance	Johnston
Friedman	Janelle		Jester Insurance	Johnston
Lane	Jim		Jester Insurance	Johnston
Ferris	Alan	Agent	Castle Dick & Kelch	Latimer
Jared	Kelly	Business Manager	West Delaware	Manchester
Schmidt	Mary	Agent	Dolan Insurance	Manchester
Dolan	John	Agent	Dolan Insurance	Manchester
Meyer	Dr. Alan	Superintendent	East Marshall Comm	Marshalltown
Meyer	Dr. Alan	2 guests with him	East Marshall Comm	Marshalltown
Meyer	Dr. Alan	2 guests with him	East Marshall Comm	Marshalltown
Schaeffer	Brian	Business Manager	Nevada CSD	Marshalltown
Sheetz	Jerry	Agent	Lyle Insurance Agency	Millersburg
Lyle	Janet	Agent	Lyle Insurance Agency	Millersburg
Lyle	Jared	School Board President	Keota CSD	Millersburg
Westendorf	Cherie	School Secretary	Keota CSD	Millersburg
Woythaler	Lenny	President	Insterstate Ins.	Newton
Marting	Nathan	Superintendent	Jesup CSD	Oelwein
Brown	Staci	Board President	Jesup CSD	Oelwein
Vogel	Kurt	Agent	Jesup CSD	Oelwein
Patera	Jim	Superintendent	Oelwein CSD	Oelwein
Vogel	Matt	Agent	Miller-Vogel Ins.	Oelwein
Lowe	Joan	Business Manager	Oelwein CSD	Oelwein

Stocker	Charlene	Board Member	Oelwein CSD	Oelwein
Bass	Steve	Superintendent	Osage CSD	Osage
Mitchell	Karla	Board Member	Osage CSD	Osage
Blakestad	Dale	Agent	St. Ansgar CSD	Osage
Hamrick	Tom	Superintendent	St. Ansgar CSD	Osage
Stoutner	Marlene	Business Manager	Sigourney CSD	Ottumwa
Doyle	Pat	Agent	Gamrath-Doyle & Assoc	Ottumwa
Judkins	Beverly	Agent	North Side Insurance	Ottumwa
Gonnerman	Amy	Agent	North Side Insurance	Ottumwa
Shirley	Ed	Bld/Grounds Supervisor	Centerville CSD	Ottumwa
Woodruff	Mark	Agent	Mark Woodruff Ins. Agy	Ottumwa
Burgett	John	Producer	McCune & Reed Inc	Ottumwa
Donner	John	Business Manager	Ottumwa CSD	Ottumwa
Banyas	Steve	Producer/President	McCune & Reed, Inc.	Ottumwa
Bassett	Betsy	Board Sec./Bus Mgr.	Davis County	Ottumwa
Roberts	Dan	Dir. Of Support Services	Davis County	Ottumwa
Kline	Richard	Agent/Kline Ins & RE	Villisca CSD	Red Oak
Coates	Bulinda	Agent	United Group Ins.	Red Oak
Waltz	Joni	Agent	United Group Ins.	Red Oak
Schmidt	Terry	Superintendent	Red Oak CSD	Red Oak
Maxwell	Shirley	Business Manager	Red Oak CSD	Red Oak
Huls	Sue	Business Manager	Boyden-Hull CSD	Sioux Center
Grond	Steve	Superintendent	Boyden-Hull CSD	Sioux Center
Bruxvoort	Bob	Agent	Wesselink Ins Agency	Sioux Center
Gotto	Joann	Business Manager	Sioux Center Schools	Sioux Center
O'Donnell	Pat	Superintendent	Sioux Center Schools	Sioux Center
Taylor	Randy	School Board	Rock Valley CSD	Sioux Center
Mosier	Dennis	Superintendent	Rock Valley CSD	Sioux Center
Fuoss	Tom	Agent	Rock Valley/Sheldon	Sioux Center
Treimer	David	Agent	Treimer's Ins.	Sioux Center
Evans	Lynn	Superintendent	HMS	Sioux Center
Richardson	Gary	Superintendent	MOC/Floyd Valley	Sioux Center
Zeutenhorst	Tim	Agent	VanEngelenhoven Agy	Sioux Center
Hess	Wayne	Chief Financial Officer	Northwest AEA	Sioux City
Schermann	Steve	Business Manager	Northwest AEA	Sioux City

Any questions, please let me know.

Angie Kendall

Policy/Online Services Specialist

Iowa Association of School Boards

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FAX: (515) 247-7093

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IASB is an organization of elected school board members dedicated to assisting school boards in achieving their goal of excellence and equity in public education.



THINK GREEN. Please consider the environment before printing this e-mail, thanks!

Search

From: Forgrave, Megan
Sent: Tuesday, April 27, 2010 6:40 PM
To: 'Kauffman, Clark'
Subject: RE: Update?

Trying to reach one more person on the issue of ties to the recruiting firm...

And I hope to have information regarding the handwriting analysis to share with the oversight committee on Thursday.

Thanks,
Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Tuesday, April 27, 2010 3:55 PM
To: Forgrave, Megan
Subject: Update?

Megan,

Any word on the handwriting analysis or Jack Hill's ties to the recruiting firm?

Clark

Search

From: Forgrave, Megan
Sent: Tuesday, April 27, 2010 4:03 PM
To: 'Matt.Brick@BrickGentryLaw.com'
Cc: 'Nolden Gentry'; 'Doug Fulton'; 'Laura Luetje'
Subject: RE: Oversight documents

[REDACTED]

Thanks!

Megan

-----Original Message-----

From: Matt.Brick@BrickGentryLaw.com [mailto:mbrick@mac.com]
Sent: Tuesday, April 27, 2010 3:59 PM
To: Forgrave, Megan
Cc: Nolden Gentry; Doug Fulton; Laura Luetje
Subject: Re: Oversight documents

Megan,

[REDACTED]

[REDACTED]

[REDACTED]

Matthew S. Brick
Brick Gentry P.C.
6701 Westown Parkway, Suite 100
West Des Moines, IA 50325
Phone: 515-274-1450
Fax: 515-271-1753
Matt.Brick@BrickGentryLaw.com

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On Apr 27, 2010, at 1:09 PM, Forgrave, Megan wrote:

[REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

> [REDACTED]

> Megan

> [REDACTED]

> [REDACTED]

> Megan (Hawkins) Forgrave
> Communications Director
> Iowa Association of School Boards
> 6000 Grand Avenue
> Des Moines, Iowa 50312-1417
> (515) 288-1411, ext. 236
> 1-800-795-1172
> Direct Line: (515) 247-7036
> Cell: (515) 249-1705
> Fax: (515) 247-4680
> www.ia-sb.org <<http://www.ia-sb.org/>>

> <FirstSetAprilDocs.zip>

Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Tuesday, April 27, 2010 3:55 PM
To: Forgrave, Megan
Subject: Update?

Megan,

Any word on the handwriting analysis or Jack Hill's ties to the recruiting firm?

Clark

Search

From: Forgrave, Megan
Sent: Monday, April 26, 2010 10:12 PM
To: 'Jamie Buelt'
Subject: RE: Press Release for Feedback

Hi Jamie-

I don't think I've gotten anything yet from you regarding suggestions for proceeding with the press briefing this week... Just checking to make sure I haven't missed an email from you. Fyi, Nolden and I are meeting with staffers for the oversight committee tomorrow at 10 a.m. Thanks!

Megan

From: Jamie Buelt [mailto:jbuelt@enqstrategies.com]
Sent: Monday, April 26, 2010 7:28 AM
To: Heiligenthal, Harry; Forgrave, Megan
Subject: RE: Press Release for Feedback

Sorry for not getting this yesterday. The email was caught in my spam filter. I tracked my changes.

This morning's story stirred the pot a bit, but opened some opportunities for us.

Jamie Buelt
515-249-1857

From: Heiligenthal, Harry [mailto:hheiligenthal@ia-sb.org]
Sent: Sun 4/25/2010 1:01 PM
To: Forgrave, Megan; Jamie Buelt
Subject: Press Release for Feedback

Megan & Jamie,

1) One of the other things we talked about possibly including was the criteria used for selecting candidates. Nolden/I talked with Marcia on Fri afternoon (I believe Megan had stepped out of the conf room part of the time to answer a call with Clark K, so she may have missed this part of the discussion.

I've inserted the notes I captured from the phone call with Marcia/Nolden in red font on the attached release. I'm not the communication expert so don't know how much to include, so if it makes sense to include the criteria here's a rough draft. We can smooth it out tomorrow if we decide to include it.

2) Is it worth including a statement from the "IASB UPDATE" a couple of weeks ago about the board's plan to look for a long term intermin or to at least make reference to this or does this just sound defensive or make the release too long?

HH

From: Forgrave, Megan
Sent: Sunday, April 25, 2010 11:26 AM
To: Jamie Buelt

Cc: Heiligenthal, Harry

Subject: Press Release for Feedback

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I plan to send this draft to the entire board before their 7 p.m. meeting tonight... please let me know if you receive it, otherwise I may call.... Thanks in advance!

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Search

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Monday, April 26, 2010 7:55 PM
To: Forgrave, Megan
Subject: Google Alert - "Iowa Association of School Boards"

Google Web Alert for: "Iowa Association of School Boards"

Iowa Association of School Boards - Publications

It is furnished with the understanding that the Iowa Association of School Boards is not engaged in rendering legal or other professional services. ...

www.ia-sb.org/WorkArea/linkit.aspx?LinkIdIdentifier=id...

Iowa Association of School Boards given \$16 million in taxpayer money

Iowa Association of School Boards given \$16 million in taxpayer money. It's not clear which legislator authored the two provisions that directed the money ...

m.dmregister.com/news.jsp?key=640917&re=ln&p=2

IASB INVESTIGATION: The beleaguered Iowa Association of School ...

An investigation into the Iowa Association of School Boards found the agency received more than \$16 million in taxpayer money in the past six years. ...

www.moneyanecdote.co.uk/.../iasb-investigation-the-beleagu...

Iowa Association of School Boards given \$16... - Iowa - FriendFeed

Iowa Association of School Boards given \$16 million in taxpayer money|IASB's Skills Iowa program collected money .. <http://oohja.com/xbFpa>.

friendfeed.com/.../iowa-association-of-school-boards-given-16

Iowa Association of School Boards given \$16 million in taxpayer ...

Iowa Association of School Boards given \$16 million in taxpayer money: By CLARK KAUFFMAN • ckuffman@dmreg.com • A... <http://bit.ly/ddOCXw>.

twitter.com/denn62/status/12881603901

Tip: Use a plus sign (+) to match a term in your query exactly as is. [Learn more](#).

[Remove this alert.](#)

[Create another alert.](#)

[Manage your alerts.](#)

Search

From: Jamie Buelt <jbuelt@enqstrategies.com>
Sent: Monday, April 26, 2010 9:04 AM
To: Forgrave, Megan
Subject: RE: Press Release for Feedback

Late morning is good. Early afternoon is good. Late afternoon is dicey.

From: Forgrave, Megan [mailto:mforgrave@ia-sb.org]
Sent: Monday, April 26, 2010 8:03 AM
To: Jamie Buelt
Subject: RE: Press Release for Feedback

Also, would love to touch base today... what is your schedule like for late morning or afternoon? Thanks!

From: Jamie Buelt [mailto:jbuelt@enqstrategies.com]
Sent: Monday, April 26, 2010 7:28 AM
To: Heiligenthal, Harry; Forgrave, Megan
Subject: RE: Press Release for Feedback

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515-249-1857

From: Heiligenthal, Harry [mailto:hheilighenthal@ia-sb.org]
Sent: Sun 4/25/2010 1:01 PM
To: Forgrave, Megan; Jamie Buelt
Subject: Press Release for Feedback

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Cc: Heiligenthal, Harry

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Search

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Search

From: Forgrave, Megan
Sent: Monday, April 26, 2010 7:44 AM
To: 'Jamie Buelt'
Subject: RE: Press Release for Feedback

Thanks, Jamie. Yes, I was going to call you and then didn't get there... a few updates. We need to finish the background check before we can announce, so I'm waiting this morning to hear about timing. Also, four people abstained, so I need to reword that... Russ, then two people because they weren't in on the interview process, and a fourth I need to check on the reason - or perhaps we don't name reasons. Anyway, will take a look at these changes now. Thanks!

Megan

From: Jamie Buelt [mailto:jbuelt@enqstrategies.com]
Sent: Monday, April 26, 2010 7:28 AM
To: Heiligenthal, Harry; Forgrave, Megan
Subject: RE: Press Release for Feedback

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Search

From: Heiligenthal, Harry
Sent: Sunday, April 25, 2010 1:12 PM
To: DeZona, Marcia; Forgrave, Megan
Subject: Megan F/Marcia D-criteria from phone call

Megan/Marcia,

When Nolden/Marcia/I were on the conf call on Fri (I think Megan had stepped out of the room to respond to a call from Clark K), Marcia mentioned key criteria the interview sub-committee and whole board used when interviewing candidates last week. I jotted the info below in my notebook thinking that previously Megan had suggested the IASB Board may want to use this info when the board was ready to communicate the long term CEO it had selected (to be decided and we can rely Megan and Jamie's advice/guidance).

These criteria need wordsmith'ing which we can do on Mon, but here's the info I had written down during the last Fri's call. Please touch base with each other about this before tonight's conf call if possible.
Harry

- Proven leadership experience, preferably in difficult circumstances/situations
- Broad-based networking experience in the education community
- Well known and recognized in Iowa in the education field
- A candidate with clear plan to lead IASB in moving forward
- Willingness and experience to get out in the field and connect with and re-build relationships with members

Search

From: Heiligenthal, Harry
Sent: Sunday, April 25, 2010 1:12 PM
To: DeZona, Marcia; Forgrave, Megan
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Search

From: Heiligenthal, Harry
Sent: Sunday, April 25, 2010 1:01 PM
To: Forgrave, Megan; 'Jamie Buelt'
Subject: Press Release for Feedback
Attachments: StalkerPR2.doc

Importance: High

Megan & Jamie,

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Cc: Heiligenthal, Harry
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Search

From: DeZona, Marcia
Sent: Saturday, April 24, 2010 4:12 PM
To: Heiligenthal, Harry
Subject: Fwd: IASB

oops wrong e-mail

-----Original Message-----

From: mdezonia@aol.com
To: rbauer@prairiepride.org; rwiesley@mchsi.com; grimleys@netins.net; cityoflg@netins.net; anplsurg@grm.net; jurrens@siebring.com; sshaw@forestcity.k12.ia.us; shafferr@sumner.k12.ia.us; mike@twinlakesenviro.com; templereeve@msn.com; rclewell@mchsi.com; twiesele@coe.edu; scotth@netins.net; joan_david@mac.com; georgeandlinda@mchsi.com; jgreen@aea10.k12.ia.us; dgd@goldfieldaccess.net
Cc: hheilgenthal@ia-sb.org
Sent: Sat, Apr 24, 2010 4:08 pm
Subject: Re: IASB

Dear Mr. Bauer,

Thank you for taking time to write and share your thoughts about IASB. I would be glad to share with you my perspective as an IASB board member. These are by personal thoughts and observations and I do not pretend to speak for the whole board.

I served on the board for 2 1/2 years during Ron Rice's leadership. During that time I would characterize the board work as very staff directed. The staff lead in the establishment of new services and programs and in directing those programs. The board advised and made what I believe to be informed decisions from information provided by the staff. We trusted them to provide us accurate information and that was indeed the case.

When Ron decided to retire, he advised the Executive committee regarding a selection process. The process followed, using MacPherson, Jacobson was recommended by the staff since we had encouraged other boards to use their services there was a belief that we should also use them. There is legitimate room for criticism in how this process was carried out and the amount of input the whole board had in who would be interviewed. The whole board did participate in the interview process and we did not come to a consensus on an candidate, so we decided to start again.

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I do not know exactly why Dr. Kilcrease decided to continue Dr. Schick on his temporary contract. We now know that some questions were raised about his background by some of our employees, however these were not listened to, or believed apparently. Again, because of our organizational structure, the BOD did not have to approve the hiring of the CFO. I personally, did not know that Dr. Schick was a contract employee until he resigned in January.

From what I am beginning to understand, Dr. Schick, convinced everyone, including Dr. Kilcrease and the BOD that the financial problems were fairly severe, and he was working to clarify them, but hampered by lack of cooperation from staff,

particularly previous staff. I believe the state of the state and national economy did cause us some financial difficulties, but that some of what Dr. Schick and Dr. Kilcrease believed to be problems were a misunderstanding of how some of the business entities actually worked.

Knowing what I know now, I would have asked to speak to the auditors directly at the November or January meeting. I have learned several lessons about how aggressive a board of directors should be in pursuing information. I have never had this experience in the past, where the executive leading my board directly lied to me and was willing to tell all the other employees in the organization that they could not speak personally to board members. My board experience has been that when I ask questions and am provided information by the staff, that I rely on that information to make decisions. If that information is wrong, then it is my responsibility as a board member to deal with the executive who is hired directly by the board. I don't know that there is a way to guarantee that someone you hire doesn't hide information from you, lie to you, manipulate data to show only what they want to show and misrepresent personal issues. I can't even find words to describe how disappointed, upset, sick to my stomach and angry I felt when I begin to understand the depth of the lies and deception that happened from the time of our September 09 board meeting until the March 10 board meeting when Dr. Kilcrease was put on leave.

This is what happened as IASB. As soon as the board, particularly Lee Ann, became aware of some answers that didn't add up, she checked directly with the external auditors and found out the truth, that they had been told, even threatened with a lawsuit, if they tried to contact the board members. Lee Ann had access to information that other board members did not because she became a member of the executive committee. In this case, the executive committee was very useful.

I believe the BOD acted as quickly as we possibly could once there was an indication that there had been misrepresentations and lies. During the 2 weeks that Dr. Kilcrease was on paid leave, the board had the fiduciary responsibility to use our lawyers and investigators to determine exactly what happened so that we could build evidence to make sure we could fire Dr. Kilcrease, without future financial obligation, and to make sure we had evidence in case we end up in court over her contract or regarding anything else that could affect IASB financially.

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I think you are accurate that there are many organizational and policy issues at IASB that need review and revision. We need to have some more double checks on accountability of staff and ensure open paths of communication between the board and staff and our outside vendors. When there are problems, the holes or potential holes in your policies become much more evident. However, I don't believe that policies or board practices were the underlying problem. Policies cannot completely protect any organization from Executives who lie, misrepresent and cheat. Several of our policies were very helpful in finding out about the despicable action fairly quickly. Our whistle blower policy allowed several staff who had specific evidence of problems to turn that evidence over to the board and ultimately the lawyers and gave us evidence of wrong doing. Our accounting policy regarding expenditures, also quickly uncovered the inappropriate credit card expenditures.

I think that we all would love to believe, and lay awake at night wondering, if we missed signals that we should have caught earlier. I am sure there are things I could have done better. More questions asked, more persistence, more clarity demanded. With that said, I fail to see how having the whole board resign will do anything but make the situation worse. The board has been forced to learn how to ensure the continuity of our business services with less staff leadership. We have spent countless hours over the last 2 months trying to right the ship, making sure we are protecting the continuity of the association legally and financially, and keeping up our services to our member schools. As you point out, we all are board members in our own local districts who are also going through time consuming meetings and often difficult decisions. We all have jobs, also. Many of us have used up a lot of our personal vacation time and some good will from our employees to serve IASB and the organization. Starting over with a new board, may be the right choice in the future, but I can't see how bringing in a group of people who don't know the policies, business services and current unresolved issues can help the organization.

I appreciate your honesty in sharing your feelings. I, too, am angry and disappointed that dollars that came from my school district, were not used as I had hoped or trusted.

I recognize that when I volunteered to be on the board of directors and was elected by schools in my district, that I bear responsibility for the poor outcome of our hiring decision of Dr. Kilcrease. I recognize that I bear responsibility for the loss of trust of member schools. I am deeply sorry and apologize to you and your fellow board members.

I also believe that no IASB board member acted carelessly or irresponsibly. We may not have used the best process for hiring a director, but we did not do anything illegal or against our own board policy. No board member received anything that has enriched them. In fact, our board members have worked to correct the problems at great personal sacrifice. I hope that now that the lawyers and investigators are finishing up their work on the associations behalf, that we will be able to be more public about what actually happened. Until that time, I would hope that you would understand the responsibility of the board, first and foremost, to the association, and be willing to give us the benefit of the doubt that we are working hard to ensure that IASB can continue to provide their important services to schools and local boards. I do not believe the board has "earned" the harshness of your words.

Sincerely,

Marcia DeZonia

IASB board of directors from district 5

Gilbert School district board of directors

-----Original Message-----

From: Randy Bauer <rbauer@prairiepride.org>

To: rwiesley@mchsi.com <rwiesley@mchsi.com>; grimleys@netins.net <grimleys@netins.net>; cityoflg@netins.net <cityoflg@netins.net>; anplsurg@grm.net <anplsurg@grm.net>; jurrens@siebring.com <jurrens@siebring.com>; sshaw@forestcity.k12.ia.us <sshaw@forestcity.k12.ia.us>; shafferr@sumner.k12.ia.us <shafferr@sumner.k12.ia.us>; mike@twinlakesenviro.com <mike@twinlakesenviro.com>; mdezonia@aol.com <mdezonia@aol.com>; templereeve@msn.com <templereeve@msn.com>; rclewell@mchsi.com <rclewell@mchsi.com>; twiese@coe.edu <twiese@coe.edu>; scotth@netins.net <scotth@netins.net>; joan_david@mac.com <joan_david@mac.com>; georgeandlinda@mchsi.com <georgeandlinda@mchsi.com>; jgreen@aea10.k12.ia.us <jgreen@aea10.k12.ia.us>; dgd@goldfieldaccess.net <dgd@goldfieldaccess.net>

Sent: Sat, Apr 24, 2010 11:55 am

Subject: IASB

I am writing this e-mail and continue to be concerned about the future of IASB.

Here in Linn County we have regular scheduled meetings with our Legislators - the last on was on the Saturday before the last full week of the Legislature. Senator Dvorsky provided some interesting insight - the Senator told us that IASB is viewed to be a Republican institution by those in the Legislature. The logic is this - the ISEA is viewed to be Democratic, therefore if you have views opposite of ISEA you must be a member of the opposition party. I think that this is an important backdrop. I was told by a couple members of the minority party that IASB will be a campaign issue this fall, I am not going to share their names because this was a one-on-one private conversation that we had. The minority party also told me that once the Legislature adjourned, this would become a big deal. They also pointed out that that last subpoena that were issued for something like this was associated with CEITC. This is the political reality of the situation.

Before I go any further I should tell you that the views that are expressed here are those of an individual member and in no way represent the views of the College Community Board of Education, the Administration, employees of the District or its patrons.

I appreciate the time that you all spend not only on your local school boards but in service to IASB so I hope that none of you take what I have to say as personal.

I am disappointed in the response of the IASB. For an organization that preaches accountability as a local board member I have seen very little accountability by the BOD of the IASB. Instead it seems like you have adopted a "circle the wagons" approach. This will not serve any of us well. It has been sickening to see the comments that have been posted by readers of the Des Moines Register when articles on this issue have been posted. We are all being painted with this brush - the message here is one of that all school board members are crooks and incompetent. I realize that this represents a small fraction of the readers of the Register, however it seems like everyday we are seeing a new scandal in government someplace (CEITC, IA Film Office tax credits, the Ft Dodge Culver campaign contribution issue) that should shake Iowans faith in government. Until now for the most part local school boards have escaped this. We have lost the public relations battle - when I say we, it is both the IASB and the local school boards. I realize that the Register is all about selling newspapers and scandals sell papers, but the other side has won this battle and put IASB on the defensive. I am not sure you all get how serious this thing is.

I am also disappointed that I have not heard from the BOD of IASB that you are accountable for this mess and it happened on your watch. I am disappointed that for your first appearance before the Legislature you sent your attorney and auditor. Members of the Legislature also noticed this and according to my sources none to pleased - the old "circle the wagons" defense. I am disappointed that you have not taken accountability for the hire of Maxine, nor have you taken accountability for the lack of oversight.

It seems to me that the IASB has lost the faith and trust of the Iowa Legislature and the membership; while I still support the mission of the IASB I have lost both total trust and faith in not only the management but also the Board of Directors of the IASB and wonder if the leadership has what it takes to get the organization out of its current situation. I would urge IASB to come clean on all of those things that MAY have the appearance of impropriety, while it will be painful and there will be a lot of criticism leveled it is the only way that trust can be restored in the organization. Once you come clean, then the healing can begin. If you circle the wagons and 6 months down the road there is another one of these appearance of impropriety issues that will be the death knell of IASB.

I don't have to tell you that local school boards are under intense pressure right now as we wrestle with budget issues. It is more important than ever that local boards be upright and forthcoming in there governance issues and be open and transparent. It is ironic that the organization that trains us and provides advice in how to transact business in an open and transparent fashion has not operated under the same rules. In my mind IASB has created a bit of a stigma for local boards by this recent turn of events - guilt by association if you will. It seems like everyday we read about some government official who has acted improperly, up until this point school boards in Iowa have avoided that, we want to continue to do so.

I know that we are coming up on membership renewal time - I also note that I and my Superintendent are scheduled to meet next week with Mary Gannon and Jim Green. I presume that this is the renew the membership push. While I cannot speak for the rest of the CCSD School Board, I am really struggling if I can support membership renewal in this organization as it currently sits. You can argue that the events were those of a rogue employee, however at the end of the day the buck stops with the BOD of the IASB. This is the BOD that was in control when this happened. Many of you were on the BOD when Maxine was hired. I am not sure that I have faith that the BOD that got us into this mess can get us out. I believe that if you all have the best interests of the IASB at heart you will submit your resignations and allow a new BOD to be seated to lead the organization out of its current dilemma. I believe the political reality is that this is a necessity - I am hearing this from my sources in the Legislature as well that this will go a long ways towards healing. I have heard from some of you that once the audit is out of the way, the criminal investigation is out of the way then this will all be forgotten and we can go on our merry way. If you believe that, then I don't believe you grasp the political reality of the situation.

I am also offended by the 5% dues reduction. While ostensibly done for budget considerations by local school districts, I find the timing curious to say the least. To me it has an appearance of trying to curry favor with local school boards. The 5% will not sway my decision on whether to renew or not - my issue is one of leadership and accountability.

At a recent IA Core training session a retired BOD member told us all that we needed to continue to belong to IASB "for the kids". While that is a noble stance, it is also a naive stance. If IASB continues to believe that once the investigations are out of the way it can be business as usual that is not possible. Action will be punitive if it continues to be business as usual and unfortunately it will be the kids who suffer through misguided legislation, on-going investigations, allegations etc. that will distract from the important work.

While I support the mission and the work of the IASB the recent allegations are troubling to say the least. While it is too early to tell if there is criminal activity, we will reserve that judgment until after the audit, the leadership of IASB is certainly guilty of a lack of institutional controls and extremely poor judgment. I would urge IASB to become open and transparent in its governance structure and while not required by law to operate under the same rules as local school boards, should move to operate under that model.

I believe that you need to take the following steps (not necessarily in order)

- Adopt an aggressive communications plan that tells what IASB is all about;
- Accept responsibility and accountability for your actions;
 - Your attorney will want to fight you on some of this - an attorneys stand is always one of what is legal. However you can be legally correct and in the court of public opinion wrong - that is where you may be right now. That said you need to work with the attorneys to make sure that these things don't hurt you from a legal perspective, there are ways to do this - I have done it in the past!

- When the audit results come out be open and upfront - acknowledge what they say, show remorse, accept responsibility, DON'T CIRCLE THE WAGONS;
- Scan the landscape for any other landmines that may be out there - acknowledge them and take actions to difuse them;
- Review of all of the IASB operations and make sure that they fit within the mission of IASB, if not dump 'em;
- Review the IASB mission statement - does it still fit?;
- Quickly adopt any changes recommended by the auditors;
- Eliminate the Executive Committee and move to monthly meetings of the entire BOD - in this day and age of video conference and teleconferencing not all meetings have to be face-to-face;
- Distribute monthly meeting minutes and financial statements to members of IASB;
- Are appropriate policies in place to address all issues such as nepotism etc. - if not get 'em in place;
- Develop an orderly transition plan to a new BOD.

As I have repeatedly told LeeAnn that I am more than willing to help in any way I can, however it simply cannot be business as usual - if it is we are doomed as an organization.

Thanks for listening.

Search

From: DeZona, Marcia
Sent: Saturday, April 24, 2010 4:12 PM
To: Heiligenthal, Harry
Subject: Fwd: IASB

oops wrong e-mail

-----Original Message-----

From: mdezonia@aol.com

To: rbauer@prairiepride.org; rwiesley@mchsi.com; grimleys@netins.net; cityoflg@netins.net; anplsurg@grm.net; jurrens@siebring.com; sshaw@forestcity.k12.ia.us; shafferr@sumner.k12.ia.us; mike@twinlakesenviro.com; templereeve@msn.com; rclewell@mchsi.com; twiesele@coe.edu; scotth@netins.net; joan_david@mac.com; georgeandlinda@mchsi.com; jgreen@aea10.k12.ia.us; dgd@goldfieldaccess.net

Cc: hheilgenthal@ia-sb.org

Sent: Sat, Apr 24, 2010 4:08 pm

Subject: Re: IASB

Dear Mr. Bauer,

Thank you for taking time to write and share your thoughts about IASB. I would be glad to share with you my perspective as an IASB board member. These are by personal thoughts and observations and I do not pretend to speak for the whole board.

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—Original Message—

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It seems to me that the IASB has lost the faith and trust of the Iowa Legislature and the membership; while I still support the mission of the IASB I have lost both total trust and faith in not only the management but also the Board of Directors of the IASB and wonder if the leadership has what it takes to get the organization out of its current situation. I would urge IASB to come clean on all of those things that MAY have the appearance of impropriety, while it will be painful and there will be a lot of criticism leveled it is the only way that trust can be restored in the organization. Once you come clean, then the healing can begin. If you circle the wagons and 6 months down the road there is another one of these appearance of impropriety issues that will be the death knell of IASB.

I don't have to tell you that local school boards are under intense pressure right now as we wrestle with budget issues. It is more important than ever that local boards be upright and forthcoming in there governance issues and be open and transparent. It is ironic that the organization that trains us and provides advice in how to transact business in an open and transparent fashion has not operated under the same rules. In my mind IASB has created a bit of a stigma for local boards by this recent turn of events - guilt by association if you will, It seems like everyday we read about some government official who has acted improperly, up until this point school boards in Iowa have avoided that, we want to continue to do so.

I know that we are coming up on membership renewal time - I also note that I and my Superintendent are scheduled to meet next week with Mary Gannon and Jim Green. I presume that this is the renew the membership push. While I cannot speak for the rest of the CCSD School Board, I am really struggling if I can support membership renewal in this organization as it currently sits. You can argue that the events were those of a rogue employee, however at the end of the day the buck stops with the BOD of the IASB. This is the BOD that was in control when this happened. Many of you were on the BOD when Maxine was hired. I am not sure that I have faith that the BOD that got us into this mess can get us out. I believe that if you all have the best interests of the IASB at heart you will submit your resignations and allow a new BOD to be seated to lead the organization out of its current dilemma. I believe the political reality is that this is a necessity - I am hearing this from my sources in the Legislature as well that this will go a long ways towards healing. I have heard from some of you that once the audit is out of the way, the criminal investigation is out of the way then this will all be forgotten and we can go on our merry way. If you believe that, then I don't believe you grasp the political reality of the situation.

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While I support the mission and the work of the IASB the recent allegations are troubling to say the least. While it is too early to tell if there is criminal activity, we will reserve that judgment until after the audit, the leadership of IASB is certainly guilty of a lack of institutional controls and extremely poor judgment. I would urge IASB to become open and transparent in its governance structure and while not required by law to operate under the same rules as local school boards, should move to operate under that model.

I believe that you need to take the following steps (not necessarily in order)

- Adopt an aggressive communications plan that tells what IASB is all about;
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 - Your attorney will want to fight you on some of this - an attorneys stand is always one of what is legal. However you can be legally correct and in the court of public opinion wrong - that is where you may be right now. That said you need to work with the attorneys to make sure that these things don't hurt you from a legal perspective, there are ways to do this - I have done it in the past!

- When the audit results come out be open and upfront - acknowledge what they say, show remorse, accept responsibility, DON'T CIRCLE THE WAGONS;
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- Distribute monthly meeting minutes and financial statements to members of IASB;
- Are appropriate policies in place to address all issues such as nepotism etc. - if not get 'em in place;
- Develop an orderly transition plan to a new BOD.

As I have repeatedly told LeeAnn that I am more than willing to help in any way I can, however it simply cannot be business as usual - if it is we are doomed as an organization.

Thanks for listening.

Search

From: DeZona, Marcia
Sent: Saturday, April 24, 2010 4:09 PM
To: rbauer@prairiepride.org; Wiesley, Russ; Grimley, Lee Ann; Hill, Jack; Morain, Williams; jurrens@siebring.com; sshaw@forestcity.k12.ia.us; shafferr@sumner.k12.ia.us; mike@twinlakesenviro.com; Temple, Katie; Clewell, Richard; Wieseler, Thomas; Hansen, Scott; joan_david@mac.com; georgeandlinda@mchsi.com; jgreen@aea10.k12.ia.us; dgd@goldfieldaccess.net
Cc: hheilgenthal@ia-sb.org
Subject: Re: IASB

Dear Mr. Bauer,

Thank you for taking time to write and share your thoughts about IASB. I would be glad to share with you my perspective as an IASB board member. These are by personal thoughts and observations and I do not pretend to speak for the whole board.

I served on the board for 2 1/2 years during Ron Rice's leadership. During that time I would characterize the board work as very staff directed. The staff lead in the establishment of new services and programs and in directing those programs. The board advised and made what I believe to be informed decisions from information provided by the staff. We trusted them to provide us accurate information and that was indeed the case.

When Ron decided to retire, he advised the Executive committee regarding a selection process. The process followed, using MacPherson, Jacobson was recommended by the staff since we had encouraged other boards to use their services there was a belief that we should also use them. There is legitimate room for criticism in how this process was carried out and the amount of input the whole board had in who would be interviewed. The whole board did participate in the interview process and we did not come to a consensus on an candidate, so we decided to start again.

The executive committee decided to pursue a different method for our 2nd search by employing Dr. Dave Els from UNI, to seek and and bring some candidates. In hindsight, I believe this was a mistake. At this time, I believe, we should have pulled the whole board together and come to a consensus on a new process. The board, by it by-laws and past practice, used the executive committee to make decisions outside of the timing of board meetings, and that happened in this case. Dr. Els brought Dr. Kilcrease as a candidate. I believe you are correct that we should have done more checking with others about the reputation of Dr. Kilcrease. We were relying on Dr. Els and on Ron Rice's recommendations. As a I board member, I do take responsibility for being willing to follow a closed type of process. With an executive search, there is always concern on the part of the candidates about their name getting out, but as a board member I should have been more concerned about the opinions of our member schools.

Prior to Dr. Rice's resignation, he fired the CFO, Jon Mueller. According to our by-laws, this was entirely his decision. One reason for his action was that he believed that Mr. Mueller was more concerned about the business aspect of the association than the mission to improve student achievement. However, this was very unfortunate timing. IASB revenues were affected by the low interest rates, resulting in loss of income from ISCAP. Combined with some heavy start-up needs, both financial and directional leadership, in Pay Schools, I believe this decision was the start of a cascade of poor decisions and detrimental outcomes for IASB. Before Dr. Rice left, he brought in Dr. Kevin Schick, on a temporary contract, to fill some of the needs for direction in the financial area, but he did not hire a permanent replacement as he felt that should be at the discretion of Dr. Kilcrease.

I do not know exactly why Dr. Kilcrease decided to continue Dr. Schick on his temporary contract. We now know that some questions were raised about his background by some of our employees, however these were not listened to, or believed apparently. Again, because of our organizational structure, the BOD did not have to approve the hiring of the CFO. I personally, did not know that Dr. Schick was a contract employee until he resigned in January.

From what I am beginning to understand, Dr. Schick, convinced everyone, including Dr. Kilcrease and the BOD that the financial problems were fairly severe, and he was working to clarify them, but hampered by lack of cooperation from staff, particularly previous staff. I believe the state of the state and national economy did cause us some financial difficulties, but that some of what Dr. Schick and Dr. Kilcrease believed to be problems were a misunderstanding of how some of the business entities actually worked.

Knowing what I know now, I would have asked to speak to the auditors directly at the November or January meeting. I have learned several lessons about how aggressive a board of directors should be in pursuing information. I have never had this experience in the past, where the executive leading my board directly lied to me and was willing to tell all the other employees in the organization that they could not speak personally to board members. My board experience has been that when I ask questions and am provided information by the staff, that I rely on that information to make

decisions. If that information is wrong, then it is my responsibility as a board member to deal with the executive who is hired directly by the board. I don't know that there is a way to guarantee that someone you hire doesn't hide information from you, lie to you, manipulate data to show only what they want to show and misrepresent personal issues. I can't even find words to describe how disappointed, upset, sick to my stomach and angry I felt when I begin to understand the depth of the lies and deception that happened from the time of our September 09 board meeting until the March 10 board meeting when Dr. Kilcrease was put on leave.

This is what happened as IASB. As soon as the board, particularly Lee Ann, became aware of some answers that didn't add up, she checked directly with the external auditors and found out the truth, that they had been told, even threatened with a lawsuit, if they tried to contact the board members. Lee Ann had access to information that other board members did not because she became a member of the executive committee. In this case, the executive committee was very useful.

I believe the BOD acted as quickly as we possibly could once there was an indication that there had been misrepresentations and lies. During the 2 weeks that Dr. Kilcrease was on paid leave, the board had the fiduciary responsibility to use our lawyers and investigators to determine exactly what happened so that we could build evidence to make sure we could fire Dr. Kilcrease, without future financial obligation, and to make sure we had evidence in case we end up in court over her contract or regarding anything else that could affect IASB financially.

Obviously, the member school boards, have a deep interest in knowing exactly what is going on, just as parents do when there is consideration of letting a teacher go, however the board has the responsibility to preserve the association legally and cannot comment on personal items until they have been cleared by the lawyer. If you have never gone through that kind of situation as a board member, I hope you never have to. It is extremely difficult not to be able to defend your actions in public, as you feel you are serving the public, but in reality the BOD's first duty is to the well-being of the association.

Since March, the board has met in person or by phone conference almost weekly. We appointed Harry H. as the emergency director, however since his previous responsibilities had been mainly in the field, he had a steep learning curve in working to direct an association that didn't have any senior leadership, had some very wounded employees and had a lot of business issues hanging and in need of immediate attention. Harry has done an outstanding job, but his strength is in the field and we need to get him back doing the work he loves and the work of educating boards which is the task only IASB does.

I think you are accurate that there are many organizational and policy issues at IASB that need review and revision. We need to have some more double checks on accountability of staff and ensure open paths of communication between the board and staff and our outside vendors. When there are problems, the holes or potential holes in your policies become much more evident. However, I don't believe that policies or board practices were the underlying problem. Policies cannot completely protect any organization from Executives who lie, misrepresent and cheat. Several of our policies were very helpful in finding out about the despicable action fairly quickly. Our whistle blower policy allowed several staff who had specific evidence of problems to turn that evidence over to the board and ultimately the lawyers and gave us evidence of wrong doing. Our accounting policy regarding expenditures, also quickly uncovered the inappropriate credit card expenditures.

I think that we all would love to believe, and lay awake at night wondering, if we missed signals that we should have caught earlier. I am sure there are things I could have done better. More questions asked, more persistence, more clarity demanded. With that said, I fail to see how having the whole board resign will do anything but make the situation worse. The board has been forced to learn how to ensure the continuity of our business services with less staff leadership. We have spent countless hours over the last 2 months trying to right the ship, making sure we are protecting the continuity of the association legally and financially, and keeping up our services to our member schools. As you point out, we all are board members in our own local districts who are also going through time consuming meetings and often difficult decisions. We all have jobs, also. Many of us have used up a lot of our personal vacation time and some good will from our employees to serve IASB and the organization. Starting over with a new board, may be the right choice in the future, but I can't see how bringing in a group of people who don't know the policies, business services and current unresolved issues can help the organization.

I appreciate your honesty in sharing your feelings. I, too, am angry and disappointed that dollars that came from my school district, were not used as I had hoped or trusted.

I recognize that when I volunteered to be on the board of directors and was elected by schools in my district, that I bear responsibility for the poor outcome of our hiring decision of Dr. Kilcrease. I recognize that I bear responsibility for the loss of trust of member schools. I am deeply sorry and apologize to you and your fellow board members.

I also believe that no IASB board member acted carelessly or irresponsibly. We may not have used the best process for hiring a director, but we did not do anything illegal or against our own board policy. No board member received anything that has enriched them. In fact, our board members have worked to correct the problems at great personal sacrifice.

I hope that now that the lawyers and investigators are finishing up their work on the associations behalf, that we will be able to be more public about what actually happened. Until that time, I would hope that you would understand the responsibility of the board, first and foremost, to the association, and be willing to give us the benefit of the doubt that we are working hard to ensure that IASB can continue to provide their important services to schools and local boards. I do not believe the board has "earned" the harshness of your words.

Sincerely,
Marcia DeZonia
IASB board of directors from district 5
Gilbert School district board of directors

-----Original Message-----

From: Randy Bauer <rbauer@prairiepride.org>
To: rwiesley@mchsi.com <rwiesley@mchsi.com>; grimleys@netins.net <grimleys@netins.net>; cityoflg@netins.net <cityoflg@netins.net>; anplsurg@grm.net <anplsurg@grm.net>; jurrens@siebring.com <jurrens@siebring.com>; sshaw@forestcity.k12.ia.us <sshaw@forestcity.k12.ia.us>; shafferr@sumner.k12.ia.us <shafferr@sumner.k12.ia.us>; mike@twinlakesenviro.com <mike@twinlakesenviro.com>; mdezonia@aol.com <mdezonia@aol.com>; templereeve@msn.com <templereeve@msn.com>; rclewell@mchsi.com <rclewell@mchsi.com>; twiese@coe.edu <twiese@coe.edu>; scotth@netins.net <scotth@netins.net>; joan_david@mac.com <joan_david@mac.com>; georgeandlinda@mchsi.com <georgeandlinda@mchsi.com>; jgreen@aea10.k12.ia.us <jgreen@aea10.k12.ia.us>; dgd@goldfieldaccess.net <dgd@goldfieldaccess.net>
Sent: Sat, Apr 24, 2010 11:55 am
Subject: IASB

I am writing this e-mail and continue to be concerned about the future of IASB.

Here in Linn County we have regular scheduled meetings with our Legislators - the last one was on the Saturday before the last full week of the Legislature. Senator Dvorsky provided some interesting insight - the Senator told us that IASB is viewed to be a Republican institution by those in the Legislature. The logic is this - the ISEA is viewed to be Democratic, therefore if you have views opposite of ISEA you must be a member of the opposition party. I think that this is an important backdrop. I was told by a couple members of the minority party that IASB will be a campaign issue this fall, I am not going to share their names because this was a one-on-one private conversation that we had. The minority party also told me that once the Legislature adjourned, this would become a big deal. They also pointed out that that last subpoena that was issued for something like this was associated with CEITC. This is the political reality of the situation.

Before I go any further I should tell you that the views that are expressed here are those of an individual member and in no way represent the views of the College Community Board of Education, the Administration, employees of the District or its patrons.

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Thanks for listening.

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decisions. If that information is wrong, then it is my responsibility as a board member to deal with the executive who is hired directly by the board. I don't know that there is a way to guarantee that someone you hire doesn't hide information from you, lie to you, manipulate data to show only what they want to show and misrepresent personal issues. I can't even find words to describe how disappointed, upset, sick to my stomach and angry I felt when I begin to understand the depth of the lies and deception that happened from the time of our September 09 board meeting until the March 10 board meeting when Dr. Kilcrease was put on leave.

This is what happened as IASB. As soon as the board, particularly Lee Ann, became aware of some answers that didn't add up, she checked directly with the external auditors and found out the truth, that they had been told, even threatened with a lawsuit, if they tried to contact the board members. Lee Ann had access to information that other board members did not because she became a member of the executive committee. In this case, the executive committee was very useful.

I believe the BOD acted as quickly as we possibly could once there was an indication that there had been misrepresentations and lies. During the 2 weeks that Dr. Kilcrease was on paid leave, the board had the fiduciary responsibility to use our lawyers and investigators to determine exactly what happened so that we could build evidence to make sure we could fire Dr. Kilcrease, without future financial obligation, and to make sure we had evidence in case we end up in court over her contract or regarding anything else that could affect IASB financially.

Obviously, the member school boards, have a deep interest in knowing exactly what is going on, just as parents do when there is consideration of letting a teacher go, however the board has the responsibility to preserve the association legally and cannot comment on personal items until they have been cleared by the lawyer. If you have never gone through that kind of situation as a board member, I hope you never have to. It is extremely difficult not to be able to defend your actions in public, as you feel you are serving the public, but in reality the BOD's first duty is to the well-being of the association.

Since March, the board has met in person or by phone conference almost weekly. We appointed Harry H. as the emergency director, however since his previous responsibilities had been mainly in the field, he had a steep learning curve in working to direct an association that didn't have any senior leadership, had some very wounded employees and had a lot of business issues hanging and in need of immediate attention. Harry has done an outstanding job, but his strength is in the field and we need to get him back doing the work he loves and the work of educating boards which is the task only IASB does.

I think you are accurate that there are many organizational and policy issues at IASB that need review and revision. We need to have some more double checks on accountability of staff and ensure open paths of communication between the board and staff and our outside vendors. When there are problems, the holes or potential holes in your policies become much more evident. However, I don't believe that policies or board practices were the underlying problem. Policies cannot completely protect any organization from Executives who lie, misrepresent and cheat. Several of our policies were very helpful in finding out about the despicable action fairly quickly. Our whistle blower policy allowed several staff who had specific evidence of problems to turn that evidence over to the board and ultimately the lawyers and gave us evidence of wrong doing. Our accounting policy regarding expenditures, also quickly uncovered the inappropriate credit card expenditures.

I think that we all would love to believe, and lay awake at night wondering, if we missed signals that we should have caught earlier. I am sure there are things I could have done better. More questions asked, more persistence, more clarity demanded. With that said, I fail to see how having the whole board resign will do anything but make the situation worse. The board has been forced to learn how to ensure the continuity of our business services with less staff leadership. We have spent countless hours over the last 2 months trying to right the ship, making sure we are protecting the continuity of the association legally and financially, and keeping up our services to our member schools. As you point out, we all are board members in our own local districts who are also going through time consuming meetings and often difficult decisions. We all have jobs, also. Many of us have used up a lot of our personal vacation time and some good will from our employees to serve IASB and the organization. Starting over with a new board, may be the right choice in the future, but I can't see how bringing in a group of people who don't know the policies, business services and current unresolved issues can help the organization.

I appreciate your honesty in sharing your feelings. I, too, am angry and disappointed that dollars that came from my school district, were not used as I had hoped or trusted.

I recognize that when I volunteered to be on the board of directors and was elected by schools in my district, that I bear responsibility for the poor outcome of our hiring decision of Dr. Kilcrease. I recognize that I bear responsibility for the loss of trust of member schools. I am deeply sorry and apologize to you and your fellow board members.

I also believe that no IASB board member acted carelessly or irresponsibly. We may not have used the best process for hiring a director, but we did not do anything illegal or against our own board policy. No board member received anything that has enriched them. In fact, our board members have worked to correct the problems at great personal sacrifice.

I hope that now that the lawyers and investigators are finishing up their work on the associations behalf, that we will be able to be more public about what actually happened. Until that time, I would hope that you would understand the responsibility of the board, first and foremost, to the association, and be willing to give us the benefit of the doubt that we are working hard to ensure that IASB can continue to provide their important services to schools and local boards. I do not believe the board has "earned" the harshness of your words.

Sincerely,
Marcia DeZonia
IASB board of directors from district 5
Gilbert School district board of directors

-----Original Message-----

From: Randy Bauer <rbauer@prairiepride.org>
To: rwiesley@mchsi.com <rwiesley@mchsi.com>; grimleys@netins.net <grimleys@netins.net>; cityoflg@netins.net <cityoflg@netins.net>; anplsurg@grm.net <anplsurg@grm.net>; jurrens@siebring.com <jurrens@siebring.com>; sshaw@forestcity.k12.ia.us <sshaw@forestcity.k12.ia.us>; shafferr@sumner.k12.ia.us <shafferr@sumner.k12.ia.us>; mike@twinlakesenviro.com <mike@twinlakesenviro.com>; mdezonia@aol.com <mdezonia@aol.com>; templereeve@msn.com <templereeve@msn.com>; rclewell@mchsi.com <rclewell@mchsi.com>; twiese@coe.edu <twiese@coe.edu>; scotth@netins.net <scotth@netins.net>; joan_david@mac.com <joan_david@mac.com>; georgeandlinda@mchsi.com <georgeandlinda@mchsi.com>; jgreen@aea10.k12.ia.us <jgreen@aea10.k12.ia.us>; dgd@goldfieldaccess.net <dgd@goldfieldaccess.net>
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I am also offended by the 5% dues reduction. While ostensibly done for budget considerations by local school districts, I find the timing curious to say the least. To me it has an appearance of trying to curry favor with local school boards. The 5% will not sway my decision on whether to renew or not - my issue is one of leadership and accountability.

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While I support the mission and the work of the IASB the recent allegations are troubling to say the least. While it is too early to tell if there is criminal activity, we will reserve that judgment until after the audit, the leadership of IASB is certainly guilty of a lack of institutional controls and extremely poor judgment. I would urge IASB to become open and transparent in its governance structure and while not required by law to operate under the same rules as local school boards, should move to operate under that model.

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Thanks for listening.

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Sent: Saturday, April 24, 2010 1:36 PM
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Cc: nolden.gentry@brickgentrylaw.com
Subject: Fw: IASB

Harry,

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Lee Ann

----- Original Message -----

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To: rwiesley@mchsi.com ; grimleys@netins.net ; cityoflg@netins.net ; anplsurg@grm.net ; jurrens@siebring.com ; sshaw@forestcity.k12.ia.us ; shafferr@sumner.k12.ia.us ; mike@twinlakesenviro.com ; mdezonias@aol.com ; templereeve@msn.com ; rclewell@mchsi.com ; twiesele@coe.edu ; scotth@netins.net ; joan_david@mac.com ; georgeandlinda@mchsi.com ; jgreen@aea10.k12.ia.us ; dgd@goldfieldaccess.net

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 - Your attorney will want to fight you on some of this - an attorneys stand is always one of what is legal. However you can be legally correct and in the court of public opinion wrong - that is where you may be

right now. That said you need to work with the attorneys to make sure that these things don't hurt you from a legal perspective, there are ways to do this - I have done it in the past!

- When the audit results come out be open and upfront - acknowledge what they say, show remorse, accept responsibility, DON'T CIRCLE THE WAGONS;
- Scan the landscape for any other landmines that may be out there - acknowledge them and take actions to difuse them;
- Review of all of the IASB operations and make sure that they fit within the mission of IASB, if not dump 'em;
- Review the IASB mission statement - does it still fit?;
- Quickly adopt any changes recommended by the auditors;
- Eliminate the Executive Committee and move to monthly meetings of the entire BOD - in this day and age of video conference and teleconferencing not all meetings have to be face-to-face;
- Distribute monthly meeting minutes and financial statements to members of IASB;
- Are appropriate policies in place to address all issues such as nepotism etc. - if not get 'em in place;
- Develop an orderly transition plan to a new BOD.

As I have repeatedly told LeeAnn that I am more than willing to help in any way I can, however it simply cannot be business as usual - if it is we are doomed as an organization.

Thanks for listening.

Search

From: Forgrave, Megan
Sent: Friday, April 23, 2010 5:44 PM
To: 'james peterman'
Cc: 'CLARK KAUFFMAN'
Subject: RE: salaries

That's actually something our board has been talking about - listing more information online. As you may realize, this volunteer board is tackling a lot of other things right now, so I simply want to double-check before I release that. Thanks.

From: james peterman [mailto:maquoketaite@yahoo.com]
Sent: Friday, April 23, 2010 5:15 PM
To: Forgrave, Megan
Cc: CLARK KAUFFMAN
Subject: Re: salaries

I think you should be more concerned about freely giving information to the public than worrying about what you should give out. It was funny, that I decided to go to nasb, Nebraska Assoc. of School Boards and all of their information is listed, unlike yours. Their board members, names, addresses, emails, and all directors too. Seems that they are not too concerned who has the information. Maybe they want to keep the taxpayers informed. I think I will check other states and see how open they are to the taxpayers. It may be interesting.

From: "Forgrave, Megan" <mforgrave@ia-sb.org>
To: james peterman <maquoketaite@yahoo.com>
Sent: Fri, April 23, 2010 5:01:44 PM
Subject: RE: salaries

Not at all - just curious. I'll look into what information we can give out. I would recommend you start with our board president, Russ Wiesley. You can reach him at rwiesley@mchsi.com. Thank you.

Megan

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Sent: Fri, April 23, 2010 4:16:23 PM
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Thank you for your patience.

Megan Forgrave
Communications Director
Iowa Association of School Boards

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Sincerely,

James Peterman
Maquoketa, Iowa

Search

From: Forgrave, Megan
Sent: Friday, April 23, 2010 5:42 PM
To: 'jurrens'
Cc: Wiesley, Russ; Heiligenthal, Harry; 'Darrell Dettermann'; 'George Wheeler'; 'Jim Green'; 'Joan Corbin'; Temple, Katie; Grimley, Lee Ann; DeZona, Marcia; 'Mike Sexton'; Clewell, Richard; 'Roger Shaffer'; Hansen, Scott; 'Susan Shaw'; Wieseler, Thomas; 'Nolden Gentry'; 'matt.brick@brickgentrylaw.com'; Heiligenthal, Harry
Subject: DM Register fyi

Note to the Board-

Just an fyi that I was contacted by Sen. Harkin's office last night and have been working with them and Clark Kauffman today. Clark is working on another story about Skills Iowa - he has been writing about several nonprofits and how they get grant appropriations from the state legislature recently, and I believe that will be the route he goes. I informed him that we've repaid the federal grant, answered a few of his questions about what the software fee actually gets schools, etc. I don't anticipate anything incredibly new, and he's likely gearing up for the next oversight committee meeting already, but just a heads up. I did my best to explain that program - again - and all the great things it offers for schools.

Hopefully we'll have some additional articles with good news out there next week, due to other announcements and all the things we've checked off the list and will share with oversight. Thank you.

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From: Forgrave, Megan
Sent: Friday, April 23, 2010 3:25 PM
To: 'Kauffman, Clark'
Subject: Call

Clark, I left you a message but call me for the rest of your info - here til about 5 today. Thanks. Cell is best.

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From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Friday, April 23, 2010 10:50 AM
To: Forgrave, Megan
Subject: Re: salaries

Megan,

I am working on a story about Skills Iowa and its spending and I am wondering whether you can tell me what the program's software expenses actually entail. Does the money spent on software result in IASB receiving a physical product - a series of data CDs, for example - that are then passed on to schools, or do the payments represent a licensing fee so that IASB can replicate the software?

Also, is there some way IASB can quantify the purchases - such as, "We paid \$1 million, and in return we received 1,000 software packages distributed to 100 school districts."

Clark

Search

From: Forgrave, Megan
Sent: Thursday, April 22, 2010 2:09 PM
To: nolden.gentry@brickgentrylaw.com; matt.brick@brickgentrylaw.com;
douglas.fulton@brickgentrylaw.com
Subject: Media request: Court ruling
Importance: High

Fyi, I told Clark to call your office directly because I am in a meeting most of today. Thanks.

Megan

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Thu 4/22/2010 10:58 AM
To: Forgrave, Megan
Subject: Court ruling

Megan,

I am working on a story about an Iowa Court of Appeals ruling regarding the Iowa Educators Consortium, a private nonprofit that was formed by the AEAs under Chapter 504 (not Chapter 28E) to offer a variety of goods and services to Iowa schools.

In 2008, a district court judge found that the consortium could not be sued for violating Chapter 23A, which prohibits a school corporation from offering goods and services that are also available from private vendors.

Yesterday, the Court of Appeals reversed that finding (along with other findings) of the district court judge and remanded the case for trial.

Could you check with IASB's lawyers and tell me (a) whether they believe Chapter 23A's prohibitions apply to the IASB, and (b) whether the Court of Appeals ruling has any ramifications on IASB's ability to provide goods and services to Iowa schools.

Clark

Search

From: Forgrave, Megan
Sent: Thursday, April 22, 2010 2:05 PM
To: 'Kauffman, Clark'
Subject: RE: Court ruling

Hi Clark-

I am in a meeting all day with an advisory group. Please feel free to call the Brick Gentry Law Firm today. Let me know if you don't get an answer by late in the day. Thank you.

Megan

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In 2008, a district court judge found that the consortium could not be sued for violating Chapter 23A, which prohibits a school corporation from offering goods and services that are also available from private vendors.

Yesterday, the Court of Appeals reversed that finding (along with other findings) of the district court judge and remanded the case for trial.

Could you check with IASB's lawyers and tell me (a) whether they believe Chapter 23A's prohibitions apply to the IASB, and (b) whether the Court of Appeals ruling has any ramifications on IASB's ability to provide goods and services to Iowa schools.

Clark

Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Thursday, April 22, 2010 10:58 AM
To: Forgrave, Megan
Subject: Court ruling

Megan,

I am working on a story about an Iowa Court of Appeals ruling regarding the Iowa Educators Consortium, a private nonprofit that was formed by the AEAs under Chapter 504 (not Chapter 28E) to offer a variety of goods and services to Iowa schools.

In 2008, a district court judge found that the consortium could not be sued for violating Chapter 23A, which prohibits a school corporation from offering goods and services that are also available from private vendors.

Yesterday, the Court of Appeals reversed that finding (along with other findings) of the district court judge and remanded the case for trial.

Could you check with IASB's lawyers and tell me (a) whether they believe Chapter 23A's prohibitions apply to the IASB, and (b) whether the Court of Appeals ruling has any ramifications on IASB's ability to provide goods and services to Iowa schools.

Clark

Search

From: Forgrave, Megan
Sent: Thursday, April 22, 2010 9:46 AM
To: 'james peterman'
Cc: 'CLARK KAUFFMAN'
Subject: RE: salaries
Attachments: Exhibit7IASBHighestSalariesFinal.pdf

Hi there-

I don't believe I got your earlier email for some reason - I apologize. Thanks for your request - I will pass it along to our board. I'll also let you know that the board is still considering this issue, among many others they are dealing with.

Due to the fact that 990 reporting requirements are changing so that we will need to report all salaries over \$100,000, we did provide that information to the legislative oversight committee, and it is attached. IASB and its entities have about 25 employees right now - those not listed earn less than \$100,000. Hope that is helpful to start with.

Thank you for your patience.

Megan Forgrave
Communications Director
Iowa Association of School Boards

From: james peterman [mailto:maquoketaite@yahoo.com]
Sent: Thursday, April 22, 2010 9:28 AM
To: Forgrave, Megan
Cc: CLARK KAUFFMAN
Subject: Fw: salaries

I wondering why you are not answering me?

----- Forwarded Message -----

From: james peterman <maquoketaite@yahoo.com>
To: Megan Forgrave <mforgrave@ia-sb.org>
Sent: Sat, April 17, 2010 10:50:21 AM
Subject: salaries

I had requested salaries earlier and you answered that the board was not going to list them at this time.

I was reading you march-april update that said and I quote "Please, please, please keep asking questions. We want and need to hear you questions, both the "hard" and the "easy" ones."

Well I don't think this one is a hard one. And I can gaurentee you that the taxpayers want to know this as well as other things.

Sincerely,

James Peterman
Maquoketa, Iowa

Search

From: Forgrave, Megan
Sent: Wednesday, April 21, 2010 4:03 PM
To: 'Kauffman, Clark'
Subject: RE: Audits?

They've been hearing updates on the audit and progress.... Nothing complete yet.

As I said earlier, too, if you hang on a few days, I anticipate having some other pieces of information to share. Thanks.

Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Wednesday, April 21, 2010 12:38 PM
To: Forgrave, Megan
Subject: Re: Audits?

OK, thanks.

Did the board get some sort of preliminary report from auditors this week? I'm hearing they go some sort of report... Of course, what I hear could be all wrong.

Clark

On 4/21/10 11:53 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Clark -

No. The audits are not due to be complete until sometime in May. We will likely have more information to share before the next oversight committee, but that won't be audits - but rather other informational pieces.

Thanks,

Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Wednesday, April 21, 2010 9:12 AM
To: Forgrave, Megan
Subject: Audits?

Megan,

Has the board been given the final audit report (or reports), and are you in a position to share those now?

Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Wednesday, April 21, 2010 12:38 PM
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To: 'Kauffman, Clark'
Subject: RE: Audits?

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Clark

Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Monday, April 19, 2010 1:07 PM
To: Forgrave, Megan
Subject: Re: Signature

Thanks, Megan. (I was able to get hold of his signature of some North Scott district, non-IASB documents, also, and at that point it was clear to me that the newsletter signature was a reproduction of his actual signature.)

On 4/19/10 9:16 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Hi Clark-

I had you on my list to call this morning, regarding Jack Hill's signature, but didn't realize what your deadline was. Sorry to have missed it. It is my understanding that the signature on the newsletters is, in fact, his signature. Thanks.

Megan (Hawkins) Forgrave
Communications Director
Iowa Association of School Boards
6000 Grand Avenue
Des Moines, Iowa 50312-1417
(515) 288-1991, ext. 236
1-800-795-4272
Direct Line: (515) 247-7036
Cell: (515) 229-1705
Fax: (515) 247-4680
www.ia-sb.org <<http://www.ia-sb.org/>><<http://www.ia-sb.org/>>

Search

From: Forgrave, Megan
Sent: Monday, April 19, 2010 9:17 AM
To: 'Kauffman, Clark'
Subject: Signature

Hi Clark-

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Cell: (515) 229-1705
Fax: (515) 247-4680
www.ia-sb.org

Search

From: Google Alerts <googlealerts-noreply@google.com>
Sent: Monday, April 19, 2010 6:42 AM
To: Forgrave, Megan
Subject: Google Alert - Iowa school board

Google News Alert for: **Iowa school board**

School boards group awaits final word on signed name as investigation of ...

[DesMoinesRegister.com](#)

By CLARK KAUFFMAN • ckauffman@dmreg.com • April 19, 2010 A handwriting expert continues to try to determine whether the former **board** president of the **Iowa ...**

[See all stories on this topic](#)

Key participants in the Fort Dodge casino bid

[DesMoinesRegister.com](#)

She served as the first female **Iowa** attorney general from 1990 through 1994. She is now a member of the state **Board of Regents**. Campbell also served in the ...

[See all stories on this topic](#)

Tip: Use a plus sign (+) to match a term in your query exactly as is. [Learn more.](#)

[Remove this alert.](#)
[Create another alert.](#)
[Manage your alerts.](#)

Search

From: Walsh, Sharon <swalsh@desmoine.gannett.com>
Sent: Friday, April 16, 2010 2:09 PM
To: Blair, Darlene
Subject: RE: ISJIT Minutes and Bills for Publication

Darlene – I can get these in on Wednesday, April 21.

Thanks!!!

Sharon

Sharon Walsh

Des Moines Register Legals Clerk
515-284-8715
legals@dmreg.com

From: Blair, Darlene [<mailto:dblair@ia-sb.org>]
Sent: Friday, April 16, 2010 1:40 PM
To: Walsh, Sharon
Subject: ISJIT Minutes and Bills for Publication

Des Moines Register

For Publication: Attached are the minutes and accounts paid from the March 24, 2010 ISJIT Board Meeting.

Thanks.

Darlene Blair

Executive Assistant

Iowa Association of School Boards
6000 Grand Avenue
Des Moines, IA 50312-1417
Phone: 515-247-7042
Fax: 515-247-7041
Email: dblair@ia-sb.org
www.ia-sb.org

Search

From: Walsh, Sharon <swalsh@desmoine.gannett.com>
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To: Blair, Darlene
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Des Moines, IA 50312-1417
Phone: 515-247-7042
Fax: 515-247-7041
Email: dblair@ia-sb.org
www.ia-sb.org

Search

From: Kendall, Angie
Sent: Thursday, April 15, 2010 7:55 AM
To: Gannon, Mary
Cc: Robinson, Bob
Subject: FW: power point presentation

Mary,

This year Jester will only have a PowerPoint to go out to the ICN sessions. The PowerPoint is 80 slides and will need 200 to send out, I am going to send it down to Bob to print. Will this be fine?

Angie

-----Original Message-----

From: mkauffman@jesterinsurance.com [mailto:mkauffman@jesterinsurance.com]
Sent: Thursday, April 15, 2010 6:49 AM
To: Kendall, Angie; mkauffman@jesterinsurance.com
Cc: dpekarek@jesterinsurance.com
Subject: RE: power point presentation

That should be all. We are putting Jester ink pens and note pads in the packets but I do not think we need to send them to the ICN.

----- Original Message -----

From : Kendall, Angie [mailto:akendall@ia-sb.org]
Sent : 4/14/2010 2:55:43 PM
To : mkauffman@jesterinsurance.com
Cc : dpekarek@jesterinsurance.com
Subject : RE: power point presentation

Melissa/Debra,

I just received the presentation with 80 slides included.
Will this be the only thing we need to get out to the ICN sites or will there be more information?

Angie

From: Melissa Kauffman

[mailto:mkauffman@jesterinsurance.com]

Sent: Wednesday, April 14,

2010 2:18 PM

To: Kendall, Angie

Subject: power point
presentation

Angie,

Here is the power point presentation. Please let me know that you receive it and if you have any problems with it.

Debra Pekarek for

Melissa Kauffman,

CIC

Jester Insurance

Services

303 Watson Powell Jr.

Way

Des Moines, IA

50309-1724

Phone:

515-243-2707

Fax:

515-243-6862

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Phone:

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Search

From: Kendall, Angie
Sent: Wednesday, April 14, 2010 2:56 PM
To: 'Melissa Kauffman'
Cc: 'dpekarek@jesterinsurance.com'
Subject: RE: power point presentation

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Jester Insurance Services

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Search

From: Melissa Kauffman <mkauffman@jesterinsurance.com>
Sent: Wednesday, April 14, 2010 2:18 PM
To: Kendall, Angie
Subject: power point presentation
Attachments: IASB Safety Group meeting 2010.pptx; IASB Safety Group meeting 2010.pptx

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Search

From: Melissa Kauffman <mrkauffman552@yahoo.com>
Sent: Wednesday, April 14, 2010 9:46 AM
To: Kendall, Angie
Subject: Fw: Meeting Packets

Angie-

I think putting it on your websit would be fine. I am out of the office today. My son started a fire next to the house and got some burns so I am not sure if I will be in this week definelty not today. Can you give me a call and we can discuss this? I don't have your phone number here.

My Cell: 563-299-3020.

Thanks!

----- Forwarded Message -----

From: Melissa Kauffman <mkauffman@jesterinsurance.com>
To: Melissa Kauffman <mrkauffman552@yahoo.com>
Sent: Wed, April 14, 2010 9:05:35 AM
Subject: FW: Meeting Packets

Melissa Kauffman, CIC

Jester Insurance Services

303 Watson Powell Jr. Way
Des Moines, IA 50309-1724
Phone: 515-243-2707
Fax: 515-243-6862

From: Kendall, Angie [mailto:akendall@ia-sb.org]
Sent: Wednesday, April 14, 2010 7:59 AM
To: Melissa Kauffman
Subject: RE: Meeting Packets

Melissa,

Will I be sending packets to the ICN session contact like I did before, or would it be possible to have it on our website so they can download and print? I could put the presentation on our website.

One of these times we will have to do a Microsoft Live meeting, so the people can just sit in their offices and watch on the computer. This would be a perfect meeting to do that.

Angie Kendall
IASB

From: Melissa Kauffman [mailto:mkauffman@jesterinsurance.com]
Sent: Tuesday, April 13, 2010 2:45 PM

To: Kendall, Angie
Subject: Meeting Packets

Angie-

We have the power point presentation completed. It looks like we have 126 people signed up for the ICN's. Do you want me to email the presentation for you to print and send out to the ICN or are you going to email???? We are printing the other packets in house this year.

Melissa Kauffman, CIC
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Phone: 515-243-2707
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Fax: 515-243-6862

Search

From: Kathy Zehr <kzehr@lwbj.com>
Sent: Thursday, April 08, 2010 9:09 AM
To: Forgrave, Megan
Subject: RE: You guys okay with this response to the reporter? Thanks.

Sorry Meghan - I was in Kansas City with the SEC all day yesterday. If you do not hear back from me on an urgent matter, please contact Paul Juffer. Looks ok with regards to my interrogatories.

Thanks
Kathy

Kathleen Zehr, CPA
Capital Advisors
LWBJ Financial
4200 University Avenue, Suite 410
West Des Moines, IA 50266
Direct: (515) 440-7042

This e-mail message is confidential, intended only for the recipient(s) above. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender at (515) 222-5680 and delete this e-mail message from your computer. Thank you.

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-----Original Message-----

From: Forgrave, Megan [mailto:mforgrave@ia-sb.org]
Sent: Wednesday, April 07, 2010 11:08 AM
To: Joe Desmond; Kathy Zehr
Subject: RE: You guys okay with this response to the reporter? Thanks.

Joe and Kathy-

If at all possible, please respond to me today regarding whether this is an appropriate and accurate response to the reporter. I am out of the office Thursday and Friday and must send it TODAY. Thank you.

Megan

-----Original Message-----

From: Forgrave, Megan
Sent: Tuesday, April 06, 2010 5:25 PM
To: 'Joe Desmond'; 'Kathy Zehr'
Subject: You guys okay with this response to the reporter? Thanks.

Clark-

Regarding your question below:

IASB still has a policy in place by which it does not make individual employees' salaries public. For the past few years (not the full six you requested), Jon Muller was the chief financial officer and as such, we did report his salary on the 990 forms (which are reported on a calendar year). The auditors at Brooks Lodden have reconciled the W-2 forms for Jon Muller (which are on a fiscal year) and they match up with what his salary should have been, and what was reported on the 990 forms. In other words, it appears he only received his proper salary - nothing additional that the auditors can discern. The complaint or rumor you speak of appears to be unfounded. In addition, according to the auditors, any administration fees that would ever come out of a business service fund are carefully tracked and you can see exactly where they go

- none have gone to individual employees.

In addition, we did ask LWBJ, our financial advisors, to contact key business partners and inquire about "kickbacks" or other extra money, and at this point, none of them are aware of any (they're still making a few more calls).

I believe both Jon Muller and other staff have been questioned about whether there were ever any "kickbacks" or extra money given to him or any staff, and the answer has been "no."

I hope this answers your question.

Fyi, I will be out of the office Thursday and Friday this week - unreachable as I will be out of state. Please call the main office number if you need something, and they will direct you to someone here who is assigned media calls. Thanks.

Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]

Sent: Friday, April 02, 2010 12:44 PM

To: Forgrave, Megan

Subject: Muller compensation

Megan,

I don't know if how quickly you can answer this question for me, but I'd like to know Jon Muller's total pay in each of the past six years, including any bonuses and/or any "basis points" collected through the PaySchools program or other IASB programs.

Just so you know, I am asking this because, as I understand it, Jon might have collected a substantial amount of money through the administration of PaySchools, as opposed to, say, his IASB salary, which is public record. I'm not suggesting anything improper was done, but I do want to get an accurate picture of his total compensation.

Clark

Search

From: Forgrave, Megan
Sent: Wednesday, April 07, 2010 4:50 PM
To: 'Kauffman, Clark'
Subject: Jon Muller questions

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Megan

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Subject: RE: You guys okay with this response to the reporter? Thanks.

Joe and Kathy-

If at all possible, please respond to me today regarding whether this is an appropriate and accurate response to the reporter. I am out of the office Thursday and Friday and must send it TODAY. Thank you.

Megan

-----Original Message-----

From: Forgrave, Megan
Sent: Tuesday, April 06, 2010 5:25 PM
To: 'Joe Desmond'; 'Kathy Zehr'
Subject: You guys okay with this response to the reporter? Thanks.

Clark-

Regarding your question below:

IASB still has a policy in place by which it does not make individual employees' salaries public. For the past few years (not the full six you requested), Jon Muller was the chief financial officer and as such, we did report his salary on the 990 forms (which are reported on a calendar year). The auditors at Brooks Ludden have reconciled the W-2 forms for Jon Muller (which are on a fiscal year) and they match up with what his salary should have been, and what was reported on the 990 forms. In other words, it appears he only received his proper salary - nothing additional that the auditors can discern. The complaint or rumor you speak of appears to be unfounded. In addition, according to the auditors, any administration fees that would ever come out of a business service fund are carefully tracked and you can see exactly where they go - none have gone to individual employees.

In addition, we did ask LWBJ, our financial advisors, to contact key business partners and inquire about "kickbacks" or other extra money, and at this point, none of them are aware of any (they're still making a few more calls).

I believe both Jon Muller and other staff have been questioned about whether there were ever any "kickbacks" or extra money given to him or any staff, and the answer has been "no."

I hope this answers your question.

Fyi, I will be out of the office Thursday and Friday this week - unreachable as I will be out of state. Please call the main office number if you need something, and they will direct you to someone here who is assigned media calls. Thanks.

Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Friday, April 02, 2010 12:44 PM
To: Forgrave, Megan

Subject: Muller compensation

Megan,

I don't know if how quickly you can answer this question for me, but I'd like to know Jon Muller's total pay in each of the past six years, including any bonuses and/or any "basis points" collected through the PaySchools program or other IASB programs.

Just so you know, I am asking this because, as I understand it, Jon might have collected a substantial amount of money through the administration of PaySchools, as opposed to, say, his IASB salary, which is public record. I'm not suggesting anything improper was done, but I do want to get an accurate picture of his total compensation.

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From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Tuesday, April 06, 2010 11:42 AM
To: Forgrave, Megan
Subject: Re: Invitation to IASB Workshops

I don't know what your auditors have and don't have, so I can't say if what I have is different.

I can tell you that if I am looking at some records that raise questions for me, I'll let you know and ask whether the records I have accurately reflect IASB's understanding of the situation - sort of like I did with the e-mails to and from Maxine about her being hired at IASB, and like I am doing now with regard to Muller and PaySchools.

On 4/6/10 11:30 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Clark, I should also ask - do you have some other information our auditors don't have, that they need to know about? If so, we would appreciate knowing what you're looking at. Thanks.

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-----Original Message-----

From: Forgrave, Megan
Sent: Monday, April 05, 2010 5:49 PM
To: ckauffman@dmreg.com; Staci Hupp; rbrubaker@dmreg.com; cwashburn@dmreg.com
Subject: Invitation to IASB Workshops

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From: Forgrave, Megan
Sent: Tuesday, April 06, 2010 11:29 AM
To: 'Joe Desmond'
Subject: FW: Invitation to IASB Workshops

Fyi, a string of emails I just had with Clark. I will also ask him if he has some kind of other evidence we need to look at.

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Sent: Tuesday, April 06, 2010 11:27 AM
To: 'Kauffman, Clark'
Subject: RE: Invitation to IASB Workshops

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In all the coverage of IASB, it occurs to me that the story of IASB's core work has been somewhat lost. I would like to offer you a few opportunities to come out and see for yourselves how our staff is managing, through all of this, to work on training school boards and reach out to answer questions and provide information to members. There are a few opportunities this week and next - I apologize that some are late notice, but you are welcome at any of these events.

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- This week and next: There are various opportunities to see the Lighthouse research team working with boards on that in-depth training project. If you are interested, I will connect you with the options.

Many thanks for your consideration - we do appreciate fair and balanced coverage.

Megan Forgrave
Communications Director
Iowa Association of School Boards
mforgrave@ia-sb.org

Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Tuesday, April 06, 2010 11:18 AM
To: Forgrave, Megan
Subject: Re: Invitation to IASB Workshops

Megan,

As I understand it, the provision of "basis points" to Muller was at the very top of the written, itemized list of concerns Maxine raised with auditors last fall. (It was characterized as "kickbacks," but that's a loaded word, obviously.) I raised this issue at our first meeting and, as I recall, the response was that this was something that was already being looked into. I mention all this again because the auditors by now should have found some evidence to either disprove or support the allegation... although I realize both teams of auditors are reviewing a lot of issues.

As for Decorah, no, I won't be able to make it. I have a previously scheduled appointment. Not sure about Staci...

Clark

On 4/6/10 11:08 AM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Hi there-

Clark, fyi, I am still working on your request regarding anything we've found on Jon Muller - so far, our auditors don't believe there is anything additional to his salary, but I am also checking with our financial advisors to see if they've found anything.

Out of curiosity, do you or Staci plan to join us tonight at the Iowa Core workshop? Just curious so I can plan my evening, as well. Thanks.

Megan

Megan (Hawkins) Forgrave
Communications Director
Iowa Association of School Boards
6000 Grand Avenue
Des Moines, Iowa 50312-1417
(515) 288-1991, ext. 236
1-800-795-4272
Direct Line: (515) 247-7036
Cell: (515) 229-1705
Fax: (515) 247-4680
www.ia-sb.org

-----Original Message-----

From: Forgrave, Megan

Sent: Monday, April 05, 2010 5:49 PM

To: ckauffman@dmreg.com; Staci Hupp; rbrubaker@dmreg.com; cwashburn@dmreg.com

Subject: Invitation to IASB Workshops

Clark and Staci-

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Communications Director

Iowa Association of School Boards

mforgrave@ia-sb.org

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Cc: Staci Hupp
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Iowa Association of School Boards
mforgrave@ia-sb.org

Search

From: Forgrave, Megan
Sent: Tuesday, April 06, 2010 8:15 AM
To: 'Forgrave, Reid'
Subject: RE: April-May Saturday reporter schedule

Totally up to you - you don't want to do birthday weekend, though, do you? Anyway... just let me know! p.s. Make it a happy Tuesday. :)

-----Original Message-----

From: Forgrave, Reid [mailto:rforgrave@desmoine.gannett.com]
Sent: Tue 4/6/2010 8:00 AM
To: Forgrave, Megan
Subject: FW: April-May Saturday reporter schedule

Shoot. I'm scheduled the weekend we were planning to head to Minn. for Scott's thing.

I could switch and be on May 15, birthday weekend. Or May 1 (don't think we have anything that weekend). Or April 17 (I don't think anything). Or April 24 (night after Julian Casablancas). I'm leaning toward April 17. Thoughts?

-----Original Message-----

From: Owens, Elizabeth
Sent: Monday, April 05, 2010 11:48 PM
To: Kauffman, Clark; Reynaud, Cynthia; Boeckman, Joanne; Krogstad, Jens; Clayworth, Jason; Eller, Donnelle; Dooley, Sheena; Witosky, Tom; Jacobs, Jennifer; O'Neil, Tyler; Klockenga, Janet; Eckhoff, Jeff; Schulte, Grant; Erzen, Todd; Hupp, Staci; Forgrave, Reid; Beeman, Perry; Pulliam, Jason; Piller, Dan; George, Mallory
Subject: April-May Saturday reporter schedule

April should be the same. May is updated/more dates added. Try to switch if you have problems, and see me if that doesn't work.

Thank you!!

April 10: Kauffman Night: Reynaud
April 17: Boeckman and Krogstad Night: George
April 24: Clayworth and Eller Night: George
May 1: Dooley and Witosky Night: O'Neil
May 8: Jacobs and O'Neil Night: George
May 15: Klockenga and Eckhoff Night: Schulte May 22: Forgrave and Hupp May 29: Erzen and Beeman May 31 (Memorial Day): Pulliam and Piller

You don't want to

Search

From: Forgrave, Megan
Sent: Monday, April 05, 2010 5:49 PM
To: ckauffman@dmreg.com; Staci Hupp; rbrubaker@dmreg.com; cwashburn@dmreg.com
Subject: Invitation to IASB Workshops

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Iowa Association of School Boards
mforgrave@ia-sb.org

Search

From: Wiesley, Russ
Sent: Sunday, April 04, 2010 6:10 PM
To: Forgrave, Megan; 'Nolden Gentry'; 'Matt.Brick@BrickGentryLaw.com'; Amy Jurrens; Morain, Williams; Darrell Dettermann; 'George Wheeler'; 'Jim Green'; Joan Corbin (joan.david@mac.com; Temple, Katie; Grimley, Lee Ann; DeZona, Marcia; 'Mike Sexton'; Clewell, Richard; 'Roger Shaffer'; Wiesley, Russ; Hansen, Scott; 'Susan Shaw'; Wieseler, Thomas
Cc: 'Joe Desmond'; Heiligenthal, Harry
Subject: FW: IASC Report 4/1/10

Hello Everyone,
Here is the forward as requested by Mr. Peterson.

Russ Wiesley
805 Walnut Ridge Drive
Waukee, Iowa 50263-9619
515-238-3937
rwiesley@mchsi.com

-----Original Message-----

From: Keith Peterson [mailto:kepeters@netins.net]
Sent: Friday, April 02, 2010 3:41 PM
To: rwiesley@mchsi.com
Cc: ckauffma@desmoine.gannett.com
Subject: Fw: IASC Report 4/1/10

Mr. Kauffman - thank you for your response - we have been out of the state so missed the March publication - The more I think about this issue the more

incensed I become. As you can see I am forwarding this on to the board president and insist on an explanation of who exactly authorized all of the raises, trips and since it is a "private" organization (paid for by the taxpayers) they are not subject to the Iowa Open Records law and don't have to divulge if the "incidentals" were paid for also by the taxpayers when we all know full well that they were. What a travesty - please feel free to submit all of my comments to the Des Moines Register. This is quite the "good old boys" organization isn't it. What "cush" job did Ron Rice end up getting that we, the taxpayers are paying for now - How about the lobbyist?

Rwiesley - please forward this on to the entire board - this is such a travesty - what other perks don't we the taxpayers know about?

----- Original Message -----

From: "Kauffman, Clark" <ckauffma@desmoine.gannett.com>
To: "Keith Peterson" <kepeters@netins.net>
Sent: Friday, April 02, 2010 10:26 AM

Subject: Re: IASC Report 4/1/10

Thanks for writing.

We did publish the names of all the board members when we wrote our first story on IASB in early March. Here's the list of board members and the school districts they represent:

Board President Russ Wiesley, Waukee Community School District, 515-238-3937

(e-mail: rwiesley@mchsi.com)

President-Elect Lee Ann Grimley, Springville Community School District

Past President Jack Hill, North Scott Community School District

Treasurer William Morain, Lamoni

Amy Jurrens, George-Little Rock Community School District

Susan Shaw, Forest City Community School District

Roger Shaffer, Sumner Community School District

Michael Sexton, Rockwell City-Lytton Community School District

Marcia DeZonia, Gilbert Community School District

Katie Temple, Southeast Polk Community School District

Tom Wieseler, Mt. Vernon Community School District

Richard Clewell, Davenport Community School District

Scott Hansen, Griswold Community School District

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George Wheeler, Fort Madison Community School District

AEA Representative: James Green, Cedar Rapids (Grant Wood AEA 10)

Community College Representative: Darrell Determann, Iowa Central Community College

On 4/1/10 6:25 PM, "Keith Peterson" <kepeters@netins.net> wrote:

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- > Another
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- > going to end and these greedy people brought to justice? - why shouldn't
- > both
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- > trips
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- > well
- > - If the taxpayers are paying the \$6 million a year how can it be a
- > private
- > organization that is not subject to Iowa's open-records law??
- > We are retired but our children work very hard at their jobs every single
- > day
- > and really have to struggle to find the money to raise their children and
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- > expenses they incur just to have their kids participate in sports and
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- > school activities and then to hear this type of "fun and exciting" job
- > perks
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- > We really want to know who else should be held accountable -
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_____ Information from ESET NOD32 Antivirus, version of virus signature
database 4997 (20100403) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Search

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Search

From: Kauffman, Clark <ckauffma@desmoine.gannett.com>
Sent: Friday, April 02, 2010 2:23 PM
To: Forgrave, Megan
Subject: Re: Muller compensation

Next week is fine with me.

On 4/2/10 1:13 PM, "Forgrave, Megan" <mforgrave@ia-sb.org> wrote:

Clark-
I don't know anything about this but will ask. What is your deadline?
Fyi, our office closes at 3 p.m. today due to the Easter holiday.

Megan

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]
Sent: Friday, April 02, 2010 12:44 PM
To: Forgrave, Megan
Subject: Muller compensation

Megan,

I don't know if how quickly you can answer this question for me, but I'd like to know Jon Muller's total pay in each of the past six years, including any bonuses and/or any "basis points" collected through the PaySchools program or other IASB programs.

Just so you know, I am asking this because, as I understand it, Jon might have collected a substantial amount of money through the administration of PaySchools, as opposed to, say, his IASB salary, which is public record. I'm not suggesting anything improper was done, but I do want to get an accurate picture of his total compensation.

Clark

Search

From: Forgrave, Megan
Sent: Friday, April 02, 2010 2:19 PM
To: 'Joe Desmond'; 'Doug Fulton'; 'nolden.gentry@brickgentrylaw.com';
'Matt.Brick@BrickGentryLaw.com'; 'matt.brick@brickgentrylaw.com'; Heiligenthal, Harry;
'Kathy Zehr'
Subject: RE: Muller compensation/Register request

Thanks.

Megan

-----Original Message-----

From: Joe Desmond [mailto:Joe@brookslodden.com]
Sent: Friday, April 02, 2010 1:20 PM
To: Forgrave, Megan; Doug Fulton; nolden.gentry@brickgentrylaw.com; Matt.Brick@BrickGentryLaw.com;
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Subject: RE: Muller compensation/Register request

My understanding is that the only compensation Jon Muller received was through payroll. I am not aware of any basis points through PaySchools program or any other program in which he received compensation. I just requested the W-2 for the last five years from Randy and plan on being out at IASB at 3:30 p.m. today. Let's look at the W-2s and payroll reports for the years Clark wants, compare these to the 990s and come up with a schedule to provide him (assuming this is ok with the attorneys).

I need to this anyway for the compensation study.

Any tax advice contained in this communication (including any attachments, enclosures or other accompanying materials) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions. Furthermore, this communication was not intended or written to support the promotion or marketing of any of the transactions or matters it may address.

Joe Desmond, CPA

Brooks Lodden, P.C.

1441 - 29th Street, Ste. 305

West Des Moines, IA 50266

Phone (515) 223-7300

Fax (515) 223-8778

joe@brookslodden.com

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Subject: FW: Muller compensation/Register request

Importance: High

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'Kathy Zehr'
Subject: RE: Muller compensation/Register request

I'm going to talk with Nolden first to see what you're authorized to share... Also, fyi, Harry has decided that we are closing the office at 3 p.m. today - just fyi. Don't know if Randy plans to stay or not...

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From: Joe Desmond [mailto:Joe@BrooksLodden.com]
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Subject: RE: Muller compensation/Register request

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I need to this anyway for the compensation study.

Any tax advice contained in this communication (including any attachments, enclosures or other accompanying materials) was not intended or written to be used, and cannot be used, by any taxpayer for the purpose of avoiding penalties that may be imposed under the Internal Revenue Code or applicable state or local tax law provisions. Furthermore, this communication was not intended or written to support the promotion or marketing of any of the transactions or matters it may address.

Joe Desmond, CPA

Brooks Lodden, P.C.

1441 - 29th Street, Ste. 305

West Des Moines, IA 50266

Phone (515) 223-7300

Fax (515) 223-8778

joe@brookslodden.com

-----Original Message-----

From: Forgrave, Megan [mailto:mforgrave@ia-sb.org]

Sent: Friday, April 02, 2010 1:15 PM

To: Doug Fulton; nolden.gentry@brickgentrylaw.com; Matt.Brick@BrickGentryLaw.com;

matt.brick@brickgentrylaw.com; Heiligenthal, Harry; Kathy Zehr; Joe Desmond

Subject: FW: Muller compensation/Register request

Importance: High

If any of you know anything about this, can you please call me today? I am trying to find out what Clark's deadline is. Thanks.

Megan

Megan (Hawkins) Forgrave
Communications Director
Iowa Association of School Boards
6000 Grand Avenue
Des Moines, Iowa 50312-1417
(515) 288-1991, ext. 236
1-800-795-4272
Direct Line: (515) 247-7036
Cell: (515) 229-1705
Fax: (515) 247-4680
www.ia-sb.org

-----Original Message-----

From: Kauffman, Clark [mailto:ckauffma@desmoine.gannett.com]

Sent: Friday, April 02, 2010 12:44 PM

To: Forgrave, Megan

Subject: Muller compensation

Megan,

I don't know if how quickly you can answer this question for me, but I'd like to know Jon Muller's total pay in each of the past six years, including any bonuses and/or any "basis points" collected through the PaySchools program or other IASB programs.

Just so you know, I am asking this because, as I understand it, Jon might have collected a substantial amount of money through the administration of PaySchools, as opposed to, say, his IASB salary, which is public record. I'm not suggesting anything improper was done, but I do want to get an accurate picture of his total compensation.

Clark

Search

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Clark

Search

From: Forgrave, Megan
Sent: Friday, April 02, 2010 1:13 PM
To: 'Kauffman, Clark'
Subject: RE: Muller compensation

Clark-

I don't know anything about this but will ask. What is your deadline? Fyi, our office closes at 3 p.m. today due to the Easter holiday,

Megan

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Clark

Search

From: Heiligenthal, Harry
Sent: Friday, April 02, 2010 8:07 AM
To: Wiesley, Russ
Subject: Russ W-Joan's points for future conf calls & orient ideas?

Opening up to anyone interested is a GREAT idea!

I'll give some more thought to topics and I think I'll call or email Joan and the other newer members and see what they think they need and how soon they need background info. Then I'll start building a list and work on a possible process that I can share with you and/or the exec committee for input.

Give me a week or two and I'll be back in touch on this item.

HH

From: Wiesley, Russ
Sent: Friday, April 02, 2010 7:52 AM
To: Heiligenthal, Harry
Subject: Russ W-Joan's points for future conf calls & orient ideas?

Harry,

That's a good idea, but I would open it up to anyone that wants to attend, if you're doing it in person.

Russ Wiesley
805 Walnut Ridge Drive
Waukee, Iowa 50263-9619
515-238-3937
rwiesley@mchsi.com

From: Heiligenthal, Harry [mailto:hheiligenthal@ia-sb.org]
Sent: Friday, April 02, 2010 12:13 AM
To: Wiesley, Russ
Subject: Russ W-Joan's points for future conf calls & orient ideas?

Russ,

Very good ideas. I'll print this off for future reference.

No rush, but when you can spare 10 min, I'd welcome your thoughts about these questions (give me a call or send an email at your convenience).

Would it help if we offer some sort of "background info meeting" for Joan before the April meeting? Or between the April and May meetings?

Do you want to see if she'd like us to set up something like this (an hour, 2 hours or whatever might be helpful)?

I'd be happy to participate. If we pursue this I'd appreciate you suggestions for others to participate (a couple of board members? Staff? Nolden or Matt B? etc.)?

Did we do anything like this for other new members this year (George, Roger? Others?)?

Harry

-----Original Message-----

From: Wiesley, Russ
Sent: Thursday, April 01, 2010 11:24 PM
To: Heiligenthal, Harry
Subject: Russ W-Joan's points for future conf calls

Harry,
Joan made some good points that we should incorporate in future conference calls

Russ Wiesley
805 Walnut Ridge Drive
Waukee, Iowa 50263-9619
515-238-3937
rwiesley@mchsi.com
President, IASB

-----Original Message-----

From: Joan Corbin [mailto:joan_david@mac.com]
Sent: Tuesday, March 30, 2010 2:08 PM
To: Russ Wiesley
Cc: Amy Jurens; Bill Morain; Darrell Dettermann; 'George Wheeler'; 'Jim Green'; Katie L Temple; Lee Ann Grimley; Marcia DeZonia; 'Mike Sexton'; 'Richard Clewell'; 'Roger Shaffer'; Scott Hansen; 'Susan Shaw'; Tom Wieseler
Subject: Re: We need to move right now !!!!

Russ,

As this question applies to me as the "newest" of the new board members, I think I have been following along and picking up the essentials fairly well.

The one area that has me confused is yesterday's information from Stephanie and Scott's questions on Sunday regarding IJUMP, but I know what has transpired prior to my involvement is complicated and may take some one on one explanations, perhaps at our next meeting. I will wait until then to have someone give me the overall concepts and that will help with my understanding of the specifics per Stephanie and Scott's exchange.

Additionally, as happens sometimes when conference calls are called quickly, I was in Des Moines and had not read any of the e-mails of late Saturday and Sunday. I felt knowledgeable enough to vote on the items before us, but might have requested an abstention had we voted on the personnel item that came close to being before us as I had not read the information from Mary D.

A procedural thought...It would be helpful when conference calls occur quickly for someone to quickly review what has transpired via e-mail over the previous few hours (at least items crucial to decision making)at the start of the call. I suspect, though, I should have asked for that. Also, though it was a great brain plasticity exercise to recognize each person's voice, I did appreciate when members identified themselves at the start of their comments!

I feel that I have working knowledge of the process of the interviews that took place, including the mock interview situation. My only question regarding that is, "What was the nature of the relationship (personal and/or professional) between Maxine and Mary D. prior to soliciting her for the mock interview? The paper's e-mail exchange between the two..."Glad to have you in my life..." led me to think that they didn't just meet at the time of the mock interview. This may fall into the category of avoiding personnel discussions, Russ, but I am a bit confused with those parameters.

Thanks.

Joan Corbin

On Mar 30, 2010, at 12:01 AM, Russ Wiesley wrote:

> What questions do you still have?
>
> Russ Wiesley

> 805 Walnut Ridge Drive
> Waukee, Iowa 50263-9619
> 515-238-3937
> rwiesley@mchsi.com

> -----Original Message-----

> From: Jim Green [mailto:jgreen@aea10.k12.ia.us]

> Sent: Sunday, March 28, 2010 10:20 AM

> To: 'ShafferCompany PC'; 'Scott Hansen'; mdezonia@mchsi.com; 'Mike'

> Cc: 'Harry Heiligenthal'; 'Richard Cleweell'; 'Russ Wiesley'; 'Lee Ann

Grimley'; 'Jerry & Amy Jurrens'; 'Williams Morain'; 'George Wheeler'; 'Katie Temple'; sshaw@forestcity.k12.ia.us; 'Thomas Wieseler'; 'Joan Corbin'

> Subject: RE: We need to move right now !!!!

> Roger,

> Your response reinforces the reason that I yesterday asked Russ to
> fill in

the new board members regarding the hiring process. I did not realize that Scott (and maybe others) also were not aware of all that happened at the meeting where Maxine was interviewed. So I hereby reiterate my request to Russ. I agree that all board members need to have complete information.

> In answer to one of Scott's and your questions, yes, the board members

were aware of the mock interviews. We used them as a tool to prepare for the real interviews. Mary D. and Harry were utilized to guide us through the preparation process. More than one person was videotaped for this part of the process. We were told about one person who broke down at the end of taping and therefore asked that that portion not be used. I was led to believe that the emotional person was Ron Rice (I cannot remember who told me that); I did not know that Maxine was a participant in the mock interviews, and I don't think that any of us were aware that Maxine participated in the mock interview. My point of view....

> Jim

> -----Original Message-----

> From: ShafferCompany PC [mailto:roger@shaffercpa.com]

> Sent: Sunday, March 28, 2010 9:32 AM

> To: Scott Hansen; mdezonia@mchsi.com; 'Mike'

> Cc: 'nolden gentry'; 'matt brick'; 'Harry Heiligenthal'; 'Richard Cleweell'; 'Russ Wiesley'; 'Lee Ann Grimley'; 'Jerry & Amy Jurrens'; 'Williams Morain'; 'George Wheeler'; 'Jim Green'; 'Katie Temple'; sshaw@forestcity.k12.ia.us; 'Thomas Wieseler'; 'Joan Corbin'

> Subject: Re: We need to move right now !!!!

> I can not tell you the frustration that I am feeling.

> Scott....you mention you can't remember....as a new board member, I don't

> know what went on, which makes it very difficult to know what to ask

> and

who

> to ask. I ask a lot of questions because I want to know the facts

> before

I

> make my decision.

> After our Thursday meeting, I felt things are finally getting better.

Then

> I read the Des Moines Register article on Friday. Why are we talking

> to Kauffman?.....he does not tell OUR story!

> Did any IASB board member know of the mock interview? Did past and current

> administration set the prior board up? We all need to know.

>
> I was told that, as a new board member, I was not needed on Wednesday
> for the hearing. I don't know what your strategy was going into it.
> I
listened
> to parts of the hearing, and I don't believe the correct answers were
given.
> I am puzzled why that was allowed to happen. The oversight committee
> is bound to find some of these things out.
>
> We need to do what is right. We need the truth. No cover up. If
> someone

> did something wrong, WE ALL need to know about it so we can decide
> what steps to take next. We have to do what is best for IASB.
>
> Sending emails is not the answer.....however, it is all we have at
> the moment. Somehow, we have to trust each other. How do we
> accomplish this when I feel like we are not being told everything?
>
> This is just my thoughts this morning.
>
> What is our next step?
>
> Roger
>
>
>
>
>
> ----- Original Message -----
> From: "Scott Hansen" <scotth@netins.net>
> To: <mdezonja@mchsi.com>; "Mike" <Mike@twinklakesenviro.com>
> Cc: "nolden gentry" <nolden.gentry@brickgentrylaw.com>; "matt brick"
> <matt.brick@brickgentrylaw.com>; "Harry Heiligenthal"
> <hheiligenthal@ia-sb.org>; "Richard Cleweell" <rclewell@mchsi.com>;
"Russ
> Wiesley" <rwiesley@mchsi.com>; "Lee Ann Grimley"
> <grimleys@netins.net>;

> "Jerry & Amy Jurrens" <jurrens@siebring.com>; "Williams Morain"
> <anplsurg@grm.net>; "George Wheeler" <georgeandlinda@mchsi.com>;
> "Jim Green" <jgreen@aea10.k12.ia.us>; "Katie Temple"
> <templereeve@msn.com>; "ShafferCompany PC" <roger@shafferopa.com>;
<sshaw@forestcity.k12.ia.us>;
> "Thomas Wieseler" <twiesele@coe.edu>; "Joan Corbin"
> <joan_david@mac.com>
> Sent: Sunday, March 28, 2010 12:46 AM
> Subject: RE: We need to move right now !!!!
>
>
>
> Okay, think people. I know more anger, more frustration but I REALLY,
> REALLY, need some help here on background. After we hired McPherson to
> do the search and we met to discuss the kind of executive we wanted,
> then to develop questions, we then saw Dan Smith from SAI answer the questions.
Then
> we interviewed the first three candidates and then decided we needed
> to
keep
> looking.
>
> Will someone please tell me what happened at the second go around.

> Same search committee or different? Same questions or different? I was
 > out of
 the
 > state during the second go round so I have no information to work
 > from, as

> far as Mary D. goes and I know that I have said this numerous times,
 > Mary
 D
 > was my baby sitter in my VERY early years. So maybe I bow out on this one.
 I
 > do know one thing, we also had a board member that was also an
 > Heartland
 AEA
 > board member at the time. This person is no longer on our board. Maybe
 > I shouldn't know any more here. Nolden some advice PLEASE. I will say
 > that admin leave at least is a must.
 >
 > As far as Mary Gannon, do we have acceptable evidence of her
 > communicating

> her displeasure about her salary going up, I can't recall what we were
 told
 > on this one, we had so much. My recollection is that Mary G. had a
 > couple
 > of e-mails to Maxine about it,
 >
 > I dont know about anyone else, but I have not had a chance to review
 > much of anything since returning home on Thursday night. My wife is
 > taking her mother to Mayo Clinic tomorrow for hopefully a change in
 > treatment for her

> liver cancer. I MUST be with my two girls tomorrow. I'm planning on
 looking
 > over papers relating to this and I've got a theory working on the
 > information that has been leaked. Especially regarding the hiring
 > process (so I really need some help on the PART 2); the amounts still
 > owed by deferred fees; and the HUMP stuff.
 >
 > I would really suggest that we look to what our interim director has
 > to
 say,
 > what counsel has to say. We do need to act quickly but can't be rash.
 >
 > My biggest fears at this point are these:
 > We cannot decimate the leadership of the organization, unless we're
 > absolutely sure we've got it right.
 > We have people with contracts, and we still have to serve the
 > districts
 that
 > are our members.
 > We have to know the truth, again we have to have facts.
 > We really need to think first.
 >
 > I would like to hear if the other members think I can still add to the
 board
 > I will do what I can to help. We absolutely must act together, and get
 this
 > right.
 > Cell number 712-789-0738. Church is from about 8:50 to 10:00 a.m.

tomorrow,

> I'm going. Rest of the day, I'll talk when I can. I'll be going to the
outer

> reaches on Tuesday a.m. won't be home until Thursday night.

>

> -----Original Message-----

> From: mdezonia@mchsi.com [mailto:mdezonia@mchsi.com]

> Sent: Saturday, March 27, 2010 7:20 PM

> To: Mike

> Cc: nolden gentry; matt brick; Harry Heiligenthal; Richard Cleweell;

> Russ Wiesley; Lee Ann Grimley; Jerry & Amy Jurrens; Williams Morain;

> George Wheeler; Jim Green; Katie Temple; Scott Hansen; ShafferCompany

> PC; sshaw@forestcity.k12.ia.us; Thomas Wieseler; Joan Corbin

> Subject: Re: We need to move right now !!!!

>

> Mike and all,

> I agree about Mary D. Did I miss something about Mary Gannon?

> The sub-committee to interview folks has set up a way to do conference
calls

> from a website called

> <http://www.freeconference.com/> It is not a toll free number, so each
would

> pay for a long distance call, but would allow us to all talk together
(Just

> an idea)

> Thanks,

> Marcia

>

> ----- Original Message -----

> From: "Mike" <Mike@twinlakesenviro.com>

> To: "Richard Cleweell" <rclowell@mchsi.com>, "Russ Wiesley"

> <rwiesley@mchsi.com>, "Lee Ann Grimley" <grimleys@netins.net>, "Jerry

> &

> Amy

> Jurrens" <jurrens@siebring.com>, "Williams Morain" <anplsurg@grm.net>,

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> "ShafferCompany

> PC"

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> <twiesele@coe.edu>, "Joan Corbin" <joan_david@mac.com>

> Cc: "nolden gentry" <nolden.gentry@brickgentrylaw.com>, "matt brick"

> <matt.brick@brickgentrylaw.com>, "Harry Heiligenthal"

> <hheilighenthal@ia-sb.org>

> Sent: Saturday, March 27, 2010 6:54:25 PM GMT -06:00 US/Canada Central

> Subject: We need to move right now !!!!

>

>

> Ok

> Here is what I want. I want Mary D and Mary G on administrative leave
right

> now!!!!

> If Mary D has now received those Light House files I want that stop

> right now !!! This is Harry's job. So does he need guidance from the

> Ex

> Committee

> ? Does the Ex committee need instruction from the board ? If they do

> then

> we

> need a conference call tomorrow !!!! I have talked to a few of you

<http://www.eset.com>

Search

From: Wiesley, Russ
Sent: Friday, April 02, 2010 7:52 AM
To: Heiligenthal, Harry
Subject: Russ W-Joan's points for future conf calls & orient ideas?

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I'd be happy to participate. If we pursue this I'd appreciate you suggestions for others to participate (a couple of board members? Staff? Nolden or Matt B? etc.)?

Did we do anything like this for other new members this year (George, Roger? Others?)?
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From: Wiesley, Russ
Sent: Thursday, April 01, 2010 11:24 PM
To: Heiligenthal, Harry
Subject: Russ W-Joan's points for future conf calls

Harry,
Joan made some good points that we should incorporate in future conference calls.

Russ Wiesley
805 Walnut Ridge Drive
Waukeg, Iowa 50263-9619
515-238-3937
rwiesley@mchsi.com
President, IASB

-----Original Message-----

From: Joan Corbin [mailto:joan_david@mac.com]

Sent: Tuesday, March 30, 2010 2:08 PM

To: Russ Wiesley

Cc: Amy Jurrens; Bill Morain; Darrell Dettermann; 'George Wheeler'; 'Jim Green'; Katie L. Temple; Lee Ann Grimley; Marcia DeZonia; 'Mike Sexton'; 'Richard Clewell'; 'Roger Shaffer'; Scott Hansen; 'Susan Shaw'; Tom Wieseler

Subject: Re: We need to move right now !!!!

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Thanks.

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On Mar 30, 2010, at 12:01 AM, Russ Wiesley wrote:

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> Russ Wiesley

> 805 Walnut Ridge Drive

> Waukee, Iowa 50263-9619

> 515-238-3937

> rwiesley@mchsi.com

>

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> -----Original Message-----

> From: Jim Green [mailto:jgreen@aea10.k12.ia.us]

> Sent: Sunday, March 28, 2010 10:20 AM

> To: 'ShafferCompany PC'; 'Scott Hansen'; mdezonia@mchsi.com; 'Mike'

> Cc: 'Harry Heiligenthal'; 'Richard Clewell'; 'Russ Wiesley'; 'Lee Ann

> Grimley'; 'Jerry & Amy Jurrens'; 'Williams Morain'; 'George Wheeler'; 'Katie Temple'; sshaw@forestcity.k12.ia.us; 'Thomas Wieseler'; 'Joan Corbin'

> Subject: RE: We need to move right now !!!!

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> right.

> Cell number 712-789-0738. Church is from about 8:50 to 10:00 a.m,
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> I'm going. Rest of the day, I'll talk when I can. I'll be going to the
outer

> reaches on Tuesday a.m, won't be home until Thursday night.

>

> -----Original Message-----

> From: mdezonja@mchsi.com [<mailto:mdezonja@mchsi.com>]

> Sent: Saturday, March 27, 2010 7:20 PM

> To: Mike

> Cc: nolden gentry; matt brick; Harry Heiligenthal; Richard Cleweell;
> Russ Wiesley; Lee Ann Grimley; Jerry & Amy Jurens; Williams Morain;
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> PC; sshaw@forestcity.k12.ia.us; Thomas Wieseler; Joan Corbin

> Subject: Re: We need to move right now !!!!

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> Mike and all,

> I agree about Mary D. Did I miss something about Mary Gannon?

> The sub-committee to interview folks has set up a way to do conference calls
> from a website called
> <http://www.freeconference.com/> It is not a toll free number, so each would
> pay for a long distance call, but would allow us to all talk together
(Just
> an idea)
> Thanks,
> Marcia

> ----- Original Message -----

> From: "Mike" <Mike@twinlakesenviro.com>
> To: "Richard Cleweell" <rclwell@mchsi.com>, "Russ Wiesley" <rwiesley@mchsi.com>, "Lee Ann Grimley" <grimleys@netins.net>, "Jerry
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> Sent: Saturday, March 27, 2010 6:54:25 PM GMT -06:00 US/Canada Central
> Subject: We need to move right now !!!!

> Ok

> Here is what I want. I want Mary D and Mary G on administrative leave right
> now!!!!
> If Mary D has now received those Light House files I want that stop
> right now !!! This is Harry's job. So does he need guidance from the
> Ex

Committee

> ? Does the Ex committee need instruction from the board ? If they do
> then

we

> need a conference call tomorrow !!!! I have talked to a few of you
> today
> and

> have read the emails. I do not believe I'm out of line. If I am, here
> is

all

> my contact information. Call me and tell me way I'm wrong. I will be
> home after 8:00 tonight and you can call me anytime. This is the straw
> that
> broke
> the camel's back.

> Home 712-297-8720

> Also I found out today Megan's husband works at the Register this is
> causing
> me some intestinal discomfort.

Search

From: Heiligenthal, Harry
Sent: Friday, April 02, 2010 12:13 AM
To: Wiesley, Russ
Subject: Russ W-Joan's points for future conf calls & orient ideas?

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> <hheiligenthal@ia-sb.org>

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> Subject: We need to move right now !!!!

>

>

> Ok

> Here is what I want. I want Mary D and Mary G on administrative leave
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> If Mary D has now received those Light House files I want that stop
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Committee

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> then

we

> need a conference call tomorrow !!!! I have talked to a few of you
> today

and

> have read the emails. I do not believe I'm out of line. If I am, here

> is

all

> my contact information. Call me and tell me way I'm wrong. I will be
> home after 8:00 tonight and you can call me anytime. This is the straw
> that

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>

> Home 712-297-8720

>

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>

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>

>

>

> MIKE SEXTON TSP

> mike@twinlakesenviro.com

> www.twinlakesenviro.com

> Office: (712) 297-5530

> Cell: (712) 830-3960

> Fax: (712) 297-5527

> 2203 Ogden Avenue

> Rockwell City, Iowa 50579

>

>

>

>

>
>
> _____ Information from ESET NOD32 Antivirus, version of virus
signature database 4980 (20100328) _____

> The message was checked by ESET NOD32 Antivirus.

> <http://www.eset.com>

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>
>

_____ Information from ESET NOD32 Antivirus, version of virus signature database 4989 (20100331) _____

The message was checked by ESET NOD32 Antivirus.

<http://www.eset.com>

Search

From: Wiesley, Russ
Sent: Thursday, April 01, 2010 11:24 PM
To: Heiligenthal, Harry
Subject: Russ W-Joan's points for future conf calls

Harry,
Joan made some good points that we should incorporate in future conference calls.

Russ Wiesley
805 Walnut Ridge Drive
Waukee, Iowa 50263-9619
515-238-3937
rwiesley@mchsi.com
President, IASB

-----Original Message-----

From: Joan Corbin [mailto:joan_david@mac.com]
Sent: Tuesday, March 30, 2010 2:08 PM
To: Russ Wiesley
Cc: Amy Jurrens; Bill Morain; Darrell Dettermann; 'George Wheeler'; 'Jim Green'; Katie L Temple; Lee Ann Grimley; Marcia DeZonia; 'Mike Sexton'; 'Richard Clewell'; 'Roger Shaffer'; Scott Hansen; 'Susan Shaw'; Tom Wieseler
Subject: Re: We need to move right now !!!!

Russ,

As this question applies to me as the "newest" of the new board members, I think I have been following along and picking up the essentials fairly well.

The one area that has me confused is yesterday's information from Stephanie and Scott's questions on Sunday regarding IJUMP, but I know what has transpired prior to my involvement is complicated and may take some one on one explanations, perhaps at our next meeting. I will wait until then to have someone give me the overall concepts and that will help with my understanding of the specifics per Stephanie and Scott's exchange.

Additionally, as happens sometimes when conference calls are called quickly, I was in Des Moines and had not read any of the e-mails of late Saturday and Sunday. I felt knowledgeable enough to vote on the items before us, but might have requested an abstention had we voted on the personnel item that came close to being before us as I had not read the information from Mary D.

A procedural thought...It would be helpful when conference calls occur quickly for someone to quickly review what has transpired via e-mail over the previous few hours (at least items crucial to decision making)at the start of the call. I suspect, though, I should have asked for that. Also, though it was a great brain plasticity exercise to recognize each person's voice, I did appreciate when members identified themselves at the start of their comments!

I feel that I have working knowledge of the process of the interviews that took place, including the mock interview situation. My only question regarding that is, "What was the nature of the relationship (personal and/or professional) between Maxine and Mary D. prior to soliciting her for the mock interview? The paper's e-mail exchange between the two..."Glad to have you in my life..." led me to think that they didn't just meet at the time of the mock interview. This may fall into the category of avoiding personnel discussions, Russ, but I am a bit confused with those parameters.

Thanks.

Joan Corbin

On Mar 30, 2010, at 12:01 AM, Russ Wiesley wrote:

> What questions do you still have?

>

> Russ Wiesley

> 805 Walnut Ridge Drive

> Waukee, Iowa 50263-9619

> 515-238-3937

> rwiesley@mchsi.com

>

>

> -----Original Message-----

> From: Jim Green [mailto:jgreen@aea10.k12.ia.us]

> Sent: Sunday, March 28, 2010 10:20 AM

> To: 'ShafferCompany PC'; 'Scott Hansen'; mdezonia@mchsi.com; 'Mike'

> Cc: 'Harry Heiligenthal'; 'Richard Cleweell'; 'Russ Wiesley'; 'Lee Ann

Grimley'; 'Jerry & Amy Jurrens'; 'Williams Morain'; 'George Wheeler'; 'Katie Temple'; sshaw@forestcity.k12.ia.us;

'Thomas Wieseler'; 'Joan Corbin'

> Subject: RE: We need to move right now !!!!

>

> Roger,

>

> Your response reinforces the reason that I yesterday asked Russ to

> fill in

the new board members regarding the hiring process. I did not realize that Scott (and maybe others) also were not aware of all that happened at the meeting where Maxine was interviewed. So I hereby reiterate my request to Russ. I agree that all board members need to have complete information.

>

> In answer to one of Scott's and your questions, yes, the board members

were aware of the mock interviews. We used them as a tool to prepare for the real interviews. Mary D. and Harry were utilized to guide us through the preparation process. More than one person was videotaped for this part of the process. We were told about one person who broke down at the end of taping and therefore asked that that portion not be used. I was led to believe that the emotional person was Ron Rice (I cannot remember who told me that); I did not know that Maxine was a participant in the mock interviews, and I don't think that any of us were aware that Maxine participated in the mock interview. My point of view....

>

> Jim

>

> -----Original Message-----

> From: ShafferCompany PC [mailto:roger@shaffercpa.com]

> Sent: Sunday, March 28, 2010 9:32 AM

> To: Scott Hansen; mdezonia@mchsi.com; 'Mike'

> Cc: 'nolden gentry'; 'matt brick'; 'Harry Heiligenthal'; 'Richard

Cleweell'; 'Russ Wiesley'; 'Lee Ann Grimley'; 'Jerry & Amy Jurrens'; 'Williams Morain'; 'George Wheeler'; 'Jim Green';

'Katie Temple'; sshaw@forestcity.k12.ia.us; 'Thomas Wieseler'; 'Joan Corbin'

> Subject: Re: We need to move right now !!!!

>
> I can not tell you the frustration that I am feeling.
>
> Scott.....you mention you can't remember.....as a new board member, I
don't
> know what went on, which makes it very difficult to know what to ask
> and
who
> to ask. I ask a lot of questions because I want to know the facts
> before
I
> make my decision.
>
> After our Thursday meeting, I felt things are finally getting better.
Then
> I read the Des Moines Register article on Friday. Why are we talking
> to Kauffman?.....he does not tell OUR story!
>
> Did any IASB board member know of the mock interview? Did past and
current
> administration set the prior board up? We all need to know.
>
> I was told that, as a new board member, I was not needed on Wednesday
> for the hearing. I don't know what your strategy was going into it.
> I
listened
> to parts of the hearing, and I don't believe the correct answers were
given.
> I am puzzled why that was allowed to happen. The oversight committee
> is bound to find some of these things out.
>
> We need to do what is right. We need the truth. No cover up. If
> someone

> did something wrong, WE ALL need to know about it so we can decide
> what steps to take next. We have to do what is best for IASB.
>
> Sending emails is not the answer.....however, it is all we have at
> the moment. Somehow, we have to trust each other. How do we
> accomplish this when I feel like we are not being told everything?
>
> This is just my thoughts this morning.
>
> What is our next step?
>
> Roger
>
>
>
>
>
> ----- Original Message -----
> From: "Scott Hansen" <scotth@netins.net>

> To: <mdezoniam@mchsi.com>; "Mike" <Mike@twinlakesenviro.com>
> Cc: "nolden gentry" <nolden.gentry@brickgentrylaw.com>; "matt brick"
> <matt.brick@brickgentrylaw.com>; "Harry Heiligenthal"
> <hheiligenthal@ia-sb.org>; "Richard Cleweel" <rclewell@mchsi.com>;
> "Russ
> Wiesley" <rwiesley@mchsi.com>; "Lee Ann Grimley"
> <grimleys@netins.net>;

> "Jerry & Amy Jurrens" <jurrens@siebring.com>; "Williams Morain"
> <anplsurg@grm.net>; "George Wheeler" <georgeandlinda@mchsi.com>;
> "Jim Green" <jgreen@aea10.k12.ia.us>; "Katie Temple"
> <templereeve@msn.com>; "Shaffer Company PC" <roger@shaffer CPA.com>;
<sshaw@forestcity.k12.ia.us>;
> "Thomas Wieseler" <twiesele@coe.edu>; "Joan Corbin"
<joan_david@mac.com>
> Sent: Sunday, March 28, 2010 12:46 AM
> Subject: RE: We need to move right now !!!!
>
>
> Okay, think people. I know more anger, more frustration but I REALLY,
> REALLY, need some help here on background. After we hired McPherson to
> do the search and we met to discuss the kind of executive we wanted,
> then to develop questions, we then saw Dan Smith from SAI answer the questions.
Then
> we interviewed the first three candidates and then decided we needed
> to
keep
> looking.
>
> Will someone please tell me what happened at the second go around.
> Same search committee or different? Same questions or different? I was
> out of
the
> state during the second go round so I have no information to work
> from, as

> far as Mary D. goes and I know that I have said this numerous times,
> Mary
D
> was my baby sitter in my VERY early years. So maybe I bow out on this one.
I
> do know one thing, we also had a board member that was also an
> Heartland
AEA
> board member at the time. This person is no longer on our board. Maybe
> I shouldn't know any more here. Nolden some advice PLEASE. I will say
> that admin leave at least is a must.
>
> As far as Mary Gannon, do we have acceptable evidence of her
> communicating

> her displeasure about her salary going up, I can't recall what we were

told

> on this one, we had so much. My recollection is that Mary G. had a
> couple

> of e-mails to Maxine about it.

>

> I dont know about anyone else, but I have not had a chance to review
> much of anything since returning home on Thursday night. My wife is
> taking her mother to Mayo Clinic tomorrow for hopefully a change in
> treatment for her

> liver cancer. I MUST be with my two girls tomorrow. I'm planning on
looking

> over papers relating to this and I've got a theory working on the
> information that has been leaked. Especially regarding the hiring
> process (so I really need some help on the PART 2); the amounts still
> owed by deferred fees; and the IJUMP stuff.

>

> I would really suggest that we look to what our interim director has
> to

say,

> what counsel has to say. We do need to act quickly but can't be rash.

>

> My biggest fears at this point are these:

> We cannot decimate the leadership of the organization, unless we're
> absolutely sure we've got it right.

> We have people with contracts, and we still have to serve the
> districts

that

> are our members.

> We have to know the truth, again we have to have facts.

> We really need to think first.

>

> I would like to hear if the other members think I can still add to the
board

> I will do what I can to help. We absolutely must act together, and get
this

> right.

> Cell number 712-789-0738. Church is from about 8:50 to 10:00 a.m.
tomorrow,

> I'm going. Rest of the day, I'll talk when I can. I'll be going to the
outer

> reaches on Tuesday a.m. won't be home until Thursday night.

>

> -----Original Message-----

> From: mdezonia@mchsi.com [mailto:mdezonia@mchsi.com]

> Sent: Saturday, March 27, 2010 7:20 PM

> To: Mike

> Cc: nolden gentry; matt brick; Harry Heiligenthal; Richard Cleweell;

> Russ Wiesley; Lee Ann Grimley; Jerry & Amy Jurrens; Williams Morain;

> George Wheeler; Jim Green; Katie Temple; Scott Hansen; ShafferCompany

> PC; sshaw@forestcity.k12.ia.us; Thomas Wieseler; Joan Corbin

> Subject: Re: We need to move right now !!!!
>
> Mike and all,
> I agree about Mary D. Did I miss something about Mary Gannon?
> The sub-committee to interview folks has set up a way to do conference
calls
> from a website called
> <http://www.freeconference.com/> It is not a toll free number, so each
would
> pay for a long distance call, but would allow us to all talk together
(Just
> an idea)
> Thanks,
> Marcia
>
> ----- Original Message -----
> From: "Mike" <Mike@twinlakesenviro.com>
> To: "Richard Cleweell" <rclewell@mchsi.com>, "Russ Wiesley"
> <rwiesley@mchsi.com>, "Lee Ann Grimley" <grimleys@netins.net>, "Jerry
> &
Amy
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> "ShafferCompany
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> <roger@shaffercpa.com>, sshaw@forestcity.k12.ia.us, "Thomas Wieseler"
> <twiesele@coe.edu>, "Joan Corbin" <joan_david@mac.com>
> Cc: "nolden gentry" <nolden.gentry@brickgentrylaw.com>, "matt brick"
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The message was checked by ESET NOD32 Antivirus.

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Search

From: Forgrave, Megan
Sent: Thursday, April 01, 2010 4:45 PM
To: Heiligenthal, Harry
Subject: RE: Megan IASB: Necessary Context on Travel Article

I think he's a board member - Jefferson-Scranton.

From: Heiligenthal, Harry
Sent: Thursday, April 01, 2010 1:43 PM
To: Forgrave, Megan
Subject: Megan IASB: Necessary Context on Travel Article

Make sense. Good thinking.

I'm not meaning to overwhelm you, so please involve the assistance of others with these kinds of tasks. When you have a chance, but not an immediate request. What is Kevin's role?

HH

From: Forgrave, Megan
Sent: Thursday, April 01, 2010 1:19 PM
To: Heiligenthal, Harry
Subject: RE: Megan IASB: Necessary Context on Travel Article

I have asked Marte to do a quick look for Margo's notes - we can't spend too much time on this, though. My two cents.

From: Heiligenthal, Harry
Sent: Thursday, April 01, 2010 1:10 PM
To: Forgrave, Megan
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As one example, I'd suggest you could re-listen to Margo's voice message that I forwarded the other day, then pull her notes from the mdrive that she explained in the voice mail and see if there is enough "fodder" to briefly summarize. Is Kevin a board member? administrator? another role?

I'd be happy to kick around a couple of ideas when I get back to the office later this afternoon or tomorrow. I'll give more thought to it when I'm in the car today.

HH

From: Forgrave, Megan
Sent: Thursday, April 01, 2010 12:50 PM
To: kevin neal
Cc: Heiligenthal, Harry; Gannon, Mary; Delagardelle, Mary; Vens, Mary Jane
Subject: RE: IASB: Necessary Context on Travel Article

Hi there-

Since none of those executive directors are here any longer, I'm not certain how to answer your question about specific things they learned at their conferences. I do know that in general, when staff travel to conferences, they often return with pages of notes and ideas that they share with the appropriate colleagues who work in those areas. I'll forward this to a few other people to see if they can offer any examples. Thanks for the note.

Megan

Megan (Hawkins) Forgrave
Communications Director
Iowa Association of School Boards
6000 Grand Avenue
Des Moines, Iowa 50312-1417
(515) 288-1991, ext. 236
1-800-795-4272
Direct Line: (515) 247-7036
Cell: (515) 229-1705
Fax: (515) 247-4680
www.ia-sb.org

From: kevin neal [mailto:nealk1@gmail.com]
Sent: Thursday, April 01, 2010 12:22 PM
To: Forgrave, Megan
Subject: Re: IASB: Necessary Context on Travel Article

Do you any specific data that shows positive changes made directly because of travel to these national or regional conferences?

How did services provided to school districts change?

KN

On Thu, Apr 1, 2010 at 10:59 AM, <ia-sb@ia-sb.org> wrote:

IASB Offers Necessary Context on News Coverage; Travel Policy

The Iowa Association of School Boards has been reviewing several policies over the past few months and making changes as needed, in order to increase accountability. One of those was the travel policy, which outlines which travel expenses are allowable and covered by the association for the IASB board and staff. That policy was reviewed in November 2009 and notable changes were passed by the IASB Board in January 2010. Changes include that IASB no longer pays for any spouses to attend events, and all out-of-state business travel by staff must be previously approved by the executive director.

The travel policy very specifically outlines the few national conferences IASB will send representatives to, and names the people who shall represent the association at those National Association of School Boards events. Typically, each of the meetings is held either in Washington D.C., which is NSBA's headquarters, or at the location decided upon by the host region that year. Although an article in the Des Moines Register today made it sound like most events are held at exotic locations, IASB would like to note that many of these meetings are held in very typical, regional cities that are inexpensive. For example, one salient fact that the Register did not include is that last year's Central Region meeting was actually hosted by Iowa and held here in Des Moines – we worked hard to keep the costs down for all attendees by doing things such as bringing in student entertainment, rather than something more extravagant.

The Des Moines Register has drawn special attention to the NSBA Summer Institute for executive directors, which is a multiple-day business meeting where statewide leaders meet annually to discuss governance, advocacy and education issues, as well as share ideas and best practice. Iowa does send representatives to that meeting - as noted in the newspaper, Ron Rice attended the conference in California in 2008 (the southern region chose the location that year) and in 2009, Maxine Kilcrease attended the conference in Alaska (the pacific region chose the location that year). In addition, due to the turnover of executive directors, Ron Rice had asked Margaret Buckton, then the associate executive director of public policy, to attend, so she accompanied the new executive director.

Below, you will find links to some data on the past few conferences and their costs, compared to other national associations. You will also find the agendas from the past several years, which illustrate the valuable types of learning and discussions that go on. Continuing education is something that is critical to all organizations as we work to improve school board leadership and student achievement. We hope you find this data helpful.

Historical Summer Institute Costs:

<http://www.ia-sb.org/assets/3d4dd2bae3e24e0ab3c51a5f8ae52e39.pdf>

Summer Institute Past Agendas:

<http://www.ia-sb.org/assets/478a5e16f8b64fc596162094fc98dffe.pdf>

Please share this and other IASB updates with your colleagues, especially those who are not on our e-mail list. We aim to keep our members informed. Please do contact us with questions, by replying to this e-mail or by calling (800) 795-4272.

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Sent: Thursday, April 01, 2010 4:25 PM
To: Forgrave, Megan
Subject: Google Alert - school Iowa

Google News Alert for: **school Iowa**

Lawsuit challenges universities' claim on colors

KITC

While an **Iowa** spokesman wouldn't comment, **Iowa** State lawyer Keith Bystrom says the university thought the labels went beyond using the **school's** colors. ...

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New York Times

Injury Forces UConn's Greene to Play to New Strengths

New York Times

And though Greene was eligible to jump to the WNBA a season ago, after UConn won its sixth national title, she decided to return to **school** for a fifth ...

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Public paid for **school** boards group executives' far-flung travels

DesMoinesRegister.com

By CLARK KAUFFMAN • ckauffman@dmreg.com • April 1, 2010 Top executives of the **Iowa** Association of **School** Boards - along with their spouses - traveled to ...

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Mitt Romney set to appear at SC military **school**

The State

AP CHARLESTON, SC -- Former Republican presidential candidate Mitt Romney has an appearance scheduled for the South Carolina coast. ...

[See all stories on this topic](#)

Court clears UI law **school** of bias

Iowa City Press Citizen

A lawsuit against the dean of the University of **Iowa** College of Law alleging political bias has been dismissed by a federal judge. ...

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Morningstar wins Optimists' essay contest at state level

Mt. Vernon-Lisbon Sun

Erin Morningstar, a junior at Lisbon High **School**, recently won the 2010 Optimist International's **Iowa** District's Essay Contest based on a theme of "The ...

[See all stories on this topic](#)



The Detroit News
(blog)

A little Lickliter help?

The Detroit News (blog)

Former **Bulter** and **Iowa** coach Todd Lickliter is unemployed right now but could soon be put to work by his former **school**. Bulldogs coach Brad Stevens ...

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Famed artist has deep connection to Springfield

Springfield News Sun

By Andrew McGinn, Staff Writer 4:23 PM Thursday, April 1, 2010 He only attended **school** here for two years before transferring to the University of **Iowa**, ...
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www.ia-sb.org

From: kevin neal [mailto:nealk1@gmail.com]
Sent: Thursday, April 01, 2010 12:22 PM
To: Forgrave, Megan
Subject: Re: IASB: Necessary Context on Travel Article

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