

Susan Brissette

From: Jeffrey Butts [jeffandkristabutts@comcast.net]
Sent: Friday, June 24, 2011 4:54 PM
To: Wendy DiFruscio
Subject: FW: CONFIDENTIAL: Attorney-Client Privilege Information Fwd: The interim situation

From: Ann Wright [mailto:ann_wright@comcast.net]
Sent: Sunday, June 12, 2011 12:24 PM
To: Megan Turnbull; Henry Brackett
Cc: Kim Memmesheimer; Ann Lane; Jeffrey Butts; Jocelyn O'Quinn; Jim Kach
Subject: Re: CONFIDENTIAL: Attorney-Client Privilege Information Fwd: The interim situation

Dear Fellow Board Members,

The notion that a communication within the board is a breach of board confidentiality is nonsensical. Whether it is labeled as "confidential" or not is immaterial. It is the substance of the communication that determines whether it should be a public document, a nonpublic document, or have certain words or phrases redacted. Before everyone gets pointlessly upset, they should know what they are talking about. I fully understand that the email I sent earlier could be a public document at some point with some words or phrases redacted. It is unfortunate you focused on the "confidential" part of this email rather than the substance. It is too often the case that board members choose not to listen to each other and engage in meaningful conversation. This is yet another sad example of that.
Ann

From: Megan Turnbull
Sent: Sunday, June 12, 2011 11:07 AM
To: Henry Brackett
Cc: Kim Memmesheimer ; Ann Wright ; Ann Lane ; Jeffrey Butts ; Jocelyn O'Quinn ; Jim Kach
Subject: CONFIDENTIAL: Attorney-Client Privilege Information Fwd: The interim situation

Henry,

Please see the e-mail from Ann Wright to the full board below. Ann Wright divulged several pieces of confidential information in an e-mail to the full board, a quorum, and did not label her e-mail as confidential. Ann Wright referenced the following confidential items in her open e-mail:

- 1) An interim superintendent – This indirectly references the amicable separation agreement which is protected under attorney-client privilege information and the agreed upon non-disclosure that accompanies the settlement process.
- 2) Personnel by citing a specific individual's name – This violates individual confidences and RSAs related to personnel/hiring

Because Ann Wright's e-mail was not labeled confidential, Ann Wright's e-mail may both compromise the amicable separation agreement and open the board to liability via the

disclosure of a professional's name, out of context, and without his permission; these are both serious matters.

The board chair needs to seek immediate legal advice from Kim Memmesheimer on how this e-mail, Ann Wright's original e-mail, and any other subsequent e-mails on this topic remain, non-public confidential.

Please note, the full board and Kim Memmesheimer are copied on this e-mail; this e-mail is labeled "Confidential: Attorney-Client Privilege."

Megan

Begin forwarded message:

From: "Ann Wright" <ann_wright@comcast.net>
Date: June 12, 2011 7:21:26 AM EDT
To: "Ann Lane" <ann.lane@comcast.net>, "Henry Brackett" <hfb4444@comcast.net>, "Jim Kach" <jkach55@gmail.com>, "Krista Butts" <kbutts@orcscd.org>, "Jocelyn O'Quinn" <joceoquinn@yahoo.com>, "Megan Turnbull" <mmshea@chicagogsb.edu>
Subject: The interim situation

Dear Fellow Board Members,

I hope you enjoyed Graduation on Friday. I thought it was a lovely celebration of our school, our students and our teachers. It is clear that our students have great love for their school and their teachers, and this is truly what makes OR special.

At agenda setting on Tuesday, 6/7, Henry said that he was going to hold preliminary interviews with three interim superintendent candidates on Friday (6/10). After I called him and left him several emails asking if I could join him for those interviews, he called me back and told me that I could not, that Megan Turnbull and Jim Kach were already accompanying him to these interviews taking place at the Durham Police Department. It strikes me as odd that Henry would not ask his more experienced board members to take part in these interviews. Another thing that sent up a red flag was that he said they would be interviewing [REDACTED] who, as I have heard from Henry, did some work on the statements Megan wrote for Howard's buyout. Megan knows this gentleman, as does Jim Kach, from his job. While I don't know the details (I have only heard small details from Henry by telephone), the fact that one of the candidates is known by the three interviewers causes me concern. I also would hope that we would have Sue Caswell and Danielle Bolduc, at the very least, interview these individuals. After all, they will be working most closely with the superintendent, not the board. I hope we can discuss all this on Monday evening. Important decisions like the hiring of a superintendent should be left to the board as a whole, not segments of the board determined by the Chair.

Henry also told me that the Board would meet for a non-meeting on Monday, June 13th to decide on which interim superintendent to hire. I strenuously objected to this process. Feeling powerless, I spoke with Krista on the telephone and explained to her what I knew (she did not know about this process Henry had set up), and, as I understand it, Krista spoke with Henry yesterday. Apparently there will be a different plan now. If so, I don't know what it is. Perhaps some board members know about this already and others will find out by phone call or at the non-meeting on Monday. I could be telling you all something you already know about.

However, my point is that this is not how a board is run. Board Chairs do not make decisions unilaterally. Nor do Board Chairs involve some individuals in their decision making and leave others out. Decisions are made by the board as a whole. Information should not travel by telephone, but be imparted during meetings. Some of you do not know this because you have only sat on a board a short while and have only learned from this Chair. It is vital that we all start to act like a board and not several individuals acting independently.

It is one thing to have the Chair say that he will write a statement regarding [REDACTED] appointment and then involve one other person (hopefully at the instruction of the board - I still do not know who wrote that statement delivered last Wednesday that this Board signed off on). It is something else entirely to have the Board Chair, on his own, decide who to contact as this district's interim superintendent, and then attempt to keep that hiring process to three of his hand-picked people. Is this transparent? Is this due diligence? Remember, the board rejected a principal candidate after this person had been vetted by a dozen teachers, three community members, three board members and a superintendent with over thirty years of hiring experience - a process that took months. If our Chair's judgment says that this board could hire an interim superintendent - someone who will take us through budget season, decide whether [REDACTED] will become our permanent Principal, and hire our new Director of Curriculum - after one interview with only three board members, I seriously question this Chair's judgment.

It is not my goal to sit here at my computer and point my finger at Henry or at anyone on the Board. My letter is sent out of frustration. I want this board to act in the interests of our students and our community. If we cannot act as a cohesive unit, we cannot make informed decisions in order to improve student achievement and act in anyone's best interests - even our own. If you haven't noticed, we are not a community in crisis, but a board in crisis. We can continue along our merry way and leave a legacy of negative press, reduced teacher and student morale and a community that is no longer desirable to move to, or we can begin working together and act like a proper board. If we chose to act like a proper board, we will have to re-think our actions, and demand accountability among each other.

Take Care,
Ann