

To: SCBOCES Board Members
From: Dr. Terre Davis, Private Citizen and Taxpayer
Re: A questionable financial transaction
Date: March 3, 2022

Dear Board Members:

I am sending you this information and asking the Board to review it and provide me with a written response regarding my concern on or before your regular board meeting on April 13, 2022.

My concern is as follows:

At the November 17, 2021 SCBOCES Board Meeting, the SCBOCES Board approved a payment for unused vacation days to retiring Executive Director, Amy Bollinger. Nowhere in the board agenda information sent to board members, nor in the minutes, was the stated number of days or per diem amount to be paid out included in the board information. I questioned this board action to the new board president via email and through a phone conversation on November 29, 2021. I suggested he relay my concern to the new executive director. I received no response from him so I sent another email on January 11, 2022. Again, I received no response so I decided to contact the current executive director directly, on January 18, 2022. She has been responsive and on March 1, 2022, sent me the information and answers regarding my three specific questions as follows:

- 1. Number of days paid (46 days which totaled \$23,233.22)**
- 2. Per diem pay (\$505.07)**
- 3. Who signed the request for the payout? (nothing available)**

NOTATION: The information I received indicated that the board approval was for unused vacation time payout ONLY, for \$17,172.38. Amy Bollinger also claimed 12 days of sick time for a payout of \$6,060.84 which was not conveyed to the board nor approved by the board—hence the payout of \$23,233.22. According to the information I received only Ed Donovan, the board president at the time, and Amy Bollinger approved the number of days and amount of payout. It appears that the board president and executive director were the

only persons involved in this decision with no documentation provided to anyone else.

I am questioning all of the above information, and as having served as the SCBOCES board president, I knew Amy Bollinger had been paid for unused vacation time in 2019 and 2020 and that her contract allowed for only 5 days carryover for any one year. (Attachment #1)

My email to the current board president explained what would appear to be the unused vacation time payout. (Attachment #2)

Copy of relevant information included in Amy Bollinger's contract of employment regarding sick days and vacation days (Attachment #3)

Copies of background information which I thought might be of interest to all SCBOCES Board Members to give each member an opportunity to understand previous concerns and actions taken:

Letter of resignation (Attachment #4)

Letter of concern to Ed Donovan and copied to board members on 2-13-21 (Attachment #5)

Eight year summary of my involvement as Custer County School Board Representative to SCBOCES was presented at the November 9, 2021, Custer County School Board Meeting, and published in local newspaper. (Attachment #6)

Letter read to the Custer County BOE at their February 9, 2022, Board Meeting (Attachment 7)

Please be very aware that I am sending this is to you—the board—as a private citizen and Federal, State, and local taxpayer of Custer County. Those responsible for allocating and spending our tax dollars must be held accountable.

Thank you for your prompt attention/response to this matter.

Dr. Terre Davis

Dr. Terre Davis

terredavis@aol.com

Time	Item No.	Agenda Item
		<p style="text-align: center;">• NONE</p> <p>6. Professional Development Opportunities</p> <p>1) Dr. Braden, Functional Behavior Assessment Training, August 12, 2019. (See Enclosed Flyer)</p> <p>2) CPI, Gifted and Talented, Instructional Strategies, Social Emotional Learning, and Technology Integration to support Teaching and Learning. (See Enclosed Flyer)</p>
		ACTION ITEMS
6:15 PM	5.	Approve the "Adopted Budget" for 2018-2019 as presented. The Board received the Proposed Budget at the May 8, 2019 Board meeting. <i>2018-2019</i>
6:30 PM	6.	Approve the liability insurance for 2019-2020 with Colorado School District Self Insurance Pool in the amount of \$26,178.00.
6:33 PM	7.	Approve the South Central BOCES Work Calendar for 2019-2020.
6:35 PM	8.	Approve for Amy Bollinger a onetime bonus of \$5000.00, insurance for employee and spouse—CEBT PP04, and payment for all unused vacation days (2018-19) with the exception of 5 days carryover, per contract. (Recommended approval by the Board Executive Committee)
6:40 PM	9.	Approve for Amanda Wittman a onetime bonus of \$5000.00 and payment for all unused vacation days (2018-19) with the exception of 5 days carryover, per contract. Revise current contract from a one-year contract to a two-year contract. (Recommended approval by the Board Executive Committee)
6:43 PM	10.	Approve for Tammy Farris payment for all unused (2018-19) vacation days, with the exception of 5 days carryover. (Recommended approval by the Board Executive Committee) <i>+ \$1000 and 1/2 hr</i>
		INFORMATION ITEMS
6:45 PM		Directors' and SAC President's Reports
		<p>a) SAC-Mike Moore</p> <p>b) CFO-Amanda Wittman</p> <p>c) Assistant Sped Director-Shawn Moore</p> <p>d) Grants Manager-Amy Bollinger</p>
7:00 PM		Executive Director/Sped Director's Report
		<p>a) Amy Bollinger</p> <p>a. Calendar Update</p>

Time	Item No.	Agenda Item	
6:33 PM	7.	Approve the South Central BOCES Work Calendar for 2019-2020.	<p>Roll Call Y=Yes, N=No, A=Abstain</p> <p>MOTION: Summer Borja SECOND: Marvin Price</p> <p>Amy commented that this is the internal calendar and the master calendar is still in process of beginning completed. The master calendar will have all the BOCES staff assignments. From the master calendar of assignments, each of the providers will then follow the districts school calendar.</p> <p>Y__ Aguilar Y__ Custer County C-1 Y__ Cotopaxi Y__ LaVeta Y__ Primero Re-2 Y__ Huertano Re-1 Y__ Trinidad #1 Y__ Hoehne #3</p> <p>Motion passed unanimously.</p>
6:35 PM	8.	Approve for Amy Bollinger a onetime bonus of \$5000.00, insurance for employee and spouse—CEBT PP04, and payment for all unused vacation days (2018-19) with the exception of 5 days carryover, per contract. (Recommended approval by the Board Executive Committee)	<p>Roll Call Y=Yes, N=No, A=Abstain</p> <p>MOTION: Summer Borja SECOND: Blair Decker</p> <p>Y__ Aguilar Y__ Custer County C-1 Y__ Cotopaxi Y__ LaVeta Y__ Primero Re-2 Y__ Huertano Re-1 Y__ Trinidad #1 Y__ Hoehne #3</p> <p>Motion passed unanimously.</p>

Item No.	Agenda Item
8.	Approve for Tammy Faris, Amanda Wittman and Amy Bollinger payment for unused vacation days (2019-20) with the exception of 5 days carryover, per contract.
9.	Approve for Amanda Wittman employer paid health insurance CEBT PP04, with the ability to exercise employee and family CEBT PP04 at a later date.
	INFORMATION ITEMS
	Directors' and SAC President's Reports
	<ul style="list-style-type: none"> a) SAC-Bree Lessar b) CFO-Amanda Wittman c) Grants Management Update-Dr. Angela Powers/ Amy Bollinger
	Executive Director/Sped Director's Report
	<ul style="list-style-type: none"> a) Amy Bollinger <ul style="list-style-type: none"> a. Calendar Update. b. COVID-19 Update.
	ADJOURNMENT
	The next Board of Directors' Meeting August 12, 2020 meeting at 6:00 PM at the Pueblo West BOCES Conference Room.

		<p>then a step only. If any is approved, then it would be in place for 2020-2021. It would be on the salary but at a less percent. When asking the board members to comment their concerns were the uncertainty on revenue for next year and their own districts planning for revenue decreases compounding over the next few years. Some districts are giving their own staff a step increase and others are not giving anything. They agreed that this decision be put on hold until the August 12th board meeting when there is more information from the state.</p>
	<p>Discussion to determine vacation days to be paid for this fiscal year.</p>	<p>Dr. Davis reminded the board that the board had this same discussion last year and Amy, Amanda, and Tammy were paid because they all took on extra duties in Amy's first year. The board agreed last year that they did not want to pay out the vacation days again. With talking to the board's executive committee on an individual basis questions came up. Concerns that it's the Leadership Staff need to set the example and take the time and encourage everyone to be healthy. Also, it is a big financial hit. Another concern is that if they are unable to take the time then they need to come forward and say they need more help. Currently the policy is no accrual on vacation days. A comment was made that context is important to review. If budgetary adjustment can be made without an increase of what is asked from each districts it should be considered. These vacation days would be taken out of this year's budget. The board agreed to hold taking any action for staff increases until the August Board Meeting.</p>
	<p>ACTION ITEMS</p>	<p>Roll Call Y=Yes, N=No, A=Abstain</p>
	<p>Approve the payout of a maximum of 10 days for each Amy, Tammy, and Amanda.</p>	<p>Dr. Davis commented that at the August 12th board meeting she would like to put together a committee</p>

Item No.	Agenda Item
	<p>of two board members, two superintendents, Amanda and Amy to work on all of this for next year. We are on a 4-day week not a 5. Everything has been built on a 5-day week.</p> <p>MOTION: Blair Decker SECOND: Marvin Price</p> <p>Y-Huerfano RE-1 Y-Fowler R4-J Y-Custer County C-1 Y-Cotopaxi #3 Y-La Veta Re-2 Y-Manzanola 3J Y-Branson Re-82 Y-Hoehne #3</p> <p>Motion passed unanimously.</p> <p>Roll Call Y=Yes, N=No, A=Abstain</p> <p>Approve the Adopted Budget for FY 2020-2021 with the exception of pay raises at this time.</p> <p>MOTION: Marvin Price SECOND: Kayla Andreatta</p> <p>Amanda highlighted a few areas in the budget. Most districts had a decrease in fees. If there was an increase it was due to the increase in students this year from last year. The other piece to look at in the overall Maintenance of Effort. What is different from the districts budget is that we have to spend the same amount if not more every year. There are specified allowable exceptions to be able to</p>
	<p>Approve the "Adopted Budget" for FY2020-2021. The Board received the Proposed Budget at the May 13, 2020 meeting.</p>

Attachment #2 3 pgs.

From: terredavis@aol.com,

To: tberry.oleoranch@gmail.com,

Cc: tuma2you@yahoo.com, mikemcfalls01@gmail.com, doreen.newcomb@gmail.com, edgark@celaw.com,

Subject: Question

Date: Mon, Nov 29, 2021 9:39 am

Attachments: Bollinger Vacation Days Payout 11-29-21.docx (12K)

Please see attached

November 29, 2021

Questions regarding vacation day payout for Amy Bollinger:

- 1. Her contract provides her a benefit of 20 vacation days per year with a carryover of 5 days from the previous year.**
- 2. She is under contract for six months of this year (7-1-21 to 12-31-21) which allows for 15 days of vacation, including the carry over.**
- 3. I have been informed that she took several vacation days in July and August of this year which would certainly decrease the amount of remaining vacation days.**

I am requesting an explanation of the payout of 34 vacation days for a total of \$17,172.38 which the board approved at the 11-17-21 board meeting.

**Dr. Terre Davis, Past President of SCBOCES 2013-2020
Custer County Schools, Board President**

719-783-2824

From: terredavis@aol.com,

To: tberry.oleoranch@gmail.com,

Subject: Fwd: Question

Date: Tue, Jan 11, 2022 7:54 am

Attachments: Bollinger Vacation Days Payout 11-29-21.docx (12K)

Hi Tom,

I sent the attached note to you back in late November and had a follow up telephone conversation with you shortly thereafter.

It has been enough time for someone at SCBOCES to gather the information I requested and send you a written response. Have you received that information which I have requested?

Terre Davis

10. FRINGE BENEFITS: The Board shall provide the Executive/Special Education Director with the following benefits:

- A. To the extent permitted by law, health, dental and vision insurance provided other BOCES employees.
- B. Twelve (12) sick leave days per year (July 1 through June 30) may be accumulated up to 80 days as per BOCES policy.
- C. Twenty (20) vacation days per year (July 1 through June 30). Vacation days do not accrue, except up to 5 vacation days can be carried over to next fiscal year. Vacation days are in addition to the holidays recognized by the BOCES.
- D. Two (2) personal leave days per year, that may not be carried over to the next fiscal year.

Unless specifically stated otherwise in this contract, the Executive/Special Education Director shall be entitled to other benefits applicable to other administrative employees.

11. TRANSPORTATION: The Executive/Special Education Director shall have the use of a BOCES vehicle when circumstances warrant such as traveling to a conference, etc. If the Executive/Special Education Director uses his/her own vehicle for BOCES travel, he/she shall be reimbursed for documented mileage.

12. TERMINATION OF EMPLOYMENT CONTRACT: This contract may be terminated by:

12.1 Mutual Agreement. This contract may be terminated by mutual agreement of the parties.

12.2 Disability of Executive/Special Education Director. Should the Executive/Special Education Director be unable to perform the duties and obligations of this contract, by reason of illness, accident or other cause beyond the Executive/Special Education Director's control and such disability exists for a period of more than twenty (20) calendar days after the exhaustion of accumulated sick leave days, if any, and vacation days and or personal leave days, if any, during any school year, the Board, in its discretion, may make a proportionate deduction from the salary stipulated. If such disability continues for an additional period without pay for thirty (30) calendar days or if such disability is determined prior to that time to be permanent, irreparable or of such nature as to prevent the Executive/Special Education Director from performing the essential functions of his/her position with or without a reasonable accommodation, , the Board, at its option may terminate this contract, whereupon the respective duties, rights, and obligations of the parties shall terminate. PERA guidelines for disability benefits will be considered and negotiated to the benefit of the BOCES and the Executive/Special Education Director.

If a question exists concerning the capacity of the Executive/Special Education Director to return to his/her duties, the Board may require the Executive/Special Education Director to submit to a medical examination to be performed by a licensed medical professional. The Board and the Executive/Special Education Director shall mutually agree upon such medical professional who

Staff Sick Leave

The Board recognizes that there may be times when an employee is unable to fulfill the duties of his/her position due to illness. Therefore, paid sick leave is provided for full time employees in accordance with this policy.

Paid sick leave may be accumulated without limit at the rate of 75 days per year. Sick leave may be taken for personal illness, personal medical appointments or for the necessary care and attendance of a member of the employee's immediate family.

For sick leave purposes, the term "immediate family" shall be defined as spouse, partner in a civil union, children and parents. Exceptions may be made by the executive director.

Upon termination of employment for reasons other than retirement, an employee shall be paid for a maximum of 12 days of accrued sick leave not taken based upon the average rate of pay for the employee during his/her last five years of employment. In the event of death, such payment shall be made to the employee's estate.

An employee who is eligible for retirement in accordance with the Public Employees Retirement Association shall be paid for one-fourth of all accrued sick leave not taken based upon the average rate of pay for the employee during his or her last five years of employment not to exceed payment for more than 30 days of accrued sick leave.

Evidence of illness may be required for approval of sick leave pay.

Sick leave shall not apply during vacation leave, paid holidays or leaves of absence.

(Adoption Date: September 10, 2014)

LEGAL REF.: C.R.S. 14-15-101 *et seq.* (Colorado Civil Union Act)

CROSS REF.: GBGF, Federally-Mandated Family and Medical Leave

December 9, 2020

Before we begin our meeting tonight, I would like to make a few comments. To all of the at-will employees which include everyone except our CFO and Executive Director, I would like to thank you for your service to SCBOCES. You are valued and appreciated. You were recently asked for your input regarding a 360 evaluation and 60+ % of you responded—a higher percentage than that of the SAC or the board. However, the results of your input were never shared with you which I feel is wrong. If someone is asked for input he/she should know how it was or was not used. Please know that I appreciate your participation.

I would also like to thank our board secretary for all her hard work, professionalism, integrity, and loyalty. They don't come any better.

Our CFO has done an outstanding job in her position. I would challenge any district or BOCES in this state to match a perfect audit for the past seven years that I have been in this BOCES. She has been instrumental in saving money and has made sure that our local fees have stayed the same for the past four years.

I will not make any comments regarding our Executive Director as those will be saved for the executive session regarding her evaluation in February.

As far as the SAC, I believe that three of the members have been in the BOCES for more than seven years and have been through the tough times we have had. I am very disappointed that the SAC group delivered a threatening letter to me personally asking for my resignation as president of the board with no reasons stated for their demand. While they seem to want input to the board this was a very inappropriate and unprofessional way to exercise their desire as they are not members of the board and should not run the board.

Recently I received an email from a board member asking me to resign. When I asked him for a reason he said there were no reasons, just perceptions. He also stated that employees were quoted saying Terre said this and Terre said that. I informed him that I do not have frequent conversations with the employees and asked him for specific quotes to back his statement, of which he could give me

none. However, he informed me that board members and SAC were talking with employees which I found quite unusual and for what reason. So he once again asked for my resignation based on no facts but gossip, innuendoes, only listening to one side of the story, undermining, and participating in back room talk. Another board member sent me a similar email demanding my resignation.

As captain of this ship, I have kept us on a course of doing everything which is best for our clients—the students. However, adults are creating the damage to this ship by not being honest, not following policies or protocols, not asking for input on how to improve the situation, or assisting in navigating the ship. I have successfully given workshops and served as a consultant to administrators and boards throughout this country and have never seen such a defiantly planned program instituted and executed by some persons to get their way!! We have spent time, money, and lots of energy in hiring a private investigator and doing a 360 evaluation. The results have fallen on deaf ears and instead of taking feedback and criticism and dealing with it in a positive way, it has fallen to the wayside and no improvement or anything good has come from it.

I don't see anything changing by continuing to allow the same thing to happen every day and expecting different results. Apparently, SAC and a few board members think they all know how to solve the problems—whatever they are—and are making demands and threats to get their way.

At this time, I will deliver to you all my Christmas present. I no longer want to be the captain of a ship that is sinking and the crew is screaming in the background. You now have my resignation as president of the board, effective immediately. However, I am not going away and will continue to advocate for the SCBOCES employees and the students they serve. I hope you enjoy your new gift, so have at it!! Good luck!!

Dr. Terre Davis, President
SCBOCES Board of Directors

From: terredavis@aol.com,

To: edonovan@lvedu.org,

Cc: aguilargasdept@gmail.com, carolyn@bransonschoolonline.com, doug_arnold12@hotmail.com, ed.romero@trinidad.k12.co.us, edonovan@lvedu.org, kandreatta@huerfano.k12.co.us, lisatorgler@yahoo.com, lolopez@primeroschool.com, margaret.wright@pueblacityschools.us, marvinprice1@hotmail.com, melissa.padilla@manzanola.k12.co.us, sreid@cotopaxire3.org, terredavis@aol.com,

Subject: Document

Date: Sat, Feb 13, 2021 2:11 pm

Attachments: SCBOCES BOARD MEETING--2-10-21.docx (16K)

Please see attached.

SCBOCES BOARD MEETING – 2-10-21

Ed,

I am writing this document directly to you as SCBOCES Vice President (acting president) and copying all board members as transparency is extremely important and has not been apparent since our December 9, 2020 board meeting. Several things happened at our 2-10-21 special board meeting which could have consequences that our board may have to face in the near future. My concerns are as follows:

I was denied the opportunity to add an agenda item, which was to elect a new board president, two days prior to the meeting you told me in writing that I could make a motion at the meeting. I was not offered the same opportunity which was given to you, Amy, and Julie to add any item you desired on the 12-9-20 board meeting agenda. Therefore, I made a motion to add the election of a president to the agenda and it failed for lack of a second. You had sent out an email to all board members indicating that YOU decided not to have a president elected and would continue your acting as president for a couple more months. I don't think you have that authority to make that decision but apparently other board members agree with you. After there was no second to my motion I went on record and stated that this board had decided to deliberately violate Robert's Rules of Order by not having a president.

You then decided that I was not allowed to pull three items for discussion and action from the consent agenda which was a violation of parliamentary procedure—as was pointed out by our Superintendent, Mike McFalls. You confirmed to him in an email after the meeting that he was right and you should have allowed me to pull those three items for discussion and board action. You told me that I had to make a motion to do so—which is incorrect—but instead of arguing with you I did as you requested and it again failed for lack of a second. You also made a statement that consent agenda items do not allow for any discussion—which made me think that you may have had already planned that statement so I could not ask any questions.

The three items I asked to have pulled from the consent agenda for discussion and action have grave consequences..

..Minutes from the November 11, December 9, and January 13 meeting all need to be corrected. For the seven years I served as SCBOCES Board President I don't recall any corrections to the minutes were ever needed as Tammy Faris always had the minutes printed correctly. However, since 12-9-20 the minutes are much different. My question is why is this happening—certainly not due to Tammy's performance. In the past only the executive director and board president reviewed the minutes prior to being sent out for board approval. Is that same action taking place now? I stated that I would put the corrections in writing from now on so they would be correctly stated in the minutes and I expect that the corrections of the minutes will be an agenda item for our March meeting.

..Sunbelt Staffing contract—SLP—I was not allowed to ask questions regarding finances and services to our local district as we are directly involved in this change of services. My questions were concerning that this program is now an online program providing speech and language services. I certainly have questions on the accountability regarding this particular service to our students. As I read the contract I assume that the additional costs to our district include hiring an additional aide to be with the students while the service is being provided, the possibility of an additional VocoVision station needed costing \$1000 deposit on equipment, \$200 set up—non refundable, and the cost to SCBOCES is \$12,300 per month. Is this within the SCBOCES budget? The additional costs are not provided within our local budget. What happens to the car leased for the employee who provided the services?

..Abacus contract—Amy had stated that she was going to have a business manager take over the CFO duties. Obviously, this certainly is not a business manager but a company attempting to do what our CFO did. After reading the contract, I had many questions so I asked our business manager, and three other persons to read the contract and give me their concerns to see if they came up with the same concerns. They came up with many more than I had and we ended up with 23 questions none of which I was allowed to ask. For example, no letter head, where are they located (web site indicates Los Angeles), who are the

contact persons, phone numbers, who puts together the SCBOCES budget for next year, what other districts in Colorado use this company, were references checked, why are there conflicting statements in the contract, and are they bonded? Those are just a few of the questions. The fee is \$4400 a month and exactly what are we getting for that? I also noted that the company signed the contract the day before Amy placed Amanda on paid administrative leave with no reason stated.

I have asked since the 12-9-20 meeting to have Amy's "Plan" discussed. It (whatever it is) has never been discussed nor approved by the board. (transparency?) Positions are being posted which have not been approved by the board. However, I guess one position not approved was filled by board action at this meeting.

As I see it there are currently NO checks and balances at the SCBOCES. We should be aware that all contracts signed and actions taken by the executive director—especially in the area of finances-- without any discussion and then approved by the board could have board and/or individual board member consequences.

What are your plans to answer my concerns?

I am suggesting that you and other board members consider reading the following two articles which appeared in the December 2020 School Administrator Magazine, www.aasa.org/schooladministrator.adpx as they both relate to what has taken place at SCBOCES since June, 2020.

"The Zoom Muzzle Syndrome" by Doug Eadie, Eadie and Assoc., Clearwater, FL

"The Difficult Embrace of Constructive Criticism" by Jared Smith, Superintendent from Iowa.

Terre

November 9, 2021

My BOCES report is a recap of 8 years of involvement as the Custer County Board representative:

SCBOCES stands for South Central Board of Co-Operative Educational Services. It is comprised of 12 rural school districts and is funded with special education and grant funding from the state and national government and local district fees. The primary purpose is to provide services to students with special needs.

I had asked many questions of our local board regarding the \$70,000+ funding we were spending each year with SCBOCES and could never get an answer. When I was elected to the board, the members appointed me to be the board representative.

I attended my first conference with the CASB (Colorado Association of School Boards) the month after I was elected and gathered as much information as possible to become familiar with the purpose of a BOCES.

The first meeting I attended with SCBOCES was in January, 2014. I knew no one in attendance other than our superintendent. The Executive Director started the meeting with a 45 minute review of the purpose of a BOCES. I asked several questions regarding the budget and district services which she could not, or would not, answer.

After her presentation it was time to elect board officers. It was obvious the election was pre-planned. However, another new board member nominated me. A vote was held and I was elected President.

I was informed through a letter from the former Board President that there were many concerns that needed to be addressed, such as inappropriate expenditures by certain employees. The board had no elected treasurer so the executive director, a paid employee, was serving as treasurer which is an obvious conflict of interest. We elected a treasurer at the next regular board meeting.

The new board became actively involved in the many issues which came to light and in March, 2014, following all the proper protocols and procedures and following our attorney's advice we placed six persons on paid administrative leave without renewal of contracts, which included the Executive Director, Special Education Director, IT Director, two special education secretaries and one special education teacher. The board also changed attorney representation as it felt that the current attorney was working for the employees instead of the board.

We employed Dr. Henry Roman, a well-respected former superintendent in Pueblo to assist us in the transition. We then posted the position and hired a superintendent from Colorado. That appointment was not positive as we negotiated a buyout of his contract. Dr. Roman then came back and was employed as a part time Executive Director for next three years. We once again posted the executive director position but this time as a part time position and combined it with special education director position as it was determined that the executive director position did not require full time employment status. All went well for the first year but has since detonated.

In June, 2020, a conflict arose regarding pay out for vacation time and several reasons were exposed as to why employees were not able to take their vacation days. One thing led to another and the executive director did not seem to try or want to try rectifying the situation. Employees became unappreciated and the workplace seemed to become extremely negative and oppressive.

Superintendents became involved as did their respective board members and instead of trying to work together to rectify the situation, people were split against each other over issues which should have been corrected by the SCBOCES leadership. I could see that there was a plan in place to change the direction of the SCBOCES which was a direction I could not condone and decided that I would no longer want to be the captain of a ship that I knew was sinking fast, so I resigned as Board President in December, 2020. A new board president was immediately elected and she lead the meeting in January, 2021. At the January meeting the executive director recommended non-renewal of the CFO's contract without ever alerting the CFO that she was going to

recommend this serious action and gave no reason why this action was taking place. A new organizational plan was provided in the board packets but was never discussed. The entire meeting was very tense and I was the only board member questioning the action being taken. It was obvious that all actions were pre-planned by certain superintendents and board members. Two weeks later, the executive director placed the CFO on paid administrative leave with no reasons given. No performance evaluation was ever completed on the CFO by the current executive director nor was there any duty performance counseling. A private company was hired to replace the CFO. The new board president promptly resigned two weeks later with no reason given.

The vice-president then decided that he would just stay vice president without voting consent from the board and proceeded to lead the board. I pointed out that the State Statute rule says that every board must have a president but the board continued to violate that rule until April when the election finally appeared on the agenda.

The board violated many rules since January 2021 which include the following:

..wrongful dismissal of an employee

..violation of the open meetings act

..did not follow parliamentary procedures

..did not follow any version of Robert's Rules of Order

.. violated board policies—evaluations, approval of new organizational plan, etc

..allowed unauthorized signatory on bank accounts

..approved minutes that were wrong—for three months

..many others

Again, I was the only board member asking questions and not getting answers.

My major concern is the budget and how much extra cost is coming our way?

We reduced CC-1 annual costs by 35-40K and have not increased any fees for the past four years. However, I fear it will go up dramatically as SCBOCES can't keep hiring companies for contracting services to our students and adding positions which seem to lack justification such as going from an Executive Director/Special Education Director as one position paying \$100K to a full time Executive Director paying \$125K and a special education director at \$80K. I see troubled waters ahead in many ways and I feel that the boat has sunk.

Doreen, who has been our alternate board representative, and I investigated the possibility of joining a different BOCES at our board's request, but we found out that it takes a full year with lots of extra time and effort and our board felt that we needed to go with the flow for another year and allow the new board to address and correct the problems which have surfaced.

I will welcome the new board representative to SCBOCES to spend some time with me to go over all of the concerns and share my many documents with that person.

As an aside, I pose the concern that too many school boards and organizations of school boards have forgotten that they work for parents and the taxpayers who fund schools and have instead become their own self governing entity. When boards like SCBOCES lose focus on why they exist, then things such as I have described in this letter happen and must be corrected.

Dr. Terre Davis, President

Custer County C-1 Board of Education

SCBOCES Board Representative

February 7, 2022

Dear Custer County School Board Members,

I am writing to inform you that I, as a Custer County citizen and federal, state, and local taxpayer, am requesting specific information regarding an action item which was approved on a 6-3 vote (CC1 voting "no") by the SCBOCES Board at the November 17, 2021, SCBOCES Board Meeting.

The action taken involved the Board's approval of a \$17,000+ lump sum payout for alleged unused vacation days to the retiring Executive Director. I have requested, in writing to the board president and current executive director, the documentation which was used to justify the payout—number of days and per diem dollar amount—and have received no specific information. I requested and received the information which was sent out to board members prior to the board meeting regarding the payout. It appears that board members who voted to pass this action item did so without any written documentation. I also reviewed the minutes of the November 17, 2021, meeting and they do not include any dollar amount which was approved. I intend to continue to pursue this matter and assume the Custer County SCBOCES Board Representatives and the Board, as a whole, will support our co-ordinated effort to request the specific information as stated above in order to resolve this concern. Those responsible for allocating and spending our tax dollars must be held accountable.

**Dr. Terre Davis, Past President
Custer County C1 Board of Education and
SCBOCES Board of Directors**