

Paul Giuffre

From: Terry Wirginis <twirginis@gatewayclipper.com>
Sent: Friday, June 28, 2019 10:48 AM
To: edie cook; Paul Giuffre; Nancy Foster; Robert Mauro; Dr. Vyas; Sandra Garbisch; Eric C. Schmidt; Lisa Rutkowski; Somer Obernauer
Cc: Gene Freeman
Subject: Re: Please investigate this matter

Dear Fellow Board Members,

As you know, there have been allegations of possible inappropriate document destruction by the district. It was decided to seek someone to investigate the circumstances that has no connection to the district. I have retained the services of Thomas Breth, Partner, Dillon McCandless King Coulter & Graham LLP. to conduct the investigation.

Tom has no conflicts and will be able to perform a thorough, unbiased investigation.

Tom will be interviewing staff members and may want to interview some board members as well.

Tom will be communicating directly to me.

Your cooperation will be appreciated.

Thank you

Terry Wirginis

From: "edie.cook@yahoo.com" <edie.cook@yahoo.com>
Date: Thursday, June 20, 2019 at 10:14 PM
To: Terry Wirginis <twirginis@gatewayclipper.com>, Paul Giuffre <paul@giuffrelawoffice.com>, Nancy Foster <nbf@guyasuta.com>, "rm@muslaw.com" <rm@muslaw.com>, "vyas312@gmail.com" <vyas312@gmail.com>, "sandragarbisch5@gmail.com" <sandragarbisch5@gmail.com>, "ericcschmidt@outlook.com" <ERICCSCHMIDT@OUTLOOK.COM>, Lisa Rutkowski <lisarutkowski@howardhanna.com>, "obernauer.somer@gmail.com" <obernauer.somer@gmail.com>
Subject: Re: Please investigate this matter

Dear Terry,

Given the concerns raised and the timeliness required, an appropriate method needs to be determined to verify that the documents that were sent to be shredded were all properly designated for destruction. Hopefully we can act quickly and be able to verify that all documents have been handled appropriately.

If it is found that there were documents taken away to be destroyed that do not fit under our document destruction policies and applicable laws, then the Board can make further decisions about the handling of any investigation.

In order to fulfill this obligation, the Board needs to decide whether we should arrange with our solicitor to carry out the task of verifying and reporting on this matter, or whether we should arrange for a third party to confirm compliance with our record destruction policies, retention schedule, and applicable laws. It may be prudent to have outside verification to allay any concern about mishandling by the District.

Due to the citizen interest in this matter I feel that it is of utmost importance that we be thoughtful and transparent about how the Board carries out these actions and responds to the findings.

Again, it is my hope we can act quickly and be able to verify that all documents have been handled properly.

Sincerely,

Edie

Summary for board members not included in the original emails:

I received information that indicated that there may have been district records and RTK related documents removed from the administrative offices for shredding by the Maleski Transfer company.

After I contacted Maleski to see if the information was accurate they confirmed that they did remove documents for shredding, but that they would hold them for us. I followed up by contacting Terry and Paul to request that appropriate measures be taken to investigate.

On Wednesday, June 19, 2019, 3:26:08 PM EDT, Paul Giuffre <paul@giuffrelawoffice.com> wrote:

Dr. Cook,

The district has a records retention schedule to assure that all public documents are maintained in accordance with the law. Pursuant to that schedule, records that the district is no longer required to maintain are periodically purged. If memory serves me, the district uses Weleski to shred any records being purged that might contain personal, confidential or otherwise protected information (Social Security numbers, bank accountant information, FERPA, HIPAA, etc.). My guess is that is all that was occurring yesterday.

In order to look into this please give me the names of those by whom you were made aware of this and with whom you spoke at Weleski. I would like to contact the witnesses to begin the inquiry and need to discuss with Weleski what it intends to do with the documents while the district decides what course to take. Finally, please let me know with whom you spoke at the auditor general's office. I may need to touch base with someone there also.

Thank you,

Paul

From: edie cook <edie.cook@yahoo.com>
Sent: Wednesday, June 19, 2019 1:36 PM
To: Paul Giuffre <paul@giuffrelawoffice.com>; Terry Wirginis <twirginis@gatewayclipper.com>
Subject: Please investigate this matter

Hello Paul and Terry,

I received information from a few sources that indicates that there may have been district records and RTK related documents removed from the administrative offices for shredding yesterday afternoon by the Maleski Transfer company.

I contacted Maleski to see if the information was accurate and they confirmed that they did remove documents for shredding, but that they would hold them for us. There is now the opportunity to determine if they should be lawfully destroyed. I am very concerned and would like Paul to investigate why the document destruction was ordered and ascertain whether it was appropriate. This information was also shared with the office of the auditor general. Please let me know what else should be done to address this, as it undermines the public's trust and could potentially violate the RTK law.

Thank you

Edie