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612, Broken Arrow (5/5/2009 5:16:47 PM)

A commenter on the Ledger said that Sisney can't legally file a wrongful termination lawsuit in district court because he waived his due process hearing. I found some cases that said that the case did not fall under the jurisdiction of the district court because the plaintiff had "failed to exhaust administrative remedies". This may be where this comes from. I don't know if it applies in Sisney's case.

If that is the case, I wonder why it's different for federal court.

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Jolie2, (5/5/2009 9:06:24 PM)

It doesn't make practical sense that there would be a different standard for federal court, although that doesn't mean diddly squat in the real world, and there very well could be one.

The Ledger now has a May 5 story up entitled "State rep claims BAPS broke law, despite attorney's warnings"

Rep. Reynolds quotes a February 2004 memo from Attorney Doug Mann to the BAPS stating the practice of paying current employees for any sick leave over 120 hours was illegal. What he fails to mention, but a Ledger commenter does mention, is that the practice was stopped in June 2004 after this advice was given. Keith Isbell is still standing by the original February 1 response given by BAPS to Reynold's first media announcement that the practice was not illegal.

QUOTE

Isbell said, "If the representative has a formal attorney general opinion or appellate court case to cite to support his claims of illegality on the part of the school district, perhaps he can include that in his next press release. Otherwise, the Oklahoma City legislator is welcome to go back to serving his constituents in OKC as Broken Arrow taxpayers are duly represented by legislators who live and work in Broken Arrow."

UNQUOTE

The same Ledger poster commented "Pretty handy the timing involved in this release and the suit by the former Super. And where did he get this "personal, confidential, attorney/client privilege" document anyway? Hope someone can answer that question!"

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Jolie2, (5/5/2009 9:14:40 PM)

Correction to my third paragraph in last post: it should read 120 DAYS not hours.

The Tulsa World has an article up, dated May 5, too, on the subject, titled "Legislator rebukes attorney"

Doug Mann could not be reached for comment in response, according to it.

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612, Broken Arrow (5/5/2009 9:27:37 PM)

We still don't have a response from Maryanne Flippo's letter to Rep. Reynolds. I thought this whole sick pay thing made him look pretty bad, and I would have thought he'd be embarrassed enough to keep quiet about it. I guess there were people who bought it though, and they're resurrecting it in an attempt to discredit Doug Mann.

Isbell is good. And the kids love him, because he's the one who announces snow days :)

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612, Broken Arrow (5/5/2009 9:39:43 PM)

Hm, why is it suddenly so important to discredit Doug Mann? I think the Ledger poster is on to something. I bet Doug Mann and Maryanne Flippo know things that are dangerous to Sisney's case, so he needs to discredit both of them in the public's mind.

In a court of law, public opinion wouldn't matter. But I don't think this will come to that. I don't think it was ever Sisney's plan to actually present his evidence, and allow others to present their evidence, before a judge. It just looks like another PR operation. The court of public opinion is the only one he is interested in.

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612, Broken Arrow (5/5/2009 10:06:29 PM)

Posted on Ledger "Sisney lawsuit names BAPS, board of ed" by a mystery poster:

To 612 wrote on May 5, 2009 6:58 PM:

" 1st question: By OK law, if one does not appeal a BOE's decision and have a due process hearing in the district, yes, state wise, he has exhausted his remedy.

2) It would seem so. Just because he filed it, doesn't mean it will be successful. His state suits aren't going so well. What it will do is cost the district more legal fees and continue to put his name out there which are the intended outcomes. Revenge backfires.

Thank you for noting that he filed his defamation lawsuit on September 3, a month prior to his October 6 suspension and subsequent termination on October 23. I am told he thought that by filing that September 3 defamation suit, the BOE would back down. Evidently, he'd become accustomed to others backing down when he used bullying tactics. The moral of the story is one just doesn't file a lawsuit against one's bosses to get one's way - not when one's job is so public and one's bosses are elected. Those bosses knew how he would react because he had already filed a suit against them as the three co-conspirators. That tells me that there was just cause. It also tells me why he didn't proceed with an appeal and due process hearing in the school district and district court. "

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612, Broken Arrow (5/5/2009 10:07:23 PM)

My response on Ledger article:

Thanks for the clarification.

Your analysis of Sisney's apparent motive is in line with what I have observed.

Also note the resurrection of the five-year-old sick pay issue. Why is it suddenly so important to discredit Doug Mann? I bet Doug Mann and Marianne Flippo know things that are dangerous to Sisney's case, so he needs to discredit both of them in the public's mind.

In a court of law, public opinion wouldn't matter. But I don't think this will come to that. I don't think it was ever Sisney's plan to actually present his evidence, and allow others to present their evidence, before a judge. It looks like another PR operation.

Sisney would prefer a settlement of course, because that would allow him to claim it as an admission of guilt on the board's part (and keep the cash). But if BA won't settle, I believe Sisney will strategically drop his lawsuit after he has built up his public opinion case but before he is in danger of having his personnel records made public. He is adept at coming up with plausible (to some) reasons for implausible actions. Along the lines of "I'm doing this for BA. Someone has to stop the litigation." Once he has dropped the lawsuit, it will be back to the court of public opinion...which is where he operates best.

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612, Broken Arrow (5/5/2009 11:22:14 PM)

I posted a comment on the "State rep claims BAPS broke law, despite attorney's warnings" story on the Ledger. But I forgot to copy it first.

It said something along the lines of - it would take a lot of unused sick days to actually get the pay (since it's OVER the 60 (later 120) days)...so anybody who got that must be really dedicated.

That, plus the fact that it was a widespread practice, plus it was discontinued 5 years ago, plus it wasn't illegal - makes anyone who bring it up look pretty silly.

If it gets posted on the Ledger, I'll copy it.

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612, Broken Arrow (5/6/2009 8:59:04 AM)

Posted on Ledger "State rep claims BAPS broke law, despite attorney's warnings"

The payments were made for unused sick days in excess of 60 days. Later, in excess of 120 days. That means that only the days accrued OVER 60 (or 120) days were paid in any given year.

That's a lot of unused sick days. I don't know how many teachers get for each year. If they get 10 sick days a year

(sounds like a lot to me) - they would have to work for 6 years without ever taking a sick day. After the change to 120 days, 12 years without a sick day.

It seems like anyone who got these payments was probably pretty dedicated.

Taking into consideration the stringent requirements for getting this pay, the fact that it was a widespread practice among Oklahoma school districts, the fact that it was stopped five years ago, and the fact that it wasn't ever illegal in the first place...why is this being brought up? Reynolds should be embarrassed (again) for bringing this up.

And we should be thankful that we have such a sensible, articulate spokesman. Well said, Mr. Isbell.

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612, Broken Arrow (5/6/2009 10:51:15 AM)

Ok, I'm no lawyer, but I've been squinting at Oklahoma statutes regarding bringing lawsuits against the government, including wrongful termination lawsuits.

Dr. Sisney has not filed a lawsuit against the school board, which is a government agency. This is probably because he would have to file a claim with the school board first. This has to be done within a year of the incident (so he still can, if he wants to). Only after the board fails to approve his claim in its entirety within 90 days can he file a lawsuit against them. I would think the due process hearing would fulfill this requirement. (Title 51, Chapter 5, Section 157)

Instead of suing the board, Sisney has sued individuals. Since it's not a government agency, the requirement that he have his due process hearing first probably doesn't apply.

It's not that simple though. As noted in his defamation case on OSCN, there is a question of whether the school board members are immune. They are immune when they are acting within the scope of their employment. (Title 51, Chapter 5, Section 153).

So Sisney may need to show the court that the board members were acting outside the scope of their employment (employment here also refers to elected, unpaid officials). If he can show this, the court may hold them financially responsible as individuals. This might work for defamation. It seems like it would be a lot harder to show that board members were acting as individuals when they voted in a board meeting to suspend and terminate him.

Anyway, that might offer some clues as to why Sisney has chosen the legal course that he has.

Any help from somebody who actually knows something about law would be appreciated.

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612, Broken Arrow (5/6/2009 11:24:41 AM)

This new federal lawsuit is against a government agency - the school board and BAPS. I have seen several cases where the federal court dismissed the case, saying the plaintiff had "failed to exhaust administrative remedies".

I don't know if there is something that would exempt Sisney's case from this requirement.

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thenight1, (5/7/2009 9:43:31 AM)

I think in most cases, administrative remedies involve appealing a decision to a higher authority. In Sisney's case, there was no higher authority than the one that made the decision in the first case. It may hurt his legal case but I agree with the decision since it would seem a waste of time to appeal to the same group that made the decision to begin with.

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612, Broken Arrow (5/8/2009 1:16:35 PM)

Waste of time or not, the requirements for pursuing legal relief are clear. If Sisney was truly wronged, and was serious about getting justice in his wrongful termination case, he had to fulfill the due process hearing requirements.

So why did he give up his chance to have his wrongful termination considered in district court, and possibly also in federal court?

It doesn't make sense in the context of his story.

I don't think you can conclude with certainty that "he must have something to hide", but it certainly makes more sense under that premise.

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Jolie2, (5/12/2009 3:20:40 PM)

The Ledger has a new article up today titled "BAPS receives positive annual audit."

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612, Broken Arrow (5/13/2009 9:53:39 AM)

Hi Jolie, that's a bit of good news. The article will probably be used by commenters to badmouth the district, but at least it lets people know that there is some ongoing oversight over how the district's money is spent.

There are two articles on the bond issue. Both of them highlight the controversy around the school board. There will probably be many comments about lack of trust in the administration. I hope people will consider whether the bond issue is good for BAPS, and not just automatically vote no out of anger.

Someone misses you on the Ledger - an incoherent post mentions you on the "Sisney lawsuit names BAPS, board of ed" story.

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612, Broken Arrow (5/13/2009 10:07:07 AM)

I was wrong - actually, only one of the bond articles mentions the controversy. Good for the Ledger. And the one that does mention Sisney reports appropriately that he claims he was fired for being a whistleblower, rather than using the leading statement that he was fired after he discovered problems with the HVAC contracts.

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Jolie2, (5/13/2009 7:00:36 PM)

I suspect that the negative posts about voting no on the bond issue may not represent the community as a whole. However, economic conditions being what they are, I can understand the anger at facing additional taxes. If the bond issue fails, it will be more due to that fact than distrust of the district and board.

I noticed the Ledger's comment, too, about Sisney claiming he was fired for being a whistleblower. A refreshing change for the Ledger's reportage on this subject.

I'll leave it to you to set the Ledger commenter straight. I don't mind being mistaken for you, 612, but you deserve the credit for your posts.

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612, Broken Arrow (5/15/2009 12:00:33 PM)

I don't think the bond proposal is even finished yet, but people are already saying how they will vote. It seems like it's either "yes, because I'm for schools and kids and education", or "no, because I'm mad at the school board". I hope the posters don't represent the majority of Broken Arrow, because so far we don't have the information we need to consider whether the bond issue is good for Broken Arrow.

Just because the goal is good doesn't mean the proposal is good. People seemed surprised when the river development was voted down - after all, who doesn't like developed rivers? The river wasn't the problem - the No voters just didn't think the proposal was defined well enough.

I hope that when it comes to a vote, the Yes votes will mean "yes, I think we should spend that money in that way", and the No votes will mean "not like that, let's make some revisions and try again".

The administration is well aware of the challenges of the economy and the atmosphere. Maybe that will encourage them to be as efficient as possible, and make an extra effort to be clear in their communication.

I tried to post an invitation to this article so the confused poster could see that 612 and Jolie are two different people, but the Ledger didn't post it. I guess it's hard for him to believe that two people could be foolish enough to be snowed by the corrupt board!

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Jolie2, (5/19/2009 2:14:13 PM)

New story in the Ledger reports that Dr. Brian Beagles has followed Dr. Sisney to the Sperry School system and will be his assistant superintendent, after having received the Sperry Board's approval to Dr. Sisney's recommendation. Beagles has worked with Sisney in Bartlesville and has spent the last 10 years in the BAPS system and is current assistant superintendent. Sounds like Sisney and Beagles are expecting Sisney's superintendent job in Sperry to become permanent, doesn't it?

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612, Broken Arrow (5/19/2009 9:08:15 PM)

It does sound like they're planning to stay a while. Someone posted a comment a while back predicting that Beagles would be joining Sisney.

This proves that either - the corrupt Broken Arrow board ran off two perfectly good superintendents, or the oppressed Broken Arrow school system managed to wrest itself free from the grip of a tyrant and his minion.

Okay, it doesn't prove anything. :)

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612, Broken Arrow (5/26/2009 1:28:41 PM)

Jolie, do you think Dr. Sisney got himself taken out of Broken Arrow on purpose? Thinking back on how his contract wasn't renewed - I wonder if he insisted on something in his contract that he knew the board couldn't accept. When they couldn't come to terms on the contract, it wasn't renewed. Then he did what it took to get fired (with pay until the end of the school year), while setting up public perception such that it might look like he was unfairly kicked out. If he wanted out of Broken Arrow, he could have resigned, but under his contract, he would have had to work for 3 more years. What if he wanted out right away? I wonder what other options he would have had, such as exceptions in his contract.

Possible reasons for wanting out of Broken Arrow could be - from his perspective, the job wasn't working out. Maybe his tactics weren't working so well any more, and he wasn't able to bulldoze over people to get his way. Or there may have been a situation that he knew was brewing, and he didn't want to be in office when it became a hot topic. Or there could be a personal, family, or financial issue.

I don't know...just thinking about how the events unfolded. The antics with the board - banning them from the building, communicating only through his attorney, sending that ridiculous email - seem too outrageous for someone who was actually trying to keep his job. I have experience with a passive-aggressive person, and this is how he got out of responsibilities. His actions started out mild, then got worse and worse, more and more outrageous, until the other party (family, boss, etc.) just wouldn't put up with it any more, and then he blamed them for being mean to him - on the grounds that they had put up with his previous misbehavior! Talk about twisted logic. If he wanted out quickly but wanted to keep his salary as long as possible and avoid looking like he had broken his contract, it seems plausible that he could have taken this course.

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612, Broken Arrow (5/26/2009 1:32:00 PM)

I tried to put line spacing in that last post, but it all got squished together when it posted. It's harder to read. Sorry about that.

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1adam12, (5/26/2009 4:18:54 PM)

here is something to think about also. Sperry fires the law firm RFR (Doug Mann) and hires the center for education law (Laura Holmes) then hires sisney. do you think that sequence of events happened by chance?

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612, Broken Arrow (5/26/2009 5:47:38 PM)

Hm, do you think the Sperry thing has been in the works for a while? I hadn't really thought about the possibility, because, after all, there wasn't an opening in Sperry until recently, and that was (supposedly) a voluntary and unexpected resignation. But it's possible that the Sperry board and Sisney have been communicating for quite a while - since last spring maybe, when the troubles began. If Sperry wanted Sisney, and he found a way out of his contract, it's possible that Sperry deliberately made circumstances difficult for Dr. Harchar in hopes she would resign.

I'm starting to sound like a conspiracy wacko. But I really think Sisney is capable of carrying out a plan like this. If his explanations made sense, and if he had come up with evidence backing them, I would probably accept them. But because there are so many holes and inconsistencies, I'm still puzzling about his reasoning, and what really happened.

People would probably question why Sisney would want to leave BA for a smaller district, and a smaller salary. I think there could be plenty of reasons. I believe it's likely that he knew he was on thin ice in BA already, for one. There were probably more.

I don't know. The timing all seems so...set up. And Sperry hiring Sisney (and now Beagles) without seeming to mind the expensive legal mess he was involved in in BA makes you wonder.

Good to hear from you, 1adam12. At least I know I'm not babbling my wacko theories to myself...at least not yet. :) Maybe I should get some cats.

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Jolie2, (5/26/2009 9:46:04 PM)

612

It's hard for me to figure out the motivations for Sisney's behavior. Anything's possible and your guess is probably better than mine. Whatever his reasoning for his actions, I feel fairly sure they were for his own purposes and not for the greater good.

I am hoping it will not be too much longer for OSBI to complete its investigation so we will have more pieces for

figuring out the puzzle.

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Jolie2, (6/1/2009 6:59:28 PM)

In its May 27 article entitled "Principal Decision Could Come Soon" KOKI FOX 23 states:

"The school board will decide June 30th whether or not to keep Sisney on longer as superintendent.

If not, Sisney says he has other opportunities in private business.

Dr. Rayma Harchar resigned in April. She was the sixth administrator to leave Sperry schools since 2007."

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Jolie2, (6/1/2009 7:06:39 PM)

The OCIS website shows that the April 29 scheduled conference on Sisney's defamation lawsuit was canceled and is to be rescheduled. An agreed rescheduling order was to be filed within 5 days from April 29. No rescheduled date has been recorded on the file.

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Jolie2, (6/2/2009 12:11:08 PM)

Today, the Ledger has an article up entitled "Superintendent Search Under Way."

The director of the Oklahoma State School Boards Association, June Ehinger, has emphasized that it is important to have the superintendent chosen by January. After that, the pool of candidates available to choose from will shrink. An early choice will also allow the new superintendent ample time to learn about the district before officially starting to run the district.

This is a very solid plan, I think, and strengthens my opinion that the Board made a wise decision to renew Dr. Gerber's employment through the end of the 2009/2010 school year, to allow for this careful selection and training process to occur.

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612, Broken Arrow (6/2/2009 4:11:04 PM)

I agree, the timeframe would have been very short if Dr. Gerber's contract ended this month. It makes sense that timing is involved in searching and interviewing candidates. If a 3-year-in-advance contract is typical, the superintendents know when they are in their last year, and will want to get their new employment solidified well in advance of their end date.

I wonder what is going on with the fire chief situation. I know enough not to trust the Ledger's reporting or the comments on the stories. Hope it doesn't turn into another black eye for Broken Arrow.

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thenight1, (6/5/2009 11:24:08 AM)

The ledger has a new article saying the OSBI is now teaming up with the state auditor to go through the 'mountain of paperwork'. I'm not sure if this should be chalked up to thoroughness on the part of the OSBI (which I hope is true), or a lack of evidence, or a profusion of evidence.

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612, Broken Arrow (6/5/2009 4:43:31 PM)

It sounds like a good idea, working together on it. They probably have to go through all the invoices, work orders, emails, etc., not just those that have been pointed out or appear to show irregularities. Sounds tedious.

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Jolie2, (6/10/2009 9:51:53 AM)

Stephanie Updike has spoken out against the actions taken to terminate Jim Sisney, using money that could have been spent to keep teachers in the classroom. The Ledger saw fit to publish her comments in an article today titled "BOE Members Blamed for Teacher Losses" and some posters are happy to jump into the water, stirring up the misery again. Other commenters are wondering if something is going on with Sisney's lawsuits at the moment, to cause the Ledger to publish this "old news."

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Jolie2, (6/10/2009 9:55:16 AM)

The defamation lawsuit has two recent postings on record. On June 1, it is noted that "PRETRIAL CONFERENCE IS SET FOR DECEMBER 8, 2009 AT 9:30 A.M." Why so far into the future, I wonder? June 8 (right before the Ledger article appears), the official scheduling order is filed.

Does anyone know anything about the other lawsuit filed by Sisney for wrongful termination and how to follow actions taken?

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Jolie2, (6/10/2009 9:56:39 AM)

Sperry has approved another two months of employment for Jim Sisney, through the end of August.

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612, Broken Arrow (6/10/2009 10:13:59 AM)

Even if every word of what Ms. Updike says is true, I think it's inappropriate for her to be speaking out like this. It doesn't add any new information; it only stirs up more hate. It is unbecoming someone in her position to do this.

I'm sure there are some who are all too happy to join in, but for me, it only brings up doubt about her integrity. I wondered why she voted on the opposite side of the "3 amigos" on many issues; now I am inclined to believe she was a larger part of the problem than I previously gave her credit for.

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612, Broken Arrow (6/10/2009 10:20:30 AM)

This kind of behavior from Ms. Updike really makes it clearer what the board was dealing with. I had previously brought up some odd statements she had made, and wondered how she could say these things -

From my previous post -

Ms. Updike has made some statements that, knowing what we know now, seem odd: She said she didn't know of any reasons to fire Dr. Sisney; that she didn't believe anyone had been prevented from putting items on the agenda; and that she didn't believe anyone had been denied access to legal council. Those statements make it sound like either she is seriously out of the loop, or she is not telling the truth. We have all heard from many people with reasons to get rid of Dr. Sisney, and Maryanne Flippo specifically claimed that they had been denied access to legal council and prevented from putting items on the agenda. Who do we believe?

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Jolie2, (6/10/2009 5:15:15 PM)

From the comments on the Ledger article about losing teaching positions, someone wrote that the original title by Bob Lewis was "Three Amigos Blamed for Teacher Losses" and was then changed to "Three BOE Members..." later. How stupid does a person have to be not to realize how unprofessional and biased an editor/journalist appears to be when publishing a headline like the original one? It makes me wonder how many of the comments to the articles might be actually written by Lewis himself.

Yes, 612, I believe this latest article shows Ms. Updike to be unprofessional in making these comments to the press. Another poster remarked that positions are cut every year and also mentioned were other wasteful expenditures made under Sisney's leadership--money that could have been spent for classroom needs.

For whatever reason, Updike supports Sisney and is willing to go out on a limb for him. Unfortunately, it is likely because of personal reasons than on behalf of the district's interests. I still believe Flippo's side of the story.

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612, Broken Arrow (6/11/2009 9:34:18 AM)

I wouldn't be surprised if the headline switch was planned.

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Jolie2, (6/17/2009 10:16:54 AM)

Unsurprisingly, the Ledger has failed to report that Dr. Gerber was elected as chairman of the Tulsa County Superintendents Association for the 2009/2010 school year. Here is the entire press release from the BAPS website. Please note the glowing words of endorsement for Dr. Gerber from Dr. Clarence Oliver.

QUOTE

BA Superintendent named chairman of Tulsa Co. Superintendents' Association

Broken Arrow Superintendent of Schools, Dr. Gary W. Gerber has been elected Chair of the Tulsa County Association of School Administrators (TCASA) for the 2009-2010 school year.

The organization is historically significant as it has been in existence for several decades. TCASA is intended to include the Superintendents of Schools of all school districts in Tulsa County and those districts in the metropolitan area immediately adjacent to Tulsa County (such as Sapulpa or Bartlesville or Claremore etc.).

Also invited to participate are representatives of area Colleges and Universities, especially those that have graduate schools offering School Administration preparation programs. Those that regularly participate include Oklahoma State University, the University of Oklahoma, Oral Roberts University, and Northeastern State University. Also frequently represented are Tulsa Community College and the Tulsa Technology Center school districts.

The group meets monthly with an agenda designed to keep the area administrators advised of a variety of current issues, legislation, trends, legal matters, new innovations in education, issues related to school calendars, etc. The meeting locations rotate to different host school districts or university locations.

Former BA Superintendent of Schools, Dr. Clarence Oliver, Jr. served as chairman of this group many times during his career.

"I was present when the members of TCASA elected Gary to serve as Chairman for the 2009-2010 school year," Dr. Oliver said. "And I was very pleased with that expression of the recognition by other superintendents of his (Dr. Gerber's) leadership ability, his commitment to be a part of the organization, and his willingness to serve in that capacity (as chairman)."

Other area superintendents echoed Dr. Oliver's comments about Dr. Gerber's selection as chairman of this group.

"Dr. Gerber is highly respected by his administrative peers, and we at TCASA felt that he as the new Superintendent for Broken Arrow Schools was a natural fit for the Chairman's position for the 2009-2010 school year," Owasso Superintendent of Schools, Dr. Clark Ogilvie said.

Sand Springs Superintendent of Schools, Lloyd Snow said the chairman's position is especially crucial to the organization because of his responsibility in arranging host sites, preparing the agenda for meetings, keeping in contact with members, and providing updates on current issues that need attention from members between meetings.

"Being involved in TCASA enables talented education leaders to share their vision, challenges, and solutions for students in the Tulsa metro region," Snow said. "I look forward to following the lead from our 2009-2010 Chairman, Dr. Gary Gerber. He is a highly respected school administrator, who has been a champion for children for many years."

Dr. Oliver said Dr. Gerber will serve as chairman over a group that is in Dr. Oliver's opinion, very unique.

"There are not many such local (county or metro area) groups in Oklahoma, and none that I know of that rises to the level of professionalism of TCASA. It indicates the high level of cooperation and respect among the Tulsa metro area school district leaders.

"I think it is a nice honor that area administrators have asked Dr. Gerber to step into this leadership role, especially during his first year as Broken Arrow's Superintendent of Schools."

Dr. Gerber follows former Broken Arrow Public Schools administrator and current Bixby Superintendent of Schools, Dr. Kyle Wood into the chairman's position. Dr. Wood served as chair during the 2008-2009 school year.

END QUOTE

continued in next post

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Jolie2, (6/17/2009 10:17:54 AM)

Apparently, the other superintendents in the country aren't worried that results of the OSBI/Oklahoma State Auditor investigations will be damaging to Dr. Gerber. It seems like a vote of confidence in his integrity, to me.

Sperry falls within Tulsa County. The new interim superintendent of the Sperry school district must be pleased with the choice of Dr. Gerber. ;) I wonder who he voted for? (Himself?)

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Jolie2, (6/17/2009 10:23:28 AM)

The BAparentsvsbaboe website has been renamed to BAparentsfortruth dot com.

You have to hand it to the website administrator(s) for displaying some fairness in providing links to ALL information related to BAPS and not just the ones that support their viewpoint. They have a link to the press release about Dr. Gerber's election as chair of the Tulsa Co. Superintendents Association, which is how I discovered that news.

Someone commented on the Ledger that Matthew Vermillion was the creator of the website. I wanted to put his name here for reference, as the Ledger article and comments that mention it will be archived soon.

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Jolie2, (6/17/2009 10:25:31 AM)

Another press release on the BAPS official website is about HVAC costs:

QUOTE

District analyzing HVAC costs for 2008-09 school year

Broken Arrow Public Schools has spent significantly fewer dollars in heating and air conditioning services (HVAC) for the 2008-2009 fiscal year than in the two previous fiscal years but at what cost? That is the question currently being analyzed by the School District which acknowledges that part of the reason for the lower expenditures is the reduction in preventive maintenance from previous years.

HVAC costs for Broken Arrow Public Schools for the previous three fiscal years (according to figures from the BAPS Finance Department) are as follows:

Total payments issued for HVAC services by BAPS in 2008-2009 = \$314,354.52

Total payments issued for HVAC services by BAPS in 2007-2008 = \$601,583.79

Total payments issued for HVAC services by BAPS in 2006-2007 = \$641,863.57

Much of the \$287,229.27 in lower expenditures over the previous fiscal year can be attributed to a key action and several non-actions taken by the School District.

For the 2008-2009 school year, BAPS hired two full-time HVAC employees to perform preventive maintenance, which enhanced the School District's ability from a financial standpoint to deal with routine HVAC needs.

In previous years, every HVAC need for BAPS including routine and preventive maintenance issues led to services provided by an outside the school district vendor.

"No preventive maintenance has been done by outside vendors (this year)," said BAPS Maintenance Director Robert Burns.

But, Burns made it clear that "all we have done this year is put out the worst fires."

Cutting back on routine maintenance has certainly helped bring about lower expenditures, which is good news in a bad budget year for the School District.

But, while Burns understands the bottom line, he cautions that he is concerned that the short term good budget news from a decline in HVAC expenditures could ultimately lead to other HVAC costs down the line for BAPS.

"Our two new HVAC guys are doing well, but they simply cannot get to (all of the) maintenance required on 1,700 units," Burns said.

"Nowhere near has the number (of units) needed been touched for cleaning and checking units out for proper functioning. This (lack of routine maintenance checks) could result in many more breakdowns (in the future) as units clog and freeze up."

Like many Americans who have put off all but the absolute necessities for expenses during the economic downturn, BAPS is attempting to hold down costs now and hoping not to have to pay later.

"In my view, yes we have lowered our expenditures temporarily (in HVAC), but will those lower costs be short lived?" asked Superintendent of Schools, Dr. Gary Gerber.

"We as a School District are analyzing that question to determine best practices and processes for HVAC and all expenditures as we look to the 2009-2010 fiscal year."

END QUOTE

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612, Broken Arrow (6/17/2009 10:52:00 AM)

I keep forgetting to check the BAPS site - thanks for the info. I agree - it looks like a vote of confidence for Dr. Gerber. I would expect area superintendents to have a good understanding of many aspects of the job, including challenges of working with the board, managing vendors, and dealing with public perception. Their support of Dr. Gerber seems to show that, contrary to what some posters are trying to say, you don't have to be an idiot to believe that maybe the accusations against Dr. Gerber weren't completely accurate.

Unless of course this is a conspiracy too, and Dr. Oliver and Maryanne Flippo forced all the other superintendents to vote for Dr. Gerber. Now if we can just come up with a motive...um...world domination?

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Jolie2, (6/17/2009 11:20:57 AM)

612, would you be willing to post a comment at the Ledger about Gerber's election as chair? Any day now, the BOE article will drop off the page, but the information can then be repeated on the next related article. Perhaps the Ledger may even publish a news article on the election results. No news organization reported this, according to a google search, so I wonder if the press release was properly released to the outlets. I wish the BAPS website would date its press releases. The release itself does not even have any dates of the election, etc.

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Jolie2, (6/17/2009 11:22:42 AM)

612, P.S. I still am enjoying your sense of humor. World domination...haha

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Jolie2, (6/17/2009 11:25:29 AM)

The Ledger has just now sought fit to publish an article based on the BAPS press release on the HVAC costs. It is entitled "Savings realized in district's heat/air expenses But at what cost?"

Perhaps that would be a good place to comment about the election of Gerber as chair.

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612, Broken Arrow (6/17/2009 11:53:53 AM)

Good idea...here is what I posted on the HVAC article:

On a positive note, Dr. Gerber has been elected chairman of the Tulsa County Superintendents' Association for the 2009-2010 school year. There is a press release on the BAPS website with more information. Dr. Oliver has served as chairman of this group many times. Dr. Oliver's comments, from the press release:

QUOTE

"I was present when the members of TCASA elected Gary to serve as Chairman for the 2009-2010 school year," Dr. Oliver said. "And I was very pleased with that expression of the recognition by other superintendents of his (Dr. Gerber's) leadership ability, his commitment to be a part of the organization, and his willingness to serve in that capacity (as chairman)."

UNQUOTE

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612, Broken Arrow (6/17/2009 12:00:53 PM)

I wonder if part of the reason Dr. Gerber was elected was as a show of support for him. I'm sure others in the group can empathize to some degree.

There will be some who are unrelenting in their attacks on him no matter what happens, but this could go a long way toward restoring his reputation with people who are middle-of-the-road in their opinions on the past several months' events.

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Jolie2, (6/17/2009 2:22:30 PM)

I really do think the votes for Gerber were a show of support in face of all the criticism and attacks he has faced in the past year. It was an official response to all of that. I hope you are right that BA citizens who are not firmly locked into their opinion/side will pay attention to this vote of confidence by his peers.

Thank you, 612, for posting your comments and the quote from Dr. Oliver on the Ledger article.

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612, Broken Arrow (6/17/2009 3:11:05 PM)

I notice that the Owasso and Sand Springs superintendents strongly commended Dr. Gerber too, both making a point to say that he is highly respected in the educational community. The opinions of these professionals carries far more weight in my mind than the opinions of the critics of the BA school administration.

There is someone (maybe more than one, hard to tell) posting on the Updike Ledger article who appears to be trying to discredit JaredA's and my observations on the inconsistencies in Sisney's story. I can't help wondering what his motives are. Why would you want to encourage people to ignore inconsistencies, refuse to acknowledge

that accusations have been proven false, and believe one side unquestioningly while disregarding the other? I think these posts are not just the opinion of a random citizen.

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Jolie2, (6/17/2009 3:53:29 PM)

For all we know, Bob Lewis may be writing some of the comments on the Ledger himself. Only Lewis would have access to the e-mail addresses of who actually is posting and be able to sort out, for the most part, separate identities (i.e., if one person could be posting under several phrase names). Very few people are willing to use a consistent username on the Ledger. How often have we seen someone not doing so point fingers at some of us who do and accuse us of hiding behind anonymity? At least we are/were willing to allow our point of view to be consistently identified by one username.

It wouldn't surprise me at all, if Sisney or close allies were regularly posting on the Ledger to sway public opinion. That kind of thing happens all the time.