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**Jolie2**, (6/17/2009 3:58:06 PM)

612, if someone comments in reaction to your post on Gerber's chairmanship, perhaps you could post the comments from the other superintendents praising Gerber, from the press release, too. :)

Maybe the Ledger will report on this story, but if they don't, I definitely think those quotes are worth publishing in the comments section when they can be nicely segued in.

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**612**, Broken Arrow (6/17/2009 4:11:37 PM)

Agreed! People need to know about this. I'll segue them in, even if it's not nicely. :)

The "let's be reasonable" poster really does strike me as someone whose goal is to sway public opinion - possibly because he is trying to protect a vested interest.

I, on the other hand, don't own a vest.

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**Jolie2**, (6/17/2009 7:04:23 PM)

I was also thinking that the election of Gerber may also represent a lack of support for Sisney. Even if they admired and respected Gerber and his abilities, if enough of the other superintendents were strongly in support of Sisney, I doubt that the group would have elected Gerber to the leadership position, out of respect to Sisney, particularly since Sisney may continue to be a peer within their group if his position as superintendent of the Sperry school district becomes permanent.

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**612**, Broken Arrow (6/17/2009 8:10:28 PM)

You're right, I hadn't really thought about that. Even if they were just neutral, they probably would have wanted to avoid the issue. It would have been easy to just choose someone else this year. Instead, they have made a strong statement of support for Dr. Gerber. This is really a significant development.

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**1adam12**, (6/18/2009 9:34:11 AM)

I was wondering. Since all of this frenzy has been generated by one man and his friend bob lewis at the ledger, the poor journalism on his part, printing accusations without facts, controlling the blogs. Doing whatever he can to destroy the wonderful community we live in. Trying his best to keep it stirred up. I was wondering if anyone would be interested in getting a permit from the city and having a good old fashion ledger burning. I was thinking of having a hot dog stand, jupiter jump and snow cones, everyone donate 5 dollars to donate to neighbor for neighbor, have a new leaf decorate with some beautiful plants, and bring your ledger and throw it in the fire. After that, call the ledger and ask them to stop leaving the trash on our driveways so we won't have to have anymore burnings. Now that is finally doing something positive for our city. Maybe matt,bob,chris,john,jim,dee and rick can come to.

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**Jolie2**, (6/18/2009 10:41:42 AM)

1adam12

Let's wait and see what the official investigation results are first. If nothing criminal is uncovered, put me down for at least a \$20 donation and I'll be there with copies of the Ledger.

Can you really get a permit for an activity like that, btw?

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**612**, Broken Arrow (6/18/2009 10:52:41 AM)

Sounds fun - I think you've covered all the important stuff. Mmm...hot dogs and snow cones.

I hate to think of Bob Lewis that way, but I can't help being dismayed by the continuing evidence of bias. The story about Ms. Updike's comments was nothing but inflammatory. Well, I guess you could throw in a little desperation too.

I don't like wasting money either, but a lot of the comments posted seem uninformed - just angry. A whole article blaming 3 volunteers for wasting thousands of school district dollars is astoundingly irresponsible. I don't understand why it's so easy for people to think they know what should have been done, when they really don't know much about the costs and challenges of running a school district. Accountability is good, but blind finger-pointing is just destructive.

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**Jolie2**, (6/18/2009 3:56:29 PM)

Surprise, surprise. The Ledger did not find the election of Gerber as Chair of the Tulsa Co. Superintendents' Association newsworthy for their paper. It's a shame, isn't it?

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**612**, Broken Arrow (6/18/2009 4:11:50 PM)

Maybe they're just checking out the story and verifying facts so they don't publish anything prematurely...oh, wait...

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**thenight1**, (6/18/2009 6:14:01 PM)

I posted the following on the ledger article:

" I wonder how much the maintenance was costing vs how much was saved by the competitive bidding that was done? I understand that service work and replacements have been competitively bid since Dr Sisney's complaints but was maintenance ever bid properly? "

I think the ledger missed another opportunity to present the whole story. If the savings are due to the maintenance being skipped, that is one thing but if a significant savings was produced by competitive bidding, that is entirely another matter. Given the Ledger's apparent bias, I would think they would want to report that information.

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**Jolie2**, (6/18/2009 6:25:34 PM)

to thenight1

Do you mean general maintenance or maintenance of the HVAC systems?

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**Jolie2**, (6/18/2009 6:26:38 PM)

The Ledger has published the following op-ed today:

QUOTE

Disappointed in Updike

Published:

Wednesday, June 17, 2009 10:00 AM CDT

by Greer Nichols

I am very disappointed in Mrs. Updike's comments concerning the reduction of teaching staff for the next school year. After 10 years on the board, she should know staffing recommendations for the coming school year are not based on the district's spending from the previous year, but on the revenue projections for the coming year. State revenues are down, and school districts across the state will have to tighten their financial belts. Although I don't always agree with how the district spends its money, her attempt to disparage her fellow board members was erroneous and misleading.

(Editor's Note: Nichols is a former president of the Broken Arrow Education Association.)

END QUOTE

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**612**, Broken Arrow (6/19/2009 8:17:10 AM)

I'm glad Mr. Nichols pointed that out. The article on Ms. Updike definitely leads readers to believe the cuts are directly because of last year's expenses. Her attempt to disparage her fellow board members was erroneous and misleading, and Mr. Greer says, and it's also puzzling. She has to work with these people!

This is not normal behavior - it really sends the message that there is something behind the scenes pushing her to make these inaccurate, unproductive, and seemingly vengeful statements. What is her purpose? It seems likely that it will end up doing more harm to her than to anyone else. Is she setting something up?

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**612**, Broken Arrow (6/19/2009 8:29:40 AM)

Posted on Mr. Nichols' opinion article. I hope it makes some people think (it'll probably make some people type). :)

Mr. Nichols, thank you for pointing out how staffing recommendations are made. The article on Ms. Updike's comments did give the impression that the cuts were directly because of legal fees from the past year.

Even if corruption on the board caused the large legal bills, Ms. Updike's comments are, as you pointed out,

erroneous and misleading, and they're also puzzling. She has to work with these people! Why would she choose to make statements that give no new information, lead people to believe something that isn't accurate, deepen the divide on the board, and make her look unprofessional?

Is this typical of Ms. Updike's behavior? If so, it may explain some of the split votes. If not, what has inspired this uncharacteristic, unproductive, self-defeating, divisive act?

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**Jolie2**, (6/19/2009 1:55:38 PM)

Maybe it will do some good for Ms. Updike to read your words, 612, as I believe she will, and will learn from her mistakes.

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**612**, Broken Arrow (6/19/2009 4:10:33 PM)

Maybe it will do some good. I wonder if she is in a difficult position. Is she truly loyal to Dr. Sisney, or is she under pressure of some sort to support him? If relations with the other board members weren't already strained, they probably are now. Regardless of the reason, it sounds like a tough situation.

Whatever is found in the audit/investigation, would it not reflect on Ms. Updike and Mr. Stover as much as the other three? If Air Assurance was allowed to overcharge for years, how could that have been approved by only the three, especially since Shari Wilkins only joined the BOE in the spring of 2008 - when Sisney supposedly uncovered the conspiracy? Yet the anti-board people (and Sisney's lawsuit) seem to target only the three as conspirators with AA. Maybe Ms. Updike doesn't want to be added to the lawsuit or set up for public condemnation.

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**Jolie2**, (6/19/2009 5:07:23 PM)

You have raised important points in the past about how difficult, if not impossible, it would have been to bypass certain persons, such as the BAPS chief financial officer, for approval of an illegal scheme allegedly to Air Assurance's benefit (and perhaps district employees and BOE members' benefit as well).

From your March 19 post to this article:

QUOTE

Regardless of who was in the position at the time, the CFO would be a key participant in anything involving large vendor contracts and invoicing. Why have we heard so much about the board's involvement in vendor contracts and performance, when they really have little to do with them, and nothing about the CFO, who should be one of several people overseeing the vendor dealings?

END QUOTE

This is a significant point that seems to have been conveniently left out of the thinking of many who want to crucify the board members for misdeeds and ignored even when you have posted it on the Ledger for them to read.

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**612**, Broken Arrow (6/20/2009 9:01:18 AM)

There are just too many holes in the 3-corrupt-board-members theory. It seems more likely to me that the people named in the lawsuits and dragged through the mud are simply the ones who refused to cooperate.

Ms. Updike's comments (and voting record) make perfect sense when you consider what might be behind them. She has seen now what happens to people who take a stand. Maybe she is unwilling to let the same thing happen to her. Not an enviable position. This new round of comments may have been prompted.

The long delay in Dr. Sisney's defamation lawsuit may have been at his request. I think he knows that he is not going to win. Once it's dismissed, he no longer has the ability to hold it up as a threat to Ms. Updike and Mr. Stover. And, of course, he doesn't want to have to let go of his whistle-blower story until after he is offered the permanent position in Sperry. December allows a nice long delay.

Of course, it also makes sense to wait until after the investigation, so that information can be included...so that may be the reasoning.

It seems silly that Dr. Hudkins is still on the lawsuit. Why have Sisney and Richardson not taken him off, when including him just points out their ridiculous accusation and refusal to acknowledge the explanation provided by AA months ago? Maybe that's why - they don't want to look like their case is weakened by admitting their mistake/misleading accusations.

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**Jolie2**, (6/20/2009 10:33:25 AM)

Unless Dr. Sisney has some serious wrongdoing on their part to hold over their heads and blackmail them with to make them cooperate with him and they voted against their consciences only because they were threatened with being sued, etc., I would think Mr. Stover and Ms. Updike were cowards for not standing up with their fellow board members and doing the right thing at the right time. Even if they made the wrong decisions up until now, they can still come forward to report any possible threats or coercion and ask for forgiveness from the community, and make things right.

Both comments you've made related to the long delay in holding the next hearing in the defamation lawsuit make sense and both could be true at the same time.

As far as dismissing Dr. Hudkins from the lawsuit, even though it has been shown that the invoice address of his office was a typographical error, there is still Dr. Sisney's claim that Dr. Hudkins made defamatory statements about him. On page 9, item 42, of the PDF file of the lawsuit documents on the 9/4/08 Tulsa World article reads:

QUOTE

Dr. Sisney was later informed, that on more than one occasion that Douglas J. Hudkins, previously identified as a friend of the Rampeys and recipient of Air Assurance heating and air service paid for by BASD, has openly been making accusations that "Dr. Sisney has been stealing from the schools and trying to blame it on the Rampeys" and that Dr. Sisney should be fired. Mr. Hudkins has also stated that this information came directly from Mr. Rampey himself.

END QUOTE

Whether there is any truth that these 'defamatory statements' were spoken or not remains to be determined.

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**612**, Broken Arrow (6/20/2009 2:36:34 PM)

Oh yeah, I forgot about the defamatory statements. If it turns out they were indeed spoken, next we need to find out if they were true. If Dr. Hudkins really said that, what did he mean by it? Was Dr. Sisney "stealing" in some way from the schools and trying to blame it on the Rampeys? Investigating that should be in the scope of Dr. Sisney's lawsuit, since the truthfulness of the statements has some bearing on whether they qualify as slanderous.

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**Jolie2**, (6/20/2009 6:24:24 PM)

It is possible that those words, if said at all by either Dr. Hudkins or Mr. Rampey, may have been a knee-jerk reaction to being falsely accused of improper behavior, making assumptions that Dr. Sisney might be covering up his own financial misdeeds by trying to place the blame elsewhere, without any substance to the claim.

It is also possible the words were never said and were fabricated or exaggerated by Mr. Stover and/or Dr. Sisney to give him reason for the lawsuit.

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**thenight1**, (6/22/2009 11:45:53 AM)

I was referring to HVAC maintenance in my statements earlier. As I understand it, that is what is being done by the 2 BAPS employees but they apparently aren't able to keep up with the work load.

I think the defamation suit against Dr Hudkins is due to the comments mentioned earlier but how Dr Sisney expects to prove those comments in court would seem problematic.

I still don't know if any corruption was really intentional or conspiratory but I suspect it was more of a 'good old boy' type arrangement. It was just easier to deal with the vendor that had been doing the work than it was to get all the bids and go through the process. Unfortunately for those involved, that is just as illegal as the more intentional conspiratory type.

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**612**, Broken Arrow (6/22/2009 1:14:32 PM)

Even it was just a case of sticking with what was easiest, it would reflect on all of the people involved, not just the ones that Dr. Sisney has targeted. I don't know how people can be so sure that the 3 board members (including one who just got there) had been fooling the other two, the superintendent, and the CFO for years. It's pretty far-fetched.

If their intent is not shown to have been malicious or secretive, and they have not gained anything personally from dealing with AA, I think it will be very difficult for a court to consider their actions to be criminal.

I hope this is the case, because without malicious intent and personal gain, we are left with an oversight, and if a

school board volunteer can be charged with a crime for an oversight made by not only the board but also the superintendent and CFO, we may find ourselves short of candidates.

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**thenight1**, (6/23/2009 3:53:27 PM)

I agree, an oversight that results in criminal charges for a board member would be tragic. I'm not sure how in their position they would have known about bidding procedures not being followed. I don't know how many people are blaming the 3 BOE members though for the bidding issues, they were just caught up in the termination issues. I would think the bidding issues would fall on the superintendent (Sisney at the time) and those in charge of the proper departments(Gerber) and some people in the finance department.

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**612**, Broken Arrow (6/24/2009 10:00:34 AM)

Judging from the anger still directed at the 3 board members in posts on the Ledger, there are still some people solely blaming the three board members for the controversy and costs.

The termination issues ARE the HVAC issues. Sisney's whole story is based on corruption on the BOE – solely on the alleged collusion of the three board members with AA. That is the whole basis to his claim that they wrongfully terminated him to cover their tracks. The legal bills came directly from Sisney's lawsuit alleging that the three board members secretly made sure AA always got the contracts, allowed the district to overpay AA (somehow getting this approved by the finance department and undetected by auditors for years), directed AA to do work for their friend outside the district and then made sure the finance department approved payment for it, plotted with AA (and an eye doctor!) to get rid of Sisney, and then abruptly and without warning panicked and terminated Sisney to hide their crimes.

The problem is – it doesn't make sense to believe that the three board members Sisney has targeted could have orchestrated a scheme stretching back through past years and past boards including Max Smith, Dee Masters, and Kevin Rondot (all of whom supported Sisney during their time on the board), while all the time pulling the wool over the eyes of the superintendent and CFO. I hope people are starting to see how ludicrous these claims are. Ms. Updike isn't doing herself any favors by appearing to support this outlandish story.

You have to wonder why people are so excited about the idea of a conspiracy on the BOE. Who are these people, and why are they so quick to embrace this highly questionable story – how does it benefit them to have the public think the BOE is corrupt? Do they really believe the story, or do they know the truth but are trying to steer the public away from it?

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**612**, Broken Arrow (6/24/2009 11:38:43 AM)

Even the idea that the board terminated Sisney to hide their crimes doesn't make sense. Why would they think getting rid of him would keep it quiet? Especially after he had already filed a court case against them alleging these crimes?

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**612**, Broken Arrow (6/24/2009 1:33:17 PM)

I posted a comment on Mr. Nichols' opinion article. We'll see if it shows up. It's just a shortened version of my previous two posts here.

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**612**, Broken Arrow (6/25/2009 9:39:41 AM)

Hm, I posted a question on the Ledger's HVAC savings article. It was showing up on the Most Commented tab last night, but it's not there this morning. I was wondering if the salaries and other employment expenses for the two new HVAC employees were included in the number provided for the 2008-2009 year.

The wording in BAPS press release gives a different impression to me from the wording in the Ledger article:

The BAPS press release says "Total payments issued for HVAC services by BAPS in 2008-2009 = \$314,354.52". This makes it sound like these were payments made to outside vendors. I would not expect "Payments issued" to include payroll.

The Ledger article calls the \$314,354.52 "heating, ventilation and air conditioning service expenses". I had assumed that the employment costs were included as "expenses", but after reading the BAPS release, I'm not sure now.

If it doesn't, we would have to add (guessing conservatively) about 50,000 each to cover salary, insurance, benefits, FICA, unemployment tax, and possibly tools for the new employees. This brings the 2008-2009 costs up to 414,354. The difference between this year and last year is then about 187,229. Since "only the worst fires" (quoting from the BAPS release) were put out this year, it doesn't sound like the two new employees were able to fill in any of the preventive maintenance gap left by AA. As the press release and Ledger article both state, the money was saved not by having someone besides AA do the work, but by not doing the work at all. AA's maintenance contract was 190,000.

If the employment costs are not included in the total for 2008-2009, and taking into consideration that no preventative maintenance was done, the way the math works out, AA's charges for its last two years with BAPS do not appear to be out of line with what BAPS paid for 2008-2009. Hm.

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**Badgerjohn**, Tulsa (6/25/2009 10:01:24 AM)

...and that's why I left the state to teach.

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**thenight1**, (6/26/2009 12:21:07 AM)

Maybe I'm wrong but I saw the story a bit different. Sisney is informed of a bill from AA with no approval ahead of the work being done. He finds that AA has been doing all/most of the school's work with no competitive bidding. Upon questioning that practice, he is immediately professional attacked by the owners of AA. The BOE members see a local business with close school ties that advertises heavily with the school and donates a lot of money to those schools is mad and threatening to pull all of their money and business. The owners of AA request Sisney's removal and the BOE members to keep a good local business happy comply with the request.

That makes a bit more sense than all the conspiracy stuff.

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**612**, Broken Arrow (6/26/2009 7:47:55 AM)

From Dr. Sisney's lawsuit, it looks very much like it was Sisney who did the attacking. I have not seen anything that indicates any animosity toward Dr. Sisney on Mike Rampey's part prior to Dr. Sisney's accusations; his letter in Dr. Sisney's lawsuit indicates that he was taken completely by surprise by Sisney's accusations.

The only evidence of an attack on Sisney by Rampey is ...Sisney said so. And after looking through Rampey's point-by-point explanation that completely disproves every accusation, how much weight can Sisney's word have?

Rampey attacking Sisney is another claim by Sisney that, when you look at the history and evidence, just doesn't add up.

Rampey had been working with BA schools for years, and it's his job to deal with inquiries from customers. It's not the first time someone had questioned his billing. It's very hard for me to believe he freaked out over a simple billing question and went on a vengeful quest to get rid of the head of his biggest customer.

I don't think Rampey got mad until Sisney publicly accused him of being a crook and refused to meet with him to discuss the alleged issues (can you blame him?). That's when he sent his letter, which is all he could do to try to protect his reputation. Rampey could see that trying to continue to work with Sisney would be futile.

I don't see why anyone would believe without any evidence that Rampey attacked Sisney, unless maybe they just wanted to make Rampey out to be a bad guy. Maybe a disgruntled competitor.

We have no other claims (outside of Sisney's) of Rampey behaving in an unprofessional manner, with BA schools or any other client. But we certainly have many claims (and evidence) of Sisney's unprofessional behavior. It's easy for me to figure out which one of them is more likely to be the agitator in this case.

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**612**, Broken Arrow (6/26/2009 7:54:41 AM)

Answered my question on whether the two new HVAC employees' payroll is included in the 2008-2009 "heating, ventilation and air conditioning service expenses". The \$314,354.52 number is a total of PO's, which don't include payroll. So we would need to add in the employment costs in order to be able to compare this year's costs with last year's. If any tools were bought, those would be covered in a PO, so we would just have to include salary, benefits, insurance, FICA, unemployment tax.

thenight1, what would you estimate for salary for the employees? From what I understand, they are inexperienced.

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**612**, Broken Arrow (6/26/2009 8:50:44 AM)

thenight1, you asked:

" I wonder how much the maintenance was costing vs how much was saved by the competitive bidding that was done? I understand that service work and replacements have been competitively bid since Dr Sisney's complaints but was maintenance ever bid properly? "

-----  
I have heard that the preventive maintenance bid requests were sent to 10 companies for the 2007-2008 fiscal year. Two bids were returned: AA for 190,000, and another company for 278,000. (I haven't seen these bids; this is just what I heard). The audit says that this was "not in strict compliance" but does not say what the issue was. Possibly it was the fact that the school lost the bids (not good!) From what I understand, also "not in strict compliance" was bidding on purchase orders exceeding 50,000. These purchase orders could be for large repairs or equipment replacement, or equipment for new buildings – anything that didn't fall under the preventive maintenance contract. The "blanket purchase order" system was used for these, and it did not meet the requirements of the Oklahoma Competitive Bidding Act. This information is from the 1/26/2009 audit.

The blanket purchase order system had been in place at BAPS for several years, and was not any kind of secret. It is still being used for HVAC work – you can see the POs on the encumbrances. Dr. Sisney most certainly knew that this was the usual way to get HVAC work done at BAPS. Trying to pretend someone had secretly used it to sneak past guidelines and give AA all the work is extremely weak. Dr. Sisney would have to include the CFO in this scheme – there is no way 3 board members (some of whom weren't on the board yet) and a assistant superintendent could have gotten these "carefully calculated actions that violate statutes and board policies" past the finance department "since at least the 1990's" as Dr. Sisney has claimed (Sisney's quotes from Ledger article "Sisney believes cover-up of criminal acts taking place", 1/16/2009).

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**thenight1**, (6/26/2009 9:11:52 AM)

I checked with my friend in the industry and he said if they are apprentices, they probably make 10-15/hr, if they are licensed journeymen, then 15-30/hr. If they are just doing maintenance and are inexperienced, they are most likely apprentices.

I thought there was an email or something that documented Rampey wanting Sisney fired. Maybe I'm wrong on that, if it's just Sisney's word then that is a proven problem since some of the other accusations are already proven wrong.

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**612**, Broken Arrow (6/26/2009 9:40:39 AM)

Ok, thanks for the salary info. I have heard they are apprentices. Makes me wonder though - is there anyone overseeing their work? Apprentices usually have a master on hand. At least, that's the way Star Wars works.

I believe that if Sisney had an email showing derogatory remarks from Rampey, he would most definitely have included it in his lawsuit.

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**1adam12**, (6/26/2009 11:22:43 AM)

to steven, I mean thenight1. It probably is hard for you to be unbiased on this issue since you are a mechanical apprentice and salesman and working for the competitor of AA that was openly picketing at the sisney firing (misspelled sisney by the way). Why would you have to ask your friend about pay scales when you are in the business? A lot of mis information like you speak comes from those that have other motives and would love to see harm done to AA. Does the company you work for support your crap and pay you to write this stuff on his time or are you just stealing from him? When the lawsuit gets its day in court you will be there for sure along with some others

that have alterier motives like the promise of the paving contracts for the schools and other things I cannot mention. I don't mention the company you work for because I know they are a reputable company. I know the owners and they are good people and know the harm that it would do to their business when all comes out. That is why I wonder if they know you are doing this. Do you realize the jeopardy you have put them in by your crap. I also know the owners of AA and they are also very reputable people that love the community and would never do anything to hurt the community like in my opinion some have done like sisney,chris,matt,rick,steven,dee,john have.I also cannot believe in my opinion the harm that Bob Lewis has done but he has admitted that he is a personal friend of sisneys so that does not suprise me. sisney even said he loved the schools so much then he turns around and sues them. I promise you that when everything and everyone is "exposed" this community will thank the 3 board members for what they have done. To 612 you have made the most since out of all of the blogs. You have kept your mind open and not been influence by anything except the facts and what is written in the lawsuit which is only sisneys story. And steven there never was the email that you spoke of. Maybe again you are just making that up for your own gain. Why would any competitor ever run down another unless they had something personal to gain. And what competitor of yours would ever hire you knowing the crap you have tried to stir up and if you are spending time on your employers computer doing it. Why would any good company run down another good company? Why don't you just talk about the good that your company can do without running down another? The community needs more good companies like these to continue bringing up the professionalism of our community. What they do not need is people like you that just make a bad name for our city. Steven you are no different than chris2112 who gathers information from his neighbor and good friend that also works for another HVAC competitor and drives these evil mudslinging comments for no good. When you started all of this did you really thing you never would be exposed?

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**612**, Broken Arrow (6/26/2009 2:44:20 PM)

Thank you, 1adam12. Don't forget Jolie, whose comments at the beginning of this got me (and probably a lot of others) started thinking twice about the plausibility of the rogue-board story.

I noticed that the person posting as "Interested Citizen" on the Ledger "Disappointed in Updike" story has backed off from the vast-conspiracy theory (I guess because it's getting hard to pretend it's not impossible) and is now saying the 3 board members were just trying to please some nit-picky teachers and a powerful and influential vendor. Also ridiculous, of course. They would have to be persuasive indeed to be able to force Sisney to do all the destructive, unprofessional, divisive, and expensive things he has done since last spring. He has made his own case against himself, even if you totally discount anything any teacher or staff member (going back to Bartlesville days) has ever said about him.

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**612**, Broken Arrow (6/26/2009 4:47:31 PM)

Ok, a correction to my earlier post - the HVAC employees are journeymen. So if we go with thenight1's estimate for apprentices and put them on the high end at \$30/hour, that works out to 60,000 a year. So my estimate of adding 100,000 for employment costs for both was definitely conservative.

The HVAC expenses for 2007-2008 and 2008-2009 are very close when you take out the cost of the preventative maintenance that wasn't done for 2008-2009. But of course, you can only compare prices by looking at it in terms of the actual work done in both years. I hope this will be presented clearly in the audit and investigation results.

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**Jolie2**, (6/26/2009 5:38:39 PM)

612 said "Thank you, 1adam12. Don't forget Jolie, whose comments at the beginning of this got me (and probably a lot of others) started thinking twice about the plausibility of the rogue-board story."

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Thanks for the tip of the hat, 612. I'm thankful that you picked up where I left off and used your ability with words and reasoning to thoroughly evaluate and elegantly explain the intricacies of this case as you understood them. I don't have the patience or skill you have shown in grasping full command of the information available and taking the time to go point by point through it to make your points. Bravo to you for taking on the task and sticking with it.

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**612**, Broken Arrow (6/26/2009 7:01:38 PM)

Thank you, Jolie, that means a lot coming from you. For some reason I can't seem to stop puzzling about this case.

Maybe we should start our own website, to counter the other one. We can call it BA Parents Against Truth!

...no...wait...

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**thenight1**, (6/29/2009 1:16:27 PM)

This is interesting, I wonder just how many people I am going to be accused of being? It was BT last time and I don't think accusations further the conversation a bit. I have my opinion but have tried to maintain an open mind but perhaps this thread isn't as open minded as I thought.

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**thenight1**, (6/29/2009 3:14:54 PM)

For the record, I don't want to see harm done to anybody, I do want to see justice done regardless of who is need of that justice, whether it is Sisney, Gerber or anyone else.

I also happen to be of the opinion that most of the major A/C companies have good reputations for the reason that they do good work and while Sisney has accused the Rampeys, I stated just a few days ago "if it's just Sisney's word then that is a proven problem since some of the other accusations are already proven wrong".

I've certainly not tried to disparage any company with my opinions based on what I've read here or on the ledger site or seen on the news. Even then, I thought my opinion was a bit middle of the road since I've stated I don't think there is any grand conspiracy. Overall, I believe some points made by both sides in the argument and figure the truth is probably somewhere in the middle.

If I'm going to continuously be attacked though, I guess only 1 opinion is welcome here.

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**612**, Broken Arrow (6/29/2009 5:40:12 PM)

A new TW story says that the board meeting tonight will include an agenda item that states the board will "take any action deemed appropriate regarding public comments made by individual board members outside of board meetings."

I hope they don't do anything that shuts down (or looks like it shuts down) communication with the public. I think Ms. Updike's comments were misleading, damaging, and unprofessional, but I hate to see the board make themselves look bad by making a big deal out of it. Her comments actually made some things clearer to me.

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**thenight1**, (6/29/2009 9:32:35 PM)

I think they (the BOE) are walking a fine line. I don't believe Ms. Updike should have made those comments but I agree with 612, I don't want to see a restriction on public communication either.

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**Jolie2**, (6/29/2009 10:53:07 PM)

The Ledger has its report up on the tonight's board meeting, titled "3-2 votes again dominate BOE meeting."

The Board has approved getting another Tulsa legal firm to offer its opinion on whether or not it was a requirement to disclose details of the legal billing to the public. The firm of Crowe and Dunlevy was hired for his purpose.

The other topic discussed was Ms. Updike's interview with the Ledger. I am very disappointed in how this was handled (or at least in the version of what the Ledger recounts). From the article:

#### QUOTE

In the second 3-2 vote, the board rapped Updike for comments made in an article that appeared in the Ledger.

In it, Updike laid the need to cut nine teaching positions for the 2009-10 school year at the feet of Whelpley, Wilkins and former board member Maryanne Flippo.

Updike said their rush to terminate former Superintendent Dr. Jim Sisney cost the school district more than \$372,000 — enough to retain nine teachers that can no longer be afforded.

Monday evening, Wilkins read a statement critical of Updike for violating the school board's code of ethics and disclosing what she called confidential information.

Kelly read a proclamation, which was later passed by the split vote, criticizing Updike for failing to secure formal approval before granting a newspaper interview and for making comments that did not reflect the opinion of the board.

Updike countered by reaffirming her First Amendment rights to express her opinion and by pointing out on three different occasions during the past 18 months other school board members spoke out without securing formal approval and no board action of any kind was taken against them.

She also noted Wilkins was incorrect in saying confidential information was disclosed. "Everything I said was public

information," Updike said.

END QUOTE

Nowhere in the article was any mention of Updike distorting the facts on how budget determinations were made, which Greer Nichols had asserted in his opinion letter published recently in the Ledger. Was Mr. Nichols correct?

I think the board should have let this go unless they had factual information to present which would have countered Ms. Updike's assertions on the reasons for teaching position losses. Now they just look foolish reprimanding Ms. Updike, particularly since Ms. Updike is correct--other board members did the same thing during the past year--talked with the press without prior approval from the rest of the board.

I hope the OSBI/State audit report results will come out soon...

to thenight1 - please keep posting. If you are above board in your intentions, don't let a couple of negative comments chase you off.

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**612**, Broken Arrow (6/29/2009 11:39:24 PM)

I was content to let Ms. Updike's comments speak for themselves. I'm not sure what the board members hoped to gain by reprimanding her. I need to think about this some more, out of the glare of the Ledger bias.

thenight1 - Jolie knows a lot about negative comments. She faced a lot of opposition but never let it intimidate her. Your input has been valuable.

I also hope the OSBI results come out soon. While some of Dr. Sisney's accusations have been proven false, and others appear to be overblown, there are still some questions. We need to know what really happened with the vendor issues, to put the whole situation in perspective.

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**1adam12**, (6/30/2009 7:24:22 AM)

To thenight1. I apologize if I came across somewhat critical. Reading it I guess I was. When I look back at many of your postings you are very biased in your views and I was just pointing out why you may be biased. In your recent comments as you pointed out you have tried to be more in the middle and open your mind. There has been so much said by sisney and others that have been proven false. yet we have heard very little from the board members or AA. By suing them I guess that has kept them quiet. I hope someday that we get to here from them. I bet they have a story to tell. But for now please accept my apologies.

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**612**, Broken Arrow (6/30/2009 11:58:46 AM)

Apparently it hasn't occurred to any of the people posting on the TW story about last night's meeting that Ms. Updike might really have leaked confidential information from executive sessions. Anything the 3 amigos say is automatically condemned, without a thought as to its possible validity. I don't think these posters realize how uninformed and prejudiced they sound.

Just like Flippo's announcement that Sisney blackmailed her. Coming from her - who cares, right? How frustrating for them.

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**thenight1**, (6/30/2009 1:58:41 PM)

I think the law suits have kept people quiet. They usually do. I for one am looking forward to the OSBI and audit results and will gladly cheer the ending of this mess regardless of how it turns out. I think at this point the law suits aren't really helping anything but I doubt the audit would have been approved without them.

I think ALL of the BOE members need to keep their mouth shut if they are just trying to keep things stirred up and not presenting factual information. Accusations and innuendo don't help anybody regardless of who it comes from. Releasing good factual information to the public is encouraged but I can think of accusations made by BOE members on both sides of this issue that don't help.

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**612**, Broken Arrow (6/30/2009 2:19:10 PM)

Posted on the Ledger article "3-2 votes again dominate..."

-----

This article leaves off a significant piece of information. The Tulsa World article includes this: "Wilkins then read a statement that accused Updike of leaking confidential information from executive sessions twice in 2008 and of

violating the board's code of ethics."

What if Updike really did leak confidential information from executive sessions? Everybody ok with that?

Interested Citizen's condescending, smug, and presumptuous posts notwithstanding, we still don't know enough about the circumstances surrounding Dr. Sisney's termination to be able to say whether the "3 amigos" went insane and fired a perfectly good superintendent to cover up their crimes, or made the hard decision to do what was right for Broken Arrow, knowing how difficult that road might become for them.

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**612**, Broken Arrow (6/30/2009 2:42:48 PM)

Posted on the Ledger article "3-2 votes again dominate..."

This is a little off-topic, but I wanted to support Golfer Girl's point of view. Don't know if either of these will make it through the screener.

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Golfer Girl, some people are still mesmerized by the shiny object. This is supposedly all about the board members' collusion with Air Assurance to rip off the district.

When you compare the HVAC costs for 2007-2008 and 2008-2009, after adjusting for the fact that no preventive maintenance was done and adding in the salaries of the two new HVAC employees, they are remarkably close. So AA's charges seem to be in line with what BAPS paid this year using other vendors and the two new HVAC journeymen.

Makes you wonder how they were able to fit all that double-billing, overcharging, and non-school-district work into such a low, low price. And that doesn't even include the long hours involved in conspiring with school officials, plotting against superintendents, falsifying invoices, hiding documentation, and setting fires. Those minions don't just direct themselves, either. And they still found time to do the thankless job of hoodwinking the community by contributing thousands to the school system. Sounds like a pretty efficiently-run cesspool of corruption to me.

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**1adam12**, (6/30/2009 3:38:10 PM)

Can someone remind me what other board member spoke out against the others or without the boards approval? Now I do remember that Mrs Flippo did but she made it clear she was representing herself and not the board or as a board member. All I remember was the 3 staying quiet and not talking and Mrs Updike speaking at pta meetings and emailing. I always thought that when your vote did not go your way then you should get over it and support the entire board for the better of all. I believe that if Updike and Stover had stood up and the board had been united we would not be in this mess. But we left enough room that Sisney still had hope that another board member would get elected so he could get rehired. I am so thankful that did not happen. Now let's just think about this. 4 different people have voted differently than Updike and Stover. What is more likely that the 4 have gone crazy or have a conspiracy or that the 2 have gone crazy and are working together for Sisney. What confidential information has been leaked from executive session and has it put this district in jeopardy of losing a lawsuit because of what this board member has done. If this is true and can be proven what has Mrs Updike done and how much will it cost this district then. If confidential information is being leaked from executive session and can be proven then why would it not be prudent to ask for her resignation? I hope 612 and Jolie can help me on this one. There is a small group of people that are adamant to seeing the legal bills. Why are they so interested. Have they been working for Sisney. They have hired an attorney to try to get them. Now the school has to hire another firm to fight with a citizen. Who really is costing this district the board members or Sisney and his followers. Someone needs to investigate these people. In the name of FOI they have done more harm and cost taxpayers more in my opinion.

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**612**, Broken Arrow (6/30/2009 3:44:51 PM)

Interesting...my post about AA's charges was printed but the one about the Ledger article leaving off the leaks from executive session was not. Maybe the Ledger wants to make this about Updike's public comments, and leave off the part about the leaks.

1adam12, I'll look back and see what I can find about the leaks. I remember seeing posts that said what happened in executive session, and other people pointing out that anyone who knew what happened in executive session shouldn't be saying. I don't think the leaks were necessarily the truth, either.

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**612**, Broken Arrow (6/30/2009 3:57:22 PM)

Ok, I shortened my comment about the leaks and it made it. Maybe the editor doesn't like my criticism of his post - er, I mean "Interested Citizen's".

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**BATiger1224**, (6/30/2009 6:19:48 PM)

When someone is fired for catching people with their hands in the cookie jar, it does raise some questions on why. The citizens of Broken Arrow have every right to know what's going on in their school board and what their tax dollars are being spent on. It's the school board's choice to hire another attorney, not the public's fault.

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**612**, Broken Arrow (6/30/2009 6:54:48 PM)

Big assumption, BATiger1224. We don't know that anyone's hands were in the cookie jar, and we don't know that that's the reason Sisney was fired. Sisney is the only one involved who claims that.

If you take that as a given, you put yourself at a disadvantage in making sense of all this.

Sisney's story is full of holes, and he has done and said a lot of things that bring his credibility into question.

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**612**, Broken Arrow (6/30/2009 7:01:35 PM)

Top Ten Ways Sisney Has Torpedoed His Own Credibility (actually there are more than 10)

#1 - Trying to pass off normal procedures and unremarkable figures as evidence of a criminal conspiracy

One of Dr. Sisney's dire warnings of a conspiracy was that AA had been paid 3.1 million since July 2002 – as if the amount in itself was evidence of criminal activity. Sisney also revealed that he had “found” that AA had a blanket purchase order for services. Well, of course they did – they had a blanket PO every year. That's how BAPS handles services from vendors, and Sisney of course knew about it. The board approved the PO at the beginning of the fiscal year. Making it sound like something sinister and secret is misleading, and it worked on a lot of people. Anyone who took the time to actually read the articles would see right through his “evidence”.

So now we find that we're paying about the same amount with another vendor and two employees (adjusting for the maintenance not done, which used to be covered by AA's 190,000 contract, and adding in the cost of the two new employees).

Puts Sisney's 3.1 million statement in perspective.

Tune in tomorrow for the continuation of Torpedo #1.

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**612**, Broken Arrow (6/30/2009 8:40:25 PM)

1adam12, I couldn't find the articles with the comments pointing out that anyone with information about what went on in executive session shouldn't be blabbing. Sorry. I can't even remember what it was about. I'll keep thinking and see if it comes back to me.

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**Jolie2**, (6/30/2009 8:53:36 PM)

Keep going, 612. I love your persistence and thoroughness.

Someone posting on the Ledger still persists in believing that you and I are the same person.

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**612**, Broken Arrow (6/30/2009 9:58:59 PM)

Thanks! :)

I posted a response to the person on the Ledger, who said:

" Hey 612...aka "Jolie". You are a funny person and so misguided. You wouldn't believe it's raining if you were sopping wet! "

Hope it shows up. Something along the lines of -

-----

I am not Jolie. Are all your assumptions this accurate?

Rain is not the only possible reason for being wet. Is all your logic this infallible?

-----

I know, scathing, huh? hee hee

I did think the part about AA setting fires was funny.

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**612**, Broken Arrow (6/30/2009 10:53:23 PM)

Maybe a clue on the leak question -

lifegood posted on the TW "BA school board censures fellow member for her comments" story -

#### QUOTE

What an interesting situation. Updike began last August with a powerpoint presentation, of which, Doug Mann stated "I know you got from Sisney". She has obviously spent time with him and continues too. Has she crossed the line as board member? Wilkins stated, breeched confidence summer of 2008 AND executive session August 4th, 2008. Interesting, it may not have been executive session for both violations. Was this what Flippo was referring to in her press conference?? Flippo stated in her "press conference" that it was her opinion, Updike appeared to represent the board in her statments to the Ledger. I think that is the difference in the "censure". But of course, Stover, as President-did not facilitate like he should of. None of his meetings were in control. The Board members need to be focusing on the district and processes not the emotion. (unlike Updike) Thank your Mr. Nichols for educating us that it is the budget in front of us not 3 wonderful board members that are "in fault". Kelley seemed to do a good job of staying above the politics and focusing on the issues at hand. Questions are good, it is only a bad thing if you are afraid of the answers. We should all ask more questions and less judging. Go BA!

#### UNQUOTE

It sounds like there may have been more information at the board meeting regarding the leaks from the executive sessions. Anybody have any more details? Sorry, I wasn't there.

The Ledger didn't mention anything about the leaks or violating the board's code of ethics. Wonder why - that seems to be a significant part of the board's issue with Updike.

Could this action by the board be laying the groundwork for further action against Ms. Updike, possibly regarding the accusation of violating the board's code of ethics?

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**BATiger1224**, (7/1/2009 12:13:28 PM)

Technically, we're all making assumptions. The only people who know the truth are the ones that were and are on the school board. All I've done is looked at the evidence and taken the most logical conclusion, if you don't see the same result then that's your right. I may not agree with it but I'd fight to the death for people to have their opinions.

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**612**, Broken Arrow (7/1/2009 12:41:44 PM)

The Ledger is so frustrating. I have tried 4 times to post various versions of this. We'll see if this one makes it.

I had posted a comment pointing out the statement Wilkins read about the leak.

BA Citizen wrote on Jun 30, 2009 10:48 PM:

" To 612: Show us the proof!!!!!! "In the meeting, Wilkins also read a statement that accused Updike of leaking confidential information from executive sessions twice in 2008 and of violating the board's code of ethics." "

Not sure if BA Citizen is asking for proof that Wilkins read the statement or proof that Updike leaked information. The Tulsa World article says that Wilkins read the statement. I have not claimed that Updike leaked information; only pointed out that the board brought up another issue besides Updike's comments to the press, and we should consider the possibility that it's true. I think it's significant, and people who read the Ledger article and not the World article would not know about it.

Does it really show willingness to consider the facts behind this story impartially when you attack a person who tries to point out additional relevant information?

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**612**, Broken Arrow (7/1/2009 12:57:34 PM)

BATiger, people's reputations are being ruined by other people broadcasting their conjecture as fact. That's wrong.

I have offered many possible explanations and motives for Sisney's actions, trying to make sense of this. But I have not

presented them as fact; only as reasons to doubt Sisney's accusations. The only things I have presented as fact are the things that we KNOW about Sisney's actions - his lawsuits and his words from interviews and written communication directly from him.

Many people posting comments on the Ledger have run with the totally unsubstantiated story that Sisney fed them, and have said rude and nasty things about people who might be completely innocent. That's wrong.

I don't think you have not looked at the evidence hard enough if your conclusion is the rogue-board-railroaded-innocent-superintendent story. There are too many impossibilities in that scenario.

For starters, if Flippo and Whelpley were scheming with AA, how did the two of them get the unbid AA PO past Rondot, Stover, and Updike at the beginning of fiscal year 2007-2008? Remember, Wilkins wasn't there yet.

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**612**, Broken Arrow (7/1/2009 1:04:10 PM)

Oops, typo. Take the "not" out of "I don't think you have not looked at the evidence hard enough if your conclusion is the rogue-board-railroaded-innocent-superintendent story."

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**612**, Broken Arrow (7/1/2009 6:16:18 PM)

Top Ten Ways Sisney Has Torpedoed His Own Credibility (actually there are more than 10)

#1 - Trying to pass off normal procedures and unremarkable figures as evidence of a criminal conspiracy – continued

Example 2

Dr. Sisney's claims of improper procedures around work orders and invoices: Invoices without matching work orders (4), or whose work orders are dated on the same date (103) or after (26) the invoice, or invoices which reference work orders that were not printed out (56).

At the time, it had never been a requirement to enter a work order in order to request HVAC service. It had never been a requirement to reference a work order number on an invoice or print out and attach a work order to an invoice. When a work order is dated after an invoice, it is because the maintenance department entered the work order into the system to aid in tracking requests.

This claim implies that it is required procedure to have a work order first and correlate it to the invoice; something Sisney had to know wasn't true. By drawing attention to these invoices, he implies that something was done wrong. In each case, he provides a motive for the missing/misdated work order ("no prior authorization", "work orders were retrofitted to accommodate the invoices", "no accompanying work order to validate the charge or alleged work"). Unless he had not been paying attention in all his time in BA, he knew how things really worked. Yet he chose to misrepresent the reasons as something sneaky and underhanded. With these claims, he accuses AA of sending fake invoices, and accuses school officials (3 board members) of paying these with the knowledge that no work was done.

This is an extremely unlikely scenario, since AA has systems (including GPS), and procedures (including BAPS staff sign-off), in place to prove they performed all work they bill for; and board members do not have access to enter work orders or pay invoices. Sisney does not include in his accusations any staff who do have access to enter work orders or pay invoices.

Even though nothing around these invoices is out of the ordinary, Sisney nevertheless points to this non-issue as proof of, as he puts it, "not an oversight or sloppy administration but, rather, carefully calculated actions that violate statutes and board policies" \*. Since no policies had been violated, there was a perfectly simple, innocent, and common explanation for every case, and this was standard practice for all the years Sisney had been at BA, his claims again appear deceitful and misleading. Rather than evidence of secret scheming, it looks more like Sisney misrepresenting the situation, using the media to "break" the news, and counting on the public's sense of outrage to generate sympathy for him and misdirected anger toward innocent people.

\* 01/16/2009 Ledger, "Sisney believes cover-up of criminal acts taking place."

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**2112**, (7/1/2009 8:06:12 PM)

612, without getting into the Updike comments. Why the reluctances to release atty billing per the open record act?

There is law and precedent set? it is your money too, I guess, don't you want to know how it was spent?

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**612**, Broken Arrow (7/1/2009 8:19:17 PM)

Yeah, that's another unknown at this point. I can't say for sure that the board doesn't have a good reason. It would be helpful if we knew what it was, but that could be part of what they are trying to keep confidential.

I am not surprised by the large legal bills. Attorneys are expensive, whether they are good, bad, crooked, or honorable.

If Dr. Sisney really put the board in a position where they needed to defend themselves against possible legal action, the reasons for needing legal counsel could involve personnel matters. So, the board could end up having to release information that says what the hourly charges were for, but not be able to explain why they felt it was needed at the time. I can't say for sure that this is the case, but I think it's very possible that what we have heard is true, that Dr. Sisney had access to legal counsel, who was hearing Dr. Sisney's side of the story (true or otherwise) and the board members did not.

Having to release the bills without being able to explain the need is unlikely to go over well, especially with many individuals already assuming the worst about them.

I just don't think we can assume anything about their motives in this, without knowing what their situation at the time really was.

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**2112**, (7/1/2009 9:38:28 PM)

612,

simple question for you

Should atty billing for a public body be obtainable per the open record act?

Do you believe in the law or not?

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**2112**, (7/1/2009 9:41:10 PM)

If you say yes, you believe in the law. then you should support updike and stover on releasing atty billing statements.

If you say no. then you believe in, well I don't know what you believe in.

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**2112**, (7/1/2009 9:43:21 PM)

Oh, before, 1adam12 tries to call everyone out. Yes, I know who you are too.

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**612**, Broken Arrow (7/1/2009 10:07:17 PM)

I would support releasing the billing statements WITH full disclosure of what the board members felt they needed legal representation for, with no restrictions on confidentiality on pertinent personnel issues. If releasing the records would be harmful to an innocent party because of the confidentiality restrictions, then the law is not clear-cut in this case, and a court would need to look at all the evidence and decide how the law applies.

Situations are not always black and white, and laws can't always be written to foresee every circumstance that they might apply to. I'm against using the law as a battering ram. The decision on how it applies to this situation can only be made by someone who has all the facts, from both sides.

I have to wonder at the intense curiosity people have over the legal bills, with zero curiosity about the actions Dr. Sisney is accused of - actions that, if true, are at the heart of all the issues which have brought about these bills.

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**1adam12**, (7/2/2009 7:06:20 AM)

I think 612 and 2112 both make some good points and I can see both sides. Ms. Kelly made some good points the other night also. I guess that is why they need an attorney to make an opinion. I do believe even in public entities there has to be some privacy. Why would there be a need for private executive sessions? Why would anyone ever discuss anything with their supervisor if it became public. Who would ever work for a public entity if their files became public? Mr. Stover

and Ms. Updike have both seen these legal bills. Is there something in them that would hurt the other board members or other people? We have elected these people and right now the majority seems to think that not showing them is best. We put that confidence in them in executive session. Why not this? Would showing them jeopardize the lawsuit against the school? Let's wait and see what the attorneys opinion is. 2112 can you guide me to the precedent that has been set that you referred to in a case like this? thanks

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**612**, Broken Arrow (7/2/2009 11:56:43 AM)

I can't help noticing a shift from the board-members-are-criminals point of view to the board-members-are-petty-children point of view.

What happened to the conspiracy? If there is no conspiracy, does that not change every aspect of this controversy?

Yet people on the Ledger are trying to act like Sisney never existed, and that this all started with just the board members' misbehavior. At one time, Sisney's claims were central to their position that the board members were in the wrong. Either they have a short memory, or they're trying to steer away from the Sisney claims that are now in serious doubt.

I feel like the Jodi Foster character in the movie where her daughter disappeared on the plane, and everybody acted like she had never been there.

-----

So now nobody wants to talk about Sisney any more. Could it be because supporting his claims has fallen out of favor? What happened to the posters who insisted that people would be taken out of the ESC in handcuffs? Why would Sisney say there was a vast conspiracy if there wasn't? Does the fact that it now looks like he made it up not damage his credibility in the other things he claimed? You're still bringing up the rally in the park – that was about Sisney. But we're not allowed to say Sisney any more, huh? Because anything involving him doesn't further the point of view you're trying to convince us of?

If Sisney prevented board members from putting items on the agenda, it's about Sisney. If Sisney threatened legal action but barred board members from legal counsel, it's about Sisney. If Sisney threatened Flippo with a PR nightmare if she didn't give him what we wanted in his contract, it's about Sisney. If Sisney habitually behaved in an unacceptably unprofessional manner then tried to make it look like the board fired him because of a coverup he made up, it's about Sisney.

We're just not going to talk about it any more? You were wrong on that, so now you've come up with a new angle?

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**2112**, (7/2/2009 12:49:13 PM)

Couple of good points above.

For the case law, I would recommend someone go do a FOI to BAPS for Tharp's letter. Since the letter is to a public body I don't think it is afforded any "privilege" and copies should be released upon request. My opinion. Maybe the ledger will obtain it and post it?

As for 612's comments about discussion moving away from Sisney. Just my opinion here. He is not a part of BAPS anymore. and "my opinion again" I think that with the state audit approved there is nothing more to really add. Someone who is an expert in that stuff is looking over it, so we just wait for the report. Right? That is all we can do about that.

But will concede that it does appear that the topic is changing. Hadn't thought about it until you brought it up.

as for FOI, sometime or another if Sisney's lawsuits continue they will eventually have depositions. Right? Since the judicial system is payed by taxdollars do you think anyone will take the time to FOI the depositions at the courthouse, scan into .pdf, then post to web? Could be interesting reading...

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**1adam12**, (7/2/2009 12:55:18 PM)

I hear you 612. Another thing that you have pointed out before is the derogatory name calling that tends to come from the sisney side. I question their education level. They cannot complete a sentence with out saying idiots, goober, 3 amigos, among others. Anyone that has an opposing view to theirs gets called names. They just don't understand that is ok to have another view on something. It seems also they are easily persuaded and in my opinion someone with the education that sisney has knows that and can easily persuade lower educated people to follow them to the end even when the truth is staring them in the face. This happened in Germany in the 1930's. Don't give up 612 and jolie you still make the most sense that I have heard out of this mess.

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**Jolie2**, (7/2/2009 12:57:25 PM)

I finally decided to speak up and post on the Ledger, after seeing folks go after 612. This is what I've written (confined by the 250 word limit). We'll see if the Ledger posts it.

QUOTE

Dr. Sisney's allegations, his defamation lawsuit against BOE members, et al., and subsequent termination, and the response of the community have EVERYTHING to do with the actions of the Board that have followed. Denying this is ridiculous. Whether justified or not, these initial actions put into play the animosity and division in the Board and within our community. ONLY until the final results of the OSBI / State Auditor's joint investigation are available will we know the truth of who is on the right side of this issue. Those who are not directly connected with events but pretend to know the truth are misleading others and seem to have no compunction about tearing down their fellow neighbors based on conjecture.

Those who criticize the board for unprofessionalism should take a good long hard look at themselves and how they behave while posting comments anonymously here and ask themselves if they found themselves in a similarly difficult position if they would behave completely professionally while being the subject of personal and professional attacks.

Ms. Updike stirred up the waters with her interview in the Ledger, knowing it would mean further criticism of the Board and division within it--for what purpose? How does that help the Board move forward and attend to the needs of the District? I think the Board should have ignored this issue, but perhaps it was necessary if she was indeed also formerly revealing confidential information from executive session.

I am not 612.

END QUOTE

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**612**, Broken Arrow (7/2/2009 1:16:01 PM)

Must have struck a nerve. The Ledger won't publish the last post or this one:  
-----

I do believe Interested Citizen has some information that has not been reported. And he seems to be intent on keeping it from being reported, and guiding public perception. Why else would he bother trying to set me straight?

What is so bad about wanting to know the whole truth before passing judgment? Don't you want to know? Why do people try to discredit someone who is just saying we should look at all the related information? What's so bad about wanting a clear picture of everything that has happened, so that we can all make sense of it?

From what I have seen, I don't think Interested Citizen's assessment is accurate. But then I'm an infantile and misguided loon, right? :)

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**612**, Broken Arrow (7/2/2009 1:17:08 PM)

Another try:  
-----

What do you think the legal bills are for, if not either defending themselves against Sisney's threats or grabbing power from Sisney and covering their tracks when Sisney found them out? We're upset because they got their own counsel (to either defend against or grab control from Sisney), then ran up bills trying to fight a lawsuit (filed by Sisney) and demand letters (sent by Lare, accusing the board members of the HVAC conspiracy that Sisney brought up). Now we're upset because they won't release the details of the legal bills that all directly involve Sisney.

And I'm crazy because I keep bringing Sisney up? Short memory, or purposely trying to steer away from a story whose credibility has run out?

The truth about Sisney matters. The board members' actions can only be analyzed in the light of the events that took place. Why are people trying to downplay Sisney's involvement and suppress the truth?

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**612**, Broken Arrow (7/2/2009 1:19:51 PM)

Jolie, I bet they publish yours. People will be so excited to see your name that it will generate even more comments. Thanks for the backup! I'm getting a headache :(

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**612**, Broken Arrow (7/2/2009 1:21:57 PM)

2112, I have thought the same thing about Sisney's lawsuits - the information presented would be public record. But it's possible that he never intended to win them. He may withdraw if anything gets close to revealing things he doesn't want revealed.

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**1adam12**, (7/2/2009 1:24:07 PM)

I want to correct myself. It is not always a lower educated person making derogatory remarks about others. It also can be a very well educated person with a mean spirit and hatred. someone either poked them with a stick when they were a child or broke their toys. On another note, Ms. Updike has shown to be against these three ladies on many other things. When ms Flippo wanted to change the regular meeting so she could attend. They had done this before for ms updike but when ms flippo needed it ms updike threw up her hands and was totally against it. I really believe that if ms updike and stover had shown support after the vote to terminate or any other there would not have been the legal mess we are in. my opinion is that once sysney knew he could not divide and conquer them he would have moved on quietly. and as long as they continue to be divided he will not ever leave this school district alone. stover and updike seem to be catering to a small minority in their district instead of what is best for the whole district. Pride has been the downfall of many a man and woman. this is just my rambling and opinions.

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**612**, Broken Arrow (7/2/2009 1:34:34 PM)

Agreed, 1adam12, a division like this can bring out the worst in people. It seems there has been ongoing conflict, and that can certainly make people behave in uncharacteristic ways - on both sides.

Flippo, Wilkins, Whelpley, and now Kelly have taken a lot of criticism, and I don't think we have seen them respond unprofessionally. The things they are doing now that people are mad at them for may very well be justifiable, once we know the circumstances.

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**612**, Broken Arrow (7/2/2009 1:40:22 PM)

Hey! all mine showed up! And Jolie's!

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**1adam12**, (7/2/2009 2:37:04 PM)

Interesting on the BA schools website there is a press release that shows the code of ethics. Read that and try to be as unbiased as possible and tell me that Ms updike did nothing wrong. What is the uproar about that they called her on the carpet for not adhering to their own code of ethics?

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**612**, Broken Arrow (7/2/2009 2:58:18 PM)

Thanks for pointing that out, 1adam12. I'm going to take a look.

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**612**, Broken Arrow (7/2/2009 2:59:19 PM)

Ok, someone said that since Sisney hasn't been superintendent since Fall 2008, we should just forget all about him; that the current problems have nothing to do with him.

So why in January of 2009 was he actively engaged in informing the public of his suspicions of coverup – the sole reason he gave for his suspension in October of 2008? Are we not now arguing about the legal bills incurred as a result of the board's alleged attempt to cover up their crimes involving the HVAC conspiracy?

QUOTE

...Dr. Jim Sisney said he believes criminal activities involving the expenditure of public money have taken place in the school district since at least the 1990's and a massive cover-up scheme is now under way to keep this information from being disclosed...

... Sisney said he is convinced "this is not an oversight or sloppy administration but, rather, carefully calculated actions that violate statutes and board policies." He said he believes these actions constitute both misdemeanor and felony offenses...

..."In my opinion, the information I've found, the documents I've collected and the conversations I've had suggest issues that rise to the level of criminal behavior," Sisney said...

UNQUOTE

(01/16/2009 Ledger, "Sisney believes cover-up of criminal acts taking place")

## QUOTE

Sisney said he wasn't told before the meeting why he was being targeted for suspension or termination by the board, but he said he believes it relates to an investigation he started last spring into Air Assurance, a heating and air conditioning company that has been one of the district's vendors. "To me, this all started July 15 when (the board) was told by counsel — which they have just fired — that they were violating competitive-bidding laws," he said.

## UNQUOTE

(10/6/2009 Tulsa World "BA Schools Superintendent Suspended")

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**612**, Broken Arrow (7/2/2009 3:44:11 PM)

These are the points in the Code of Ethics that seem to me to apply most to this situation:

4. Recognize that the Board makes decisions as a team and that as an individual Board Member I have no authority to speak or act for the Board. I will not attempt to conduct unauthorized activity on the Board's behalf away from School Board meetings

[I read that a board member is still a board member if they are performing duties on behalf of the board; but the duties have to be authorized. So they don't necessarily all have to be together (or have a quorum).

I would think that if Ms. Updike violated #4, in speaking as a board member to the press, Ms. Wilkins and Ms. Flippo violated it when they held the rally in the park protesting their inability to get items on the agenda. But – since the code of ethics was put in place in January 2009, maybe there wasn't anything to violate at that time. Was there a previous version of the code of ethics in place at the time of the skipped board meeting?]

6. Recognize that decisions are made by a majority vote and should be supported by all Board Members

[Ms. Updike has certainly given the appearance of not supporting many of the majority decisions of the board. I don't know what a board member could do if the majority decisions were bad.]

8. ...I will refrain from making disparaging remarks about other Board Members and will maintain professional decorum when discussing school matters.

[This is probably the most obvious violation.]

16. Maintain a cordial and professional relationship with the Superintendent, but acknowledge that a Board Member will be unable to objectively and impartially evaluate the Superintendent, as required by law, if a Board Member forms a close personal friendship with the Superintendent.

[This jumps out, doesn't it? I bet there a reason this is in here.]

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**Jolie2**, (7/2/2009 3:50:25 PM)

Another post I've submitted to the Ledger this afternoon:

## QUOTE

Dr. Sisney is definitely not done with Broken Arrow, btw. He is very much an active player here, by suing the school district in federal court on charges of wrongful termination, as reported here and in the TW article dated May 1, 2009, after he became the interim superintendent of the Sperry school district. His defamation suit is still pending, with the next hearing date in December 2009. He most definitely is having an effect on the Board members, the school district, and the community and is a relevant part of this discussion.

If OSBI and the State Auditor finds no impropriety, criminal wrongdoing, or collusion between district employees, the BOE, and Air Assurance on HVAC contract work, Dr. Sisney will have a lot to answer for here in Broken Arrow.

And BAResident, there are plenty of people who behave 'unprofessionally' in their professional lives. My remarks referred to the fact that Board members have not only received personal criticisms but criticisms regarding their work (in their volunteer profession as Board member).

## END QUOTE

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**BATiger1224**, (7/2/2009 5:03:22 PM)

Dr. Sisney is doing what he has a right to. No matter what the outcome of it. The school board has put itself in this position and they'll have to get themselves out of it. They constantly show they're at fault with their comments and actions. Not wanting to release files that would show their guilt. Saying that the taxpayer has no right to see where their money is going. We can sit here and debate all day, but no matter what any of us say or do, it will all come down to the court and law enforcement.

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**612**, Broken Arrow (7/2/2009 5:10:14 PM)

So, if the outcome of Dr. Sisney's lawsuits is the finding that he blocked board members from putting items on the agenda and manipulated meetings, threatened, intimidated, and humiliated teachers, staff and patrons, banned board members from the ESC, blackmailed a board member, eliminated positions and moved people to inappropriate positions to get rid of them without going through proper human resources channels, blocked board members from legal counsel, and lied to the community about a conspiracy, you'll still claim that the school board has put itself in this position? If so, I find that shockingly closed-minded.

We don't know that Sisney didn't do these things. Until we find out, we can't judge the board's actions.

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**612**, Broken Arrow (7/2/2009 5:11:51 PM)

They printed yours, Jolie, but skipped mine:

-----  
I don't think I've made any excuses for the board. Just pointed out that there are other possible explanations for their actions, that would reflect differently on them. We don't know that there isn't a good reason for their decisions, and until we do, it's wrong to assume we know what they should have done. Because we don't.

If we find out what the circumstances are, then we can decide whether the board's actions were unacceptable. If they're wrong, they're wrong and I'll say so. However, even if we find that they are guilty of wrongdoing, I will not agree that I should have said so now.

Why do you insist on condemning people's actions without knowing the circumstances in which they made their decisions? Why aren't you curious about the events that led to the current disagreement? Why is less information better than more?

I never said I thought legal bills should be kept secret. But if you really are interested in a possible explanation for the board wanting to keeping the that information confidential, see the top-commented Tulsa World story, "BA School Board Rejects Probe". If you're just complaining, quit askin'.

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**thenight1**, (7/2/2009 5:36:39 PM)

Posted this on the Ledger

QUOTE

While I generally disagree with the opinions of 612 and Jolie, having had lengthy and numerous online discussions with them, I am convinced they are not the same person.

In this case, I don't know of anything that would prohibit the legal bills from being revealed, as the client, the BOE could release them if they so desired. Getting another legal opinion seems to only be needed if they DON'T want them released and if that is the case, why?

END QUOTE

Maybe some people will believe me when I say that since I am obviously not 612 or Jolie (LOL).

If the legal bills are due to Lare's and Sisney's actions, I would be interested to have that confirmed. When this is over, if Sisney and Lare are wrong in their accusations, I would hope they are held responsible just as if they are right, I would hope the responsible parties see justice.

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**612**, Broken Arrow (7/2/2009 5:47:27 PM)

Thanks for vouching for us, thenight1!

Either we're two different people, or one very disturbed one, who communicates with their other personalities online. It's nice when the personalities agree!

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**612**, Broken Arrow (7/2/2009 5:53:52 PM)

thenight1, I agree that the 3 members of the BOE don't need legal advice unless they don't want to release the legal

bills. That is probably the case.

We don't know why. But as usual, I'm reluctant to assume, as others have, that they're trying to hide some wrongdoing of theirs. There could be other reasons. I'm curious as to what they are.

It would be GREAT if the legal bills could be released, with a full explanation of why they were needed. If they aren't released, I hope there is at least some explanation. There will be some people who won't accept any explanation, but maybe it would at least offer some clues. I'm very curious as to the reasoning.

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**BATiger1224**, (7/2/2009 6:03:01 PM)

As I've stated before, none of us know exactly what has or hasn't happened, so any of the conclusions we come up with could or couldn't be true. You've asked me how the 2 board members could have done all these things behind scenes, very easy, no one regulates and watches what happens. Now, if it's possible, as you believe, for Dr. Sisney to do all those things behind the scenes, then how is it impossible for the board members to get service from a company that hasn't gone through the bidding process, to destroy documents, to wrongfully terminate for their own safety, and move money around to places it shouldn't be? The same case can be made for both.

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**612**, Broken Arrow (7/2/2009 8:23:51 PM)

What could the 2 board members do behind the scenes? Nothing - they don't have access to enter work orders or pay invoices. They don't have the power to force BAPS employees to reject bids from other companies.

They can talk to AA all they want, but it's not AA's responsibility to get funds approved before work is requested. It had to be school staff if anyone requested unapproved work. Do board members handle requesting HVAC repair services? Of course not!

So they can't pay fraudulent invoices, they can't enter work orders to cover invoices already paid, they can't request repairs without money encumbered for it, and they can't block bidding.

They can't award contracts to one HVAC company over another, or approve blanket purchase orders without the knowledge of the rest of the board. So what specifically are these things that you say are so easy for them to do "behind the scenes"?

How did they get the unbid blanket PO's approved in a board meeting without the knowledge of the other 3 board members? This is not a behind-the-scenes thing - it's in an open meeting, with an audience. How did they do it?

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**BATiger1224**, (7/2/2009 8:29:39 PM)

They didn't bring any of it up in board meetings. There is no record of any bidding process for AA to do the HVAC work for the school district. Dr. Sisney discovered this and right after he did, he was terminated. The 3 board members who terminated him can easily say any reason they want, just as they have for the censuring of Updike even though 2 of them and 1 previously had comments outside the school board about the meetings. People who dislike Sisney are right behind them, ignoring the very evidence that shows that the board is at fault.

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**612**, Broken Arrow (7/2/2009 8:31:02 PM)

Top Ten Ways Dr. Sisney Has Torpedoed His Own Credibility

#2 - Ostentatiously going back to his office after being suspended and making a show of removing boxes.

This act is not easily explained by any of the reasons people have come up with. If he had been retrieving personal items, he could easily have waited until the next day (except for his ice sculpture of course). Or he could have taken them home earlier.

Some have suggested he took evidence. But the vote on whether to suspend him was not a surprise to him; a special meeting had been called, and he knew about it. If he had wanted to take evidence, it would have been more sensible and less risky to take it before the vote. Neither of these two purposes required that he go back that night.

With this in mind, it seems likely that he did it for show. He appears to have been trying to give the impression that he had boxes of evidence against the board.

But if he really did have evidence, it is unlikely that he would have seen any need for the theatrics.

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**612**, Broken Arrow (7/2/2009 8:37:43 PM)

ALL blanket PO's have to be approved in board meetings.

I know the PO's were not bid - Ann Wade said so in September.

But approving the unbid blanket PO's was done in a board meeting - with all of the board members present. Whether they knew they were unbid or not, all five are equally responsible.

The two could NOT have gotten this approved "behind the scenes".

So what did the 2 board members do to further their conspiracy, now that we know that the whole board hired AA?

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**2112**, (7/2/2009 11:15:36 PM)

If you guys don't mind, I would like to expand on what 612 is trying to say about PO's. Don't mean to step on toes, but want to explain a little more for 1224 since he/she asked.

I have never ever seen each individual blanket PO brought before the board "individually". the PO's which are "encumbrances" are listed in the consent agenda. Which means it is part of about 12 to 20 agenda items that get approved all at once with usually no discussion and just gets voted on and they move on. Unless a board member takes the time and ask about something specifically, there is no discussion. Frankly, I wouldn't be suprised if more than a couple of board members at any time actually take the time to read them. It is just a formality. I mean, do you really think some board member is going to point out something and not approve some individual encumbrance. However, if they do not approve the encumbrances, then the vendor will not get paid.

See, and I have to think back here.....thinking.....there was something about the \$70K that had to be approved/encumbered that helped start this whole mess. either the work was performed before encumbrance, which may be a no no. or something like that. I really cant recall right now.

612, you are correct in saying it was approved in board meetings. But it is not correct to think that every purchase/blanket PO is gone over and discussed publicly at board meetings either.

I do recall though that when the 3 board members skipped the board meeting that BA schools could not pay the bills since the board did not approve encumbrances. So we had the special meeting a week later to approve encumbrances to pay the bills and do some other stuff that I don't wish to bring back up at this time.

What a complete waste of time that was. Geez. sorry, regressing and we are trying to move forward at this point.

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**Jolie2**, (7/2/2009 11:22:00 PM)

What is the point of having the board approve encumbrances, if the board members are not going to review them first? Doesn't that defeat the whole purpose of oversight and approval?

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**Jolie2**, (7/2/2009 11:42:03 PM)

2112, A Sept. 5 TW article entitled "Lawsuit says BA schools violated work policies" states that Sisney claimed that AA performed work and invoices submitted before a purchase order was submitted.

I was surprised, after re-reading the readers' comments posted at the end of the article, at how many comments were negative toward Sisney (almost all of them). Same is true of the September 4 TW article announcing Sisney's filing the defamation lawsuit.

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**612**, Broken Arrow (7/3/2009 12:02:35 AM)

Thanks, 2112, that puts things in perspective.

What I'm saying is that - the 2 board members (Flippo and Whelpley) could not have secretly gotten the AA PO (bid or not) approved without the knowledge of the rest of the board.

It seems likely that no one even brought up the issue of whether it was bid, or needed to be bid. So many PO's, so little time.

Clearly more attention needed to be paid to the bidding laws. The board members may have assumed that whatever bidding was required had been taken care of. Or they may not have thought about it at all.

But holding the 2 board members accountable (but not the 5), and thinking that they must have somehow clandestinely

gotten the AA PO approved by bypassing normal channels is not really reasonable.

There is a question that I don't think has been answered about a \$77,000 invoice from AA. The question is whether the money was encumbered before the work was done.

Looking at the original AA blanket PO for \$216,750, and the eventual value of that PO after it had been increased to over 294,000 with the board's approval, you can see how the 77,000 fits pretty nicely. It seems entirely possible to me that the work really was not encumbered according to procedures, and the board had to approve the additional amount afterwards. Just a possibility of course - I don't really know.

That would definitely be a failure to follow procedures as outlined by Keith Isbell:

"The district's policy on purchases is to have the encumbrance clerk verify the expenditure and issue a purchase order — even if a company has a blanket purchase order. The requesting department then receives the product or service, and an invoice is given. Then payment is made after approval from the director of accounting."

(TW "BA District Sets New Procedures", 9/28/2008)

If the work was done without the money being encumbered first, that is a problem. It needs to be researched, and the procedure needs to be corrected.

However, it does not necessarily indicate a conspiracy and massive coverup. We need to determine where and how the error was made. The responsibility for making sure money is encumbered before requesting services is, according to Keith Isbell, most definitely not in the realm of board members.

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**612**, Broken Arrow (7/3/2009 12:12:46 AM)

P.S. Any failure to follow procedures in encumbering the money before requesting the service is solely the responsibility of BAPS. It is not Air Assurance's responsibility to make sure money is approved before doing the work.

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**612**, Broken Arrow (7/3/2009 12:34:08 AM)

I didn't explain that very well.

About the 77,000 invoice - it's possible that the original PO had been used up. Back then, the normal procedure was to ask the board to approve an increase. This is not the procedure now - now they close the existing PO and open a new one, with the board's approval.

Back then, if the original blanket PO had been exhausted, an increase would have been needed in order for AA to do any work. This would have to be approved by the board.

If someone requested work, the encumbrance clerk should have been notified, and should have checked to make sure there was money encumbered for it before authorizing the work to be done.

This may have broken down somewhere - either someone requested work from AA and didn't notify the encumbrance clerk, or the encumbrance clerk somehow didn't stop the request upon seeing that there was not money encumbered. Or AA was just doing work without being asked, and billing for it.

We don't know where it broke down. But it's not the responsibility of board members to request HVAC work, or verify that money is encumbered before authorizing work, or request increases in PO's. So pointing to this as evidence of a conspiracy by the board members, who can't do anything without the knowledge of the other board members, is pretty shaky.

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**612**, Broken Arrow (7/3/2009 8:35:08 AM)

Posted on Ledger:

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The Code of Ethics on the BASchools website was approved in January 2009. Was there a previous Code of Ethics in place before then? If so, does anybody have a copy they could post?

Then we could look at the legitimacy of the board members' actions (the rally in the park, Ms. Flippo's comments) in light of the Code of Ethics (if there was one) in place at the time.

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**612**, Broken Arrow (7/3/2009 9:12:54 AM)  
Posted on Ledger

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To "Hey 612"

If you would truly like to have a discussion on this topic, and are really interested in what information I think I need before saying whether the 3 were hypocritical, come over to the TW article I mentioned earlier. We can be sure our posts will show up there, and there is no delay. I will post an answer regarding the information I need there.

If it's too much trouble, or if having to post with a consistent screen name is intimidating, I guess you can just stay here and continue the drive-by harrasment.

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**612**, Broken Arrow (7/3/2009 9:28:10 AM)  
To "Hey 612"

I am not able to make a judgment yet on whether the 3 board members were hypocritical for these reasons:

- 1) I don't know if there was a Code of Ethics in place at the time, and if so, what it said. I have posted a question to see if anyone has a copy.
- 2) I don't know if the motives the three board members gave are true. If the board was unable to function because Dr. Sisney was manipulating the agenda, as the 3 have claimed, their purpose was to draw attention to the problem and get it corrected. They were successful. The policy was changed, and they were able to get items on the agenda. If you don't agree that board members should be able to put items on the agenda, I would wonder what topic you think is so dangerous it can't even be TALKED about.
- 3) I don't know what Ms. Updike's motives were. Her comments were not enlightening - no new information was presented. She directly disparaged board members, which violates a clearly spelled out item in the current Code of Ethics. In addition, the statements she made about the legal fees being the direct cause of cutting teacher positions was misleading. Maybe she had a good motive, but it's certainly not apparent, and she has not given one.
- 4) I don't know if Ms. Flippo's claims in her press conference were true. She made sure it was clear that she was speaking as an individual, and she did not disparage any board members. She did provide new (startling) information that, if true, is central to this controversy and vital to the community's understanding of events around it. If she was lying, then she had no right to say those things. But we don't know, so we can't say whether she was doing the right thing or not.

So - I need to know what the Code of Ethics was at the time, whether Dr. Sisney really blocked the board from putting items on the agenda, whether Dr. Sisney really threatened the board, whether Dr. Sisney really denied the board access to legal counsel, whether Ms. Updike had a good reason for making disparaging and inaccurate statements while clearly violating the Code of Ethics, and whether Ms. Flippo was lying or telling the truth when she accused Dr. Sisney of blackmail.

Why don't you need to know these things in order to call people names and pass judgment?

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**612**, Broken Arrow (7/3/2009 9:45:30 AM)

Correction - Ms. Flippo's press conference was in February 2009, so the January 2009 Code of Ethics would apply to it.

Does anybody see any violations in her press conference?