

**IN THE SUPERIOR COURT OF FULTON COUNTY
STATE OF GEORGIA**

MARGO DELAUNE,)	CIVIL ACTION
)	FILE NO.
Plaintiff,)	
)	_____
v.)	
)	
GEORGIA DEPARTMENT OF)	JURY TRIAL DEMANDED
EDUCATION,)	
)	
Defendant,)	
)	

COMPLAINT

COMES NOW, Plaintiff Margo DeLaune (“Ms. DeLaune”) and hereby files this COMPLAINT (“the Complaint”) against Defendant **Georgia Department of Education** (“GaDOE”), showing the court as follows:

INTRODUCTION

1.

After a decade of committed service to the citizens of the State of Georgia, Ms. DeLaune was forced out of her job at GaDOE in retaliation for her refusal to go along with violations of state and Federal law. Ms. DeLaune oversaw almost \$500 million in Federal Title I grants paid to the State of Georgia to help provide for the education of poor and underprivileged children. Under pressure from Richard Woods, the State Superintendent of Schools, and individuals from the office of Lieutenant Governor Casey Cagle, Ms. DeLaune’s supervisors at GaDOE allowed a private lobbyist for charter schools to take control over state policies governing spending and accounting for Federal Title I grants and to set policies that violated Federal law. Ms. DeLaune

objected to and refused to go along with the plan to let an outside special interest group dictate state policy. Ms. DeLaune repeatedly notified her supervisors and ultimately, federal agencies, that GaDOE was violating Federal law. In retaliation for her objections to this unlawful activity, Ms. DeLaune's supervisors took away her job responsibilities, barred Ms. DeLaune from speaking at public meetings, and forced her to report to a subordinate employee with respect to setting their new policies. Ms. DeLaune was subjected to Defendant's retaliatory actions for months which became intolerable. When her physical health began to suffer as a direct result of Defendant's retaliatory treatment, it soon became clear to Ms. DeLaune that GaDOE was taking action against her to force her out of her position, and she was left with no choice but to resign her employment.

PARTIES

2.

Ms. DeLaune is a resident of the state of Washington, who was previously a resident of the state of Georgia and employed by GaDOE as the Director of the State's Title I, Part A ("Title I-A") program. At all times relevant to this action, Ms. DeLaune was a "public employee" for purposes of O.C.G.A. § 45-1-4. Ms. DeLaune subjects herself to the jurisdiction of this court.

3.

Defendant Georgia Department of Education is an agency of the State of Georgia, and is a "public employer" within the scope of O.C.G.A. § 45-1-4. GaDOE has offices at 205 Jesse Hill Jr Drive, SE Atlanta, Georgia 30334, and may be personally served at that location by service upon its executive head, Richard Woods, the Georgia State School Superintendent.

JURISDICTION AND VENUE

4.

This action is brought under the Georgia Whistleblower Act, O.C.G.A. § 45-1-4, *et seq.* (“The Whistleblower Act”).

5.

Jurisdiction and Venue is proper in the Superior Court of Fulton County, pursuant to Ga. Const VI, § II, Para. VI and O.C.G.A. § 15-6-8.

FACTS

6.

Ms. DeLaune has worked with Title I programs for over 40 years and worked at GaDOE with Title I programs for over 11 years. Ms. DeLaune served as the Title Programs Director for over 8 years. As the Title Programs Director, Ms. DeLaune oversaw GaDOE’s Title Program Unit which administered Federal grants through GaDOE to publicly funded schools to provide for the education of poor and underprivileged children. Ms. DeLaune was the signatory for GaDOE on all Title I-A Federal grant applications for poor and underprivileged children.

7.

Pursuant to O.C.G.A. § 20-2-169, GaDOE is designated as the sole state agency to receive federal funds allotted to Georgia by the Federal government. As such, all Federal funds granted to Georgia’s elementary and secondary schools are funnelled through GaDOE, which oversees distribution of those funds and compliance with federal grant requirements.

8.

Federal regulations require GaDOE to monitor the implementation of Federal program requirements and the expenditure of Federal grant funds. Specifically, under 2.C.F.R. §§ 200.61 and 200.62, GaDOE is required to establish internal controls to provide reasonable assurance that transactions involving Federal grant funds are properly recorded and executed in compliance with “. . .Federal statutes, regulations, and the terms and conditions of the Federal awards.”

9.

Under Ms. DeLaune’s oversight, GaDOE’s Title Programs Division was responsible for setting GaDOE’s internal controls for Title I-A grants and providing guidance on Federal and Georgia law to local educational agencies (“LEA”) to ensure compliance with Federal law. The Title Programs Division, at Ms. DeLaune’s direction, regularly monitored the use of Federal funds at the local level to ensure that the quality of programs and compliance with regulations was maintained.

GaDOE’s Deliberate Disregard of Federal Regulations

10.

In the summer of 2015, Ms. DeLaune instituted plans for a pilot program with a group of both public and charter LEAs to develop new policies for consolidation of Federal, state, and local funds. Per GaDOE’s obligation to establish internal controls for compliance with Federal law, Ms. DeLaune began drafting a detailed technical assistance manual explaining how LEAs would maintain compliance with Federal law during the pilot program. It is critical for GaDOE to provide guidance to LEAs for compliance with Federal law, because, if an LEA fails to

comply with Federal law, GaDOE and the LEA can be forced to pay the grant money back to the Federal government.

11.

As Ms. DeLaune began preparing guidance for the pilot program, her supervisor, Associate Superintendent Barbara Lunsford (“Lunsford”), ordered Ms. DeLaune to allow an outside political lobbyist, Dan Weber (“Weber”), to direct GaDOE’s policies for the pilot program. Weber is a well-connected former state legislator best known for instituting Georgia’s charter school laws - to create schools that operate outside the normal public school system.

12.

Weber now serves as the executive director of the Georgia Charter System Foundation, a nonprofit organization that Weber established through his own charter school legislation to lobby on behalf of charter schools and to advocate for the reduction of regulatory oversight of charter schools. Weber’s Foundation also markets consulting services to Charter schools and public school systems. Upon information and belief, Lunsford was directed by GaDOE’s senior leadership, including Superintendent Woods, to allow Weber to control the pilot program and set GaDOE’s policies in order to further Weber’s political agenda and increase the public profile of the Georgia Charter System Foundation for Weber’s benefit.

13.

Ms. DeLaune immediately told Lunsford that she objected to GaDOE’s decision to let Weber, as an outside lobbyist, control the pilot program and directly set GaDOE policy, because it violated GaDOE’s obligations under Federal law to set its own internal controls for use of Federal Title I funds paid to help underprivileged students.

14.

During a meeting in November 2015 with the pilot program participants, Lunsford allowed Weber to announce GaDOE policies for the pilot program. These policies articulated by Weber violated Federal regulations and directly contradicted the guidance developed by Ms. DeLaune as the Title Programs Director. Ms. DeLaune openly objected during the meeting to Weber's blatant misstatements of Federal law. For example, Weber insisted that LEAs could combine Title I funds with local landscaping funds and spend from that account for both landscaping and education expenses. Ms. DeLaune responded that LEAs could not combine landscaping funds with Title I funds, because money later spent on landscaping could not be linked to academic interventions for at-risk students. Under Weber's policies, there would be no control to stop the misuse of Title I funds meant to help underprivileged children for non-education expenses like landscaping.

15.

After the November meeting, Weber continued to make incorrect statements of Federal law to LEAs in the pilot program. Ms. DeLaune repeatedly objected to Lunsford and other GaDOE employees that the policies drafted by Weber for GaDOE violated Federal law because Weber's proposed policies removed important controls that were in place to avoid misuse of Title I funds.

16.

In January 2016, Lunsford accepted proposed policies from Weber that he had developed in private meetings without any input from GaDOE. Weber's policy document contained the same blatant misstatements of Federal law to which Ms. DeLaune had repeatedly objected.

Ms. DeLaune again objected to Lunsford about Weber's continued misstatements of Federal law in a GaDOE guidance document. She also objected to Weber holding private meetings to set GaDOE policies because it violated GaDOE's transparency obligations.

17.

The proposed policies drafted by Weber for GaDOE stated that Title I funds "lose their identity" when combined with local and state funds, and that schools can use the combined funds as they see fit. Ms. DeLaune specifically objected to Lunsford about this statement because it disregarded a key Federal regulation. Under 34 CFR § 200.29, Title I funds that are combined with local and state money still "must meet the intent and purpose of that program to ensure that the needs of the intended beneficiaries of that program are addressed." This means that GaDOE and the LEAs must be able to show that the Title I funds were used to for educational programs for underprivileged children.

18.

During that time, Weber also told pilot program LEAs that they would not be subject to Federal reporting requirements. Ms. DeLaune specifically objected to Lunsford about this statement, because it was blatantly false and any LEA that followed Weber's guidance would immediately be in violation of Federal law and could be forced to repay the Title I grants. Because Title I grants specifically help underprivileged students, LEAs that lost Title I grants would have to cut programs for underprivileged children.

19.

On or around January 6, 2016, after several months of DeLaune's objections to his unlawful activities, Weber sent an email to Ms. DeLaune's supervisors at GaDOE demanding

that she be removed from the pilot program and replaced by Randy Phillips (“Phillips”), her subordinate employee, who had little managerial experience with Title programs at a statewide level. Incredibly, Lunsford agreed to Weber’s demand and placed Ms. DeLaune’s inexperienced subordinate employee over her on the pilot program - a program which would dictate GaDOE policy for Title Programs for years to come.

20.

During a meeting on January 8, 2016 with the pilot program LEAs, Lunsford refused to allow Ms. DeLaune to present at the meeting and actually ordered her to sit to the side and “. . . not speak.” During that meeting, Weber again asserted the same misstatements of Federal law to which Ms. DeLaune had previously objected. Weber also announced that his lobbying organization would oversee the pilot program and develop the regulatory guidance in place of Ms. DeLaune.

21.

During a break from the January 8, 2016 meeting, Ms. DeLaune spoke to Lunsford’s supervisor, Deputy Superintendent Avis King, and objected to GaDOE’s adoption of Weber’s policy guidance because it violated Federal law. Ms. DeLaune specifically asked King for her support in opposing Weber’s efforts as an outside lobbyist to set GaDOE policy and implement policies in violation of Federal law. Based on her years of experience with Title I, Ms. DeLaune reasonably believed that Weber’s proposed policies violated Federal law and placed all of GaDOE’s Title I programs for underprivileged students in jeopardy.

22.

Just a few days after the January 8, 2016 meeting, Lunsford informed Ms. DeLaune that she, King, and Matt Jones, Chief of Staff to Superintendent Woods, had met and agreed to allow Weber to approve or disapprove the GaDOE Title Programs Division manuals and any other policies relating to the schoolwide consolidation of funds pilot program. Thus, GaDOE had handed control over to Weber to set policies governing use of Federal grants - in direct violation of its duties under Federal law.

GaDOE's Retaliation against Ms. DeLaune

23.

After Lunsford removed Ms. DeLaune from the pilot program, Ms. DeLaune's supervisors at GaDOE (including Lunsford and King) excluded Ms. DeLaune from meetings and correspondence that directly related to her position as the Title Programs Director.

24.

On or around February 17, 2016, Ms. DeLaune learned that Weber intended to present his proposed policies at a public meeting that same day at GaDOE with the same misstatements of Federal law she had previously pointed out to Weber and her supervisors at GaDOE. Ms. DeLaune emailed Lunsford to object to Weber's presentation. Ms. DeLaune immediately prepared documents to refute Weber's continued and deliberate misstatements of federal law. Ms. DeLaune took these documents to the meeting with the intention of presenting them to rebut Weber's blatant misstatements of law. Upon realizing Ms. DeLaune's intentions, Lunsford ordered Ms. DeLaune to leave the public meeting.

25.

At an internal GaDOE meeting on March 7, 2016 which included all of the GaDOE staff involved in the pilot program, Ms. DeLaune objected to Weber's continued use of misleading and inaccurate statements of Federal law for the pilot program. After representatives from GaDOE's internal audit department and the State Auditor's Office agreed with Ms. DeLaune's objections, King cut off discussion of the issues raised by Ms. DeLaune and stated that the matter had been settled.

26.

Following the March 7, 2016 meeting, Ms. DeLaune repeatedly notified Lunsford and King that she was drafting guidance to provide to the LEAs in the pilot program, because she considered it her responsibility to draft guidance consistent with Federal law.

27.

As Ms. DeLaune later learned from King, Weber then met with King and specifically demanded that Ms. DeLaune be terminated from her position as Title Programs Director because of her continued and persistent objections to Weber's unlawful control over GaDOE's policies and deliberate disregard for Federal law.

28.

On or around April 5, 2016, Ms. DeLaune was ordered to attend a meeting with Lunsford, King, and Phillips to discuss the pilot program. During this meeting, Lunsford and King advised Ms. DeLaune that Weber refused to approve the manual Ms. DeLaune had drafted for the pilot program and that Weber would draft the guidance manual.

29.

During the April 5, 2016 meeting with Lunsford and King, Ms. DeLaune again objected to Weber - an outside political lobbyist - exercising veto power over GaDOE policy. Ms. DeLaune also objected to the fact that King and Lunsford had allowed Weber to do whatever he wanted, including removing her from the pilot program and implementing policies in violation of Federal law. Lunsford responded to DeLaune's objections by stating that Superintendent Woods had said that the Title I office needed to be "fixed."

30.

Ms. DeLaune further objected during the April 5, 2016 meeting to the fact that her subordinate, Phillips, was now leading the pilot program with Weber despite Phillips's lack of experience managing Title I programs at a state level.

31.

Ms. DeLaune also objected to being left out of meetings, conference calls, and email correspondence to or from Weber regarding the pilot program because it affected her responsibilities as Title Programs Director.

32.

Immediately after the April 5, 2016 meeting with Lunsford and King, King came to Ms. DeLaune's office. King informed Ms. DeLaune that she and Lunsford had decided to exclude Ms. DeLaune from the conference calls, emails, and meetings with Weber to "protect" her (DeLaune). King stated that Weber, along with Irene Munn ("Ms. Munn"), General Counsel and Director of Policy to Lieutenant Governor Casey Cagle, had been lobbying Superintendent

Woods and his Chief of Staff, Matt Jones, to fire Ms. DeLaune on account of her repeated objections to Weber's control over the pilot program.

33.

Ms. DeLaune was stunned. After committing years of service to the Title programs and the State, it was now clear to her she was being forced out of her job at GaDOE for trying to do the right thing and protect Federal funding for poor and underprivileged students.

34.

After this meeting on April 5, 2016, Ms. DeLaune realized that she had to take her objections outside of GaDOE to protect the interests of the state of Georgia and the schools that GaDOE supported. Ms. DeLaune cared very much about the programs and reasonably believed Weber's actions were putting the funding at risk, Ms. DeLaune sent a letter to the U.S. Department of Education to report GaDOE's decision to allow Weber's unlawful control over its policies and for GaDOE's failure to follow Federal law in its policies for the consolidation of Federal, state, and local funds. Ms. DeLaune also forwarded her letter to the Office of Inspector General, Atlanta Division. A true and correct copy of Ms. DeLaune's April 5, 2016 letter is attached hereto as "Exhibit A."

35.

The following day, April 6, 2016, Ms. DeLaune informed King by email that she (DeLaune) had sent a letter to the U.S. Department of Education and to the Office of Inspector General ("OIG") outlining Weber's unlawful control over GaDOE policies and failure to follow Federal regulations.

36.

Following Ms. DeLaune's April 5, 2016 letter (attached as Exhibit A), Lunsford and King continued to retaliate against Ms. DeLaune and exclude her from email communications regarding the pilot program. In addition, Lunsford and King significantly limited their contact with Ms. DeLaune.

37.

On or around April 14, 2016, Weber sent an email to GaDOE staff stating that he had the support of Superintendent Woods and his Chief of Staff to completely rewrite the guidance developed by Ms. DeLaune related to the pilot program and consolidation of funds.

38.

During a May 5, 2016 meeting of the State Board of Education, the Board approved a new contract with Weber's lobbying organization, the Georgia Charter System Foundation, to oversee the pilot program.

39.

On May 5, 2016, Lunsford informed Ms. DeLaune that she (Lunsford) was resigning her position with GaDOE. Lunsford was visibly upset and told Ms. DeLaune that she was waiting until after the State Board of Education members had concluded their May meeting to publicly announce her resignation, so she could avoid speaking to them about her sudden departure.

40.

On or around June 6, 2016, King met with Ms. DeLaune to inform her that GaDOE was creating a separate "Director of Federal Consolidated Initiatives" to oversee the pilot program and to approve budgets for the LEAs involved in the program. Weber had demanded that

GaDOE create this position, because it would effectively cut Ms. DeLaune's Title Programs Division out of oversight of consolidated school funds.

41.

Ms. DeLaune suffered stress and anxiety due to the ongoing retaliation by her supervisors at GaDOE for her repeated objections to Weber's unlawful control of GaDOE policies and GaDOE's adoption of policies that disregard Federal law. As a result of the retaliation, Ms. DeLaune was forced to seek medical treatment for her emotional and physical distress caused by her work environment.

42.

As a direct result of GaDOE's retaliation against Ms. DeLaune, she was constructively discharged by GaDOE. On June 9, 2016, Ms. DeLaune notified GaDOE that she was forced to retire from her position as Title Programs Director, effective June 30, 2016, rather than face continued retaliation and damage to both her health and her professional reputation.

43.

Since Ms. DeLaune's constructive discharge from GaDOE, the United States Department of Education began an investigation into the issues raised in Ms. DeLaune's April 6, 2016 letter. Upon information and belief, the U.S. Department of Education is also investigating GaDOE's hiring of staff to manage Federal Title grant programs who have little experience in the field.

44.

GaDOE's wrongful termination (via constructive discharge) of Ms. DeLaune caused her great injury, including lost wages, the loss of accumulated fringe benefits of employment, loss of

retirement income, diminished future earning capacity, tarnishment of her reputation, great uncertainty regarding her future, emotional distress, humiliation, and embarrassment.

COUNT I
RETALIATION UNDER THE
GEORGIA WHISTLEBLOWER ACT, O.C.G.A. § 45-1-4, et seq.

45.

Ms. DeLaune incorporates by reference all of the foregoing paragraphs of this Complaint, as if fully set forth herein.

46.

Pursuant to O.C.G.A. § 45-1-4(d)(3), it is unlawful for a public employer to retaliate against a public employee for objecting to, or refusing to participate in, any activity, policy, or practice of the public employer that the public employee has reasonable cause to believe is in violation of or noncompliance with a law, rule, or regulation.

47.

From November 2015 and continuing until her constructive discharge on June 30, 2016, Ms. DeLaune engaged in protected activity under the Whistleblower Act by disclosing, objecting to, and refusing to participate in conduct that she reasonably believed was in violation or noncompliance with a law, rule or regulation.

48.

Defendant GaDOE retaliated against Ms. DeLaune for engaging in protected activity in violation of the Whistleblower Act by: (a) undermining Ms. DeLaune's authority with her subordinates at GaDOE; (b) by excluding her from meetings and communications directly relevant to her position as Title Programs Director; (c) by placing her subordinate, Randy

Phillips, over her to manage the pilot program; and (d) by notifying her that all of these actions were taken in response to Weber's attempts to have Ms. DeLaune removed from her position because he considered her to be "intransigent" and a "hindrance to federal programs." All of these actions interfered with Ms. DeLaune's ability to do her job for GaDOE and caused her to experience stress, anxiety, and physical distress as a result of the ongoing retaliatory work environment.

49.

As a result of Ms. DeLaune's protected activity under the Whistleblower Act, her supervisors at GaDOE deliberately made Ms. DeLaune's working conditions so intolerable that she had no choice but to resign her employment with GaDOE, amounting to retaliatory constructive discharge from employment.

50.

GaDOE has failed to provide reasons for the above-stated retaliatory acts against Ms. DeLaune. The few reasons GaDOE does give are pretextual or immaterial.

51.

GaDOE constructively terminated Ms. DeLaune in retaliation for her protected activity, which is an adverse action in violation of the Whistleblower Act.

52.

As a result of the unlawful, adverse employment actions taken by GaDOE, Ms. DeLaune has sustained great injury, including diminished future earning capacity, emotional distress, humiliation, and embarrassment.

53.

The GaDOE is liable for all economic and noneconomic damages to Ms. DeLaune as a result of its unlawful actions, pursuant to O.C.G.A. § 45-1-4(e)(2)(D) and (E).

54.

Ms. DeLaune is entitled to reinstatement with back pay and such benefits as Ms. DeLaune would have enjoyed had she never been constructively discharged. If reinstatement is not appropriate or practicable, Ms. DeLaune is entitled to front pay in lieu of reinstatement.

55.

Ms. DeLaune is entitled to recover damages for lost wages, the loss of accumulated fringe benefits of employment, loss of retirement income, diminished future earning capacity, tarnishment of her reputation, great uncertainty regarding her future, emotional distress, humiliation, and embarrassment, pursuant to O.C.G.A. § 45-1-4(e)(2)(D) and (E).

56.

Ms. DeLaune is entitled to recovery of her attorneys' fees and all other costs of litigation, pursuant to O.C.G.A. § 45-1-4(f).

JURY TRIAL DEMAND

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY.

PRAYER FOR RELIEF

WHEREFORE, Ms. DeLaune prays for the following relief:

1. Judgment against Defendant under Count I;
2. Back pay and such benefits as Ms. DeLaune would have enjoyed had she never been constructively terminated;

3. Reinstatement with back pay and such benefits as Ms. DeLaune would have enjoyed had she never been constructively discharged;
4. If reinstatement is determined to be inappropriate under the circumstances, compensation for Ms. DeLaune with three years of front pay, including any fringe benefits and any loss of retirement income;
5. Compensatory damages in an amount to be proven at trial to compensate Ms. DeLaune for her diminished earning capacity, mental anguish, humiliation, pain and suffering, and other damages that resulted from the GaDOE's unlawful conduct;
6. Ms. DeLaune's attorneys' fees and costs of this action, pursuant to O.C.G.A. § 45-1-4(f); and
7. Such further and additional relief as the Court may deem is appropriate.

Respectfully submitted this 30th day of March, 2017.

THRASHER WORTH LLC



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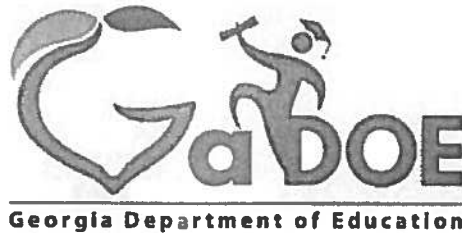
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**EXHIBIT A
TO COMPLAINT**

Margo DeLaune

v.

Georgia Department of Education



Richard Woods, Georgia's School Superintendent
"Educating Georgia's Future"

April 05, 2016

Mr. Patrick Rooney
U.S. Department of Education
Office of Elementary & Secondary Education
Office of State Support
400 Maryland Ave. SW
Rm. 3W202
Washington, DC 20202

Dear Mr. Rooney:

I am writing to the U.S. Department of Education (US ED) in order to formally communicate concerns about the legality – or, more accurately, the lack thereof – of the increasingly unsettling influence that Dan Weber, executive director of the lobbying entity Georgia's Charter Systems/The Charter System Foundation, Inc., has been exercising vis-à-vis the oversight of the consolidation of federal, state, and local monies and the pursuant processes, procedures, powers, and responsibilities with which the Georgia Department of Education Title Programs Division is charged therein. Mr. Weber has established a pattern of consistent interference in the operations of the Division. He has made a concerted and continuing effort to abuse, circumvent, and ignore federal statutes pertaining to said consolidation of federal, state, and local monies as the law applies to local educational agencies (LEAs) within the State of Georgia. Additionally, Mr. Weber has mounted a campaign to harass, humiliate, and intimidate me in retaliation for objecting to both his determined efforts to violate regulations that specify how consolidated monies can be spent and to manipulate the operations of the Division to his personal objectives and benefit.

I was verbally informed today by Dr. Avis King, Deputy Superintendent for School Improvement and one of my direct supervisors, that Mr. Weber and Irene Munn, General Counsel and Director of Policy for Lieutenant Governor and President of the Georgia Senate Casey Cagel, are imploring the Georgia State School Superintendent, Richard Woods, to fire me because I represent a hindrance to Mr. Weber's attempts to unilaterally improvise Division policy and related regulations with respect to how state, local, and federal monies are consolidated. According to Dr. King, Mr. Weber has characterized me as an "intransigent" "hindrance to the federal programs" at the Georgia Department of Education who should be dismissed from my present position because I have expressed concerns about Mr. Weber's proposed agenda to permit LEAs to consolidate local maintenance, landscaping, and school building

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repairs monies into a schoolwide school consolidation budget. My reservation – which I have fully delineated to Dr. King and Mr. Weber – is that allowing those particular monies to be used in the schoolwide consolidation of funds would put the LEAs at greater risk of violating regulations and consequently incurring fiscal audit and monitoring findings.

Dr. King quoted Mr. Weber's assertions while recounting to me the sentiments communicated in a summit between Dr. King and Mr. Weber that occurred after a meeting which included both myself and FY17 Pilot LEAs that will be piloting accounting methodologies. Said methodologies will help determine the accounting procedures for future LEAs wishing to fully consolidate state, local, and federal monies while implementing a schoolwide school program. During the meeting in question, I had stated my professional opinion that, in consideration of applicable regulations, it would not be in the best interest of Georgia's LEAs to permit consolidation of those state and local monies provided for the use of building repair, maintenance, and landscaping. I had also stipulated my apprehension during said meeting at Mr. Weber's declaration that, to paraphrase, "once the monies have been consolidated, their identity is lost and the money can be used for any purpose" whatsoever; in response to Mr. Weber's contention, I pointed out that the consolidated monies still had to meet the intent and purpose of the federal programs from which the monies used in the fund consolidation were derived – and any premise to the contrary would effectively amount to a flouting of federal law as well as a misuse of public funds.

Per Dr. King, in an immediate reprisal, Mr. Weber entered her office following the FY17 Pilot LEA meeting and encouraged her to terminate my employment with the Georgia Department of Education. From the remarks relayed to me by Dr. King, I understand that Mr. Weber and Irene Munn are lobbying for my dismissal from the GaDOE in retaliation for my efforts to ensure that the Title Programs Division remains compliant with state and federal statutes, laws, and regulations and my resultant expressions of professional opinions that have been inconvenient to their agenda. In a public State Board of Education Charter School Meeting, Ms. Munn has been documented proclaiming that Georgia's Title I Division is known as the "'No' state", meaning that Title I does not allow LEAs to spend their Title I monies.

Since the aforementioned meeting with the FY17 Pilot LEAs, I have been expressly excluded from all e-mail correspondence, meeting notices, subsequent conference, and all discourse and dialogue involving the Title Programs Division FY17 Pilot Program. Mr. Weber has decreed that the Charter LEAs will not use any of the accounting methodologies outlined by the state for these pilots and will use an accounting methodology developed independently by him – and that such methodologies will be maintained with "off-line" or "off-the-record" Microsoft Excel spreadsheets. Mr. Weber has issued as fiat his determination that the GaDOE Title Programs Division does not have the authority to monitor fiscal or programmatic procedures for these FY17 Pilots; Mr. Weber conveyed this revision in statutory policy by appropriating the official GaDOE logo for a PowerPoint presentation to the Pilot LEAs in which he informed attendees that the Title Programs Division has no power to ask any programmatic or fiscal questions when performing annual monitoring. Further, Mr. Weber has made public statements that the Title Programs Division should not be allowed to issue any auditing or monitoring findings involving these LEAs for the duration of the forthcoming FY17 (school year 2016-2017) regardless of the nature of

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any noncompliance that may be discovered. In addition, Mr. Weber co-authored recent state legislation that allows the FY17 Pilot LEAs to circumnavigate state reporting requirements. Mr. Weber has also verbally communicated his desire to exempt the FY17 Pilot LEAs from federal reporting requirements, to which I explicitly countered that federal reporting requirements cannot be waived. I have repeatedly voiced my concerns about all of these measures to Dr. King and Dr. Barbara Lunsford, Assistant Superintendent of School Improvement, as well as in the forum of various professional meetings in which the Title Programs Division has participated. As a direct consequence, Mr. Weber is exhorting my professional superiors to summarily terminate my employment at the Georgia Department of Education.

Mr. Weber has now begun to insert himself even more aggressively into the daily operation of the GaDOE's Title Programs Division with the cooperation and approval of Dr. King and Dr. Lunsford. Mr. Weber has demanded that he and his attorney review and approve all technical assistance manuals developed by the GaDOE Title Programs Division in regard to the schoolwide consolidation of funds.

Mr. Weber prevented the Title Programs Division from providing a customer service questionnaire to LEAs that was designed to garner feedback on any expenditure requests from LEAs that had been denied in the past year. This customer service questionnaire was conceived to assist the Title Programs Division in developing a technical assistance PowerPoint presentation for LEAs on the US ED's new schoolwide guidelines pertaining to allowable and allocable costs. Mr. Weber baldly complained to both Dr. King and Dr. Lunsford that the GaDOE Title Programs Division "does not know what it is doing" and lobbied the office of the Superintendent to remove the questionnaire from the GaDOE web site, a request with which the Superintendent's office complied.

Mr. Weber is currently striving to situated himself into the development of the Multi-tiered System of Support (MTSS) on which the GaDOE School Improvement Division and Special Education Division and has insisted to Dr. King and Dr. Lunsford that his leadership in said development process is not only appropriate but imperative.

The GaDOE Finance and Business Office (FBO) and the Title Programs Division have two accounting methodologies developed specifically for use by these FY17 Pilot LEAs. Any feedback the US ED could provide on these two methodologies would be greatly appreciated and any guidance regarding the multiple other concerns (i. e. whether any of the actions, policy propositions, or interpretations of regulations precedingly described place the GaDOE and/or any of its actors in peril of non-compliance with federal, state, or local regulation; the legality of "off-the-record" accounting; the question of whether or not consolidated monies can be applied "for any purpose"; the role of an external lobbyist in interpreting and/or encouraging the disregard of federal statutory regulations; the legality of calling for dismissal of Division personnel; etc.) delineated herein would be tremendously helpful as well.

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Attached you will find a copy of the GaDOE FBO and Title Programs Division proposed accounting methodologies for your review. Your comments would be greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Margo DeLaune".

Margo DeLaune
Title Programs Director

cc: Eric Larson, U.S. Department of Education (via email)
Office of Inspector General (OIG), Atlanta Division