

"The Cost of Revenge for Tx. Comm. of Education Shirley Neeley"
by Donna Garner
June 29, 2007

Today we get the real truth. Yesterday the information leaked to the media (probably by Texas Commissioner of Education Shirley Neeley) tried to place blame on Robert Scott, Deputy Commissioner of Education. Today we learn that it was Neeley and her friend, Jimmy Wynn, who most probably were the ones involved in the influence peddling.

Notice that Robert Scott's name is not even mentioned in today's article. Neeley tried to discredit Scott because, according to rumors, he was to have been chosen by Gov. Perry as the incoming Texas Commissioner of Education today.

Obviously, Neeley endeavored to put the spotlight on Scott in order to defray scrutiny from her and her friend Wynn.

Neeley would have been smarter to have tiptoed quietly out of the TEA today. Instead she had to try to take revenge against Scott because she had undoubtedly resented his authority behind the scenes during her tenure at the Agency. Her actions may have come back to haunt her.

The TEA's internal report is now public information and is posted on the *Austin American-Statesman's* link:

<http://www.statesman.com/news/content/news/stories/local/06/29/0629edreport.html>

Please read what I wrote yesterday (posted at the bottom of this article). It appears that I may have been right on most counts.

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Report questions influence of Gates Foundation workers

Education agency reviewing contracting policies.

Jason Embry
AMERICAN-STATESMAN STAFF
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An internal report criticizing how the Texas Education Agency doles out some grants and contracts highlights the influence exerted in the public school system by two representatives of the Bill and Melinda Gates Foundation.

The report, which raises questions about the actions of several agency employees, **also zeroes in on Jimmy Wynn**, a Gates Foundation consultant. **Some education officials claim that he told them to give subcontracts to his ex-wife.**

Also cited in the report is Christi Martin, a former senior policy adviser at the education agency who now works for the foundation.

The report paints a picture of Wynn and, to a lesser degree, Martin, blurring the lines between a private foundation and state government to steer state business to certain people. **It also raises the question of whether officials felt any pressure to heed their recommendations because of the money that the foundation has poured into the state system.**

The foundation has spent more than \$100 million on Texas schools over the years, a spokeswoman said. It is a key player in the Texas High School Project, which Gov. Rick Perry set up to improve high schools with public and private dollars. Millions of those dollars have come into the Austin district.

Wynn is a longtime friend of Education Commissioner Shirley Neeley's. He came to Austin in 2004 to help Neeley, a former Houston-area superintendent, get started in the new job.

He previously worked with the Harris County Education Department, which provides training and other services to schools in the Houston area, for about six months, agency spokeswoman Debbie Graves Ratcliffe said.

"He was in Austin all the time doing work for them, so he helped her settle in and get her office set up and meet people," Ratcliffe said. **"Jimmy is a lifelong friend of Commissioner Neeley's,** and she knew that he knew Austin and many people here well."

Wynn could not be reached Thursday.

In his role as a Gates Foundation consultant, he monitored education policy in Texas, foundation spokeswoman Marie Groark said.

"Jimmy Wynn has been a part-time consultant to the foundation, and his contract concludes this month," she said.

The report from the education agency's inspector general says that in 2004, the state awarded a \$100,000 contract to an education service center in Waco to study the effectiveness of its hearings process. The service centers act as regional offices for the agency.

The service center's executive director said he was instructed by Wynn to award a subcontract for the study to Wynn's ex-wife, the study says, and the director thought Wynn was speaking on behalf of the state agency.

Ratcliffe identified the ex-wife as Emily Miller, who would go on to receive a second contract to follow up her work.

The report says Wynn is adamant that because of his clients' wishes, "he does not get involved in state procurement processes." **But it also says Wynn admits that he recommended to the Waco director that a contract go to Miller.**

Federal dollars paid for the study that Miller worked on, the report says. The Gates Foundation provided \$750,000 for a separate study of college readiness starting last December, and the money for the study flowed through the Austin service center.

The report says that the director of the Austin center did not follow any interviewing process when awarding three subcontracts to work on the study and that Wynn "at least recommended" three people who got the subcontracts. One of them was Miller.

The report also says Wynn "has a relationship" with a preschool program that was evaluated by an agency contractor. Wynn recommended a subcontractor to work on the study, the report says.

In addition, the report says that Martin "instructed" the director of the Austin service center to give two subcontracts totaling \$189,000 to a former speechwriter for Neeley.

The subcontracts stemmed from a Gates Foundation grant, Ratcliffe said. The former speechwriter, who also got a recommendation from Wynn, helped an agency employee write some of the terms of the contract before it was issued, the report says.

In his report, Inspector General Michael Donley recommended that the agency write policies to spell out how people from private entities should interact with agency staff and what role they should play in grants and contracts.

Ratcliffe has said the agency is looking at Donley's suggestions to improve the contracting process and has already taken some steps on its own.

The report points to a Gates Foundation conflict-of-interest policy requiring employees to disclose relationships with a potential grantee or vendor. It also obliges employees to remove themselves from positions of decision-making authority with respect to any conflict situation involving the foundation.

Spokeswoman Groark said foundation officials could not respond to the report Thursday because they had just started to review it.

"Our staff holds itself to the highest ethical standards," she said. "We conduct rigorous trainings with consultants so they understand the rules."

What is the Texas High School Project?

A \$261 million pot of public and private money to improve high schools statewide:

About \$148 million has come from the state and \$113 million from private sources, with \$57 million from the Bill and Melinda Gates Foundation. Separate entities manage the fund's public and private dollars.

The Gates Foundation has given Texas schools money for other projects as well, with total giving to Texas schools exceeding \$100 million, foundation officials say.

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"Politics Reigning over Education Decisions"

by Donna Garner

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This is why I hate politics. It upsets me terribly when politics usurps control over important education decisions.

Here is what I think is happening in Texas. Mind you, I am only surmising. Texas Commissioner of Education Shirley Neeley is mad at Governor Perry because she is being forced out of her position at the TEA tomorrow. As a parting shot, she turned over an audit report to State Auditor John Keel a few days ago. Mysteriously, the news of the audit report was then leaked to the *Austin American-Statesman* which spread the word to the other newspapers around the state. The clear implication in the media is that Robert Scott, who is Gov. Perry's liaison at the TEA, has been involved in unlawful contract decisions. For weeks, the rumor mills have suggested that Robert Scott was to be named tomorrow as the new Texas Commissioner of Education.

Notice the timing which is all-important in the political world! Has Neeley been sitting on this audit report, waiting for her big chance to discredit Robert Scott and thereby get even with Governor Perry?

Now let's look at this whole situation through the prism of common sense. Robert Scott has a law degree from the University of Texas. He has been the Interim Commissioner of Education and more recently, the Chief Deputy Commissioner at the TEA. One of his duties has been to settle legal appeals which have gone through the chain of command and have finally reached the TEA. Does it make sense that a man who knows Texas education laws like the back of his hand would foolishly flaunt those laws by giving illegal contracts to his "best friends"? This is what is insinuated by the various newspaper articles published yesterday and today:

<http://www.statesman.com:80/news/content/region/legislature/stories/06/28/0628edreport.html>

<http://www.dallasnews.com/sharedcontent/dws/dn/latestnews/stories/062807dnmetteacontracts.3b3b15f.html>

<http://www.chron.com:80/disp/story.mpl/metropolitan/4926928.html>

Another coincidence: Today's article in the *Houston Chronicle*

(<http://www.chron.com/disp/story.mpl/metropolitan/4926898.html>) just happens to mention Sandy Kress in a favorable light. Kress is another possible candidate for the Education Commissioner's job, but he has many very questionable "skeletons in his closet"

(<http://schoolsmatter.blogspot.com/2005/08/sandy-kresss-place-at-feeding-trough.html>).

Here is what the public must try to figure out: Jimmy Wynn was invited by Shirley Neeley in 2004 to come to Austin and help her transition into her position as Commissioner.

Wynn obviously had great political influence under Neeley. Did Jimmy Wynn use his powerful and influential position under Commissioner Neeley to pressure the education service centers to hire Wynn's friends, even his ex-wife? Did Jimmy Wynn use influence peddling to intimidate education service centers, or were they only too glad to go along with Wynn's "suggestions" in order to curry favor and future contracts/grants with the TEA? Did Robert Scott even know what Wynn was doing?

Is Sandy Kress involved in trying to shoot down Robert Scott's chances of becoming the Commissioner? After all, Kress's name is being pushed by many in the Houston political hierarchy as the next Texas Commissioner of Education. Gov. Perry may have future political aspirations of his own. Will he be afraid to appoint Robert Scott and take the politically expedient way out by choosing to appoint Sandy Kress? After all, Kress has deep pockets and has influence all the way to Washington, D. C.

The appointment of the next Texas Commissioner of Education should be more than just a political game. What we need in Texas is someone who understands how vital it is to rewrite the education standards and who will help to build an accountability system that will drive real education reform in our state.

I am not satisfied to dismiss Robert Scott as the best candidate for the Commissioner's job based merely on inferences and innuendos coming from people with personal grudges and political interests. Where are the hard facts? It is on those that Gov. Perry should make his final decision.

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