

**Feldman, Jane**

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**From:** Bronzball@aol.com  
**Sent:** Tuesday, August 11, 2009 2:54 PM  
**To:** Feldman, Jane  
**Subject:** complaint 09-05

Dear Jane:

Can you tell me whether my request for reconsideration of the dismissal of the above complaint is on the agenda for the Commission's meeting on August 21st? I would also remind the commission that according to its own rules, the rules ( including those of jurisdiction) are to be liberally construed to afford a fair and just resolution. It's hard to imagine how one can say that the requirements of a state statute are not standards of conduct required by law which is the relevant language of Article XXIX.

Also I had earlier requested that the Commission address this entire situation of deliberate and knowing violations of state statutes by three members of the Steamboat Springs School Board as well as the failure of certain administrators at the Colorado Department of Education to withdraw accreditation of the School District as required by state statute once they learned of the statutory violations engaged in by the school board. Has the Commission ever considered that request for the issuance of a position statement. Regardless of whether the Commission believes there is jurisdiction to hear complaints in these matters, the total situation is so rife with ethical violations that a Commission concerned with maintaining proper ethical standards by governmental officials should at least address these matters by way of a position statement.

Jim Bronner

8/12/2009

**Feldman, Jane**

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**From:** Bronzball@aol.com  
**Sent:** Tuesday, July 28, 2009 5:36 PM  
**To:** Feldman, Jane  
**Subject:** Complaint 09-05

Dear Jane:

I was surprised and disappointed by your letter of July 24, 2009. Article XXIX gives the ethics commission jurisdiction to hear complaints about violations of standards of conduct required by law. Certainly statutes passed by the legislature which require that public officials conduct themselves in a certain way are standards of conduct required by law. The legislature by statute mandates that the officials of the Colorado Department of Education withdraw certification of a school district if a school district fails to have a district personnel performance advisory counsel, if it allows evaluation of a licensed administrator by an unlicensed administrator or if it fails to adopt a written policy for the evaluation of a licensed administrator. Mr. Condie and Mr. Penn knew that the Steamboat Springs School District had failed to comply with all three of their statutory duties thus obligating them by the statutory standard of conduct to withdraw accreditation. They knowingly and deliberately failed to do so.

When the Commission dismissed the earlier complaint against the board members, I understood the rationale for not finding jurisdiction. In this situation I vehemently disagree with the Board's determination. A standard of conduct passed by the legislature is clearly within the jurisdiction of the ethics commission. To dismiss this complaint for lack of jurisdiction in the context of a set of facts which reeks with unethical conduct just makes me question whether the commission really wants to address ethical issues. I hope the commission will reconsider its decision. Jim Bronner

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7/29/2009

09-05

**James R. Bronner**  
**P.O Box 882625**  
**Steamboat Springs, Colorado 80488**  
**970-879-8942**

**Ms. Jane Feldman ,Executive Director**  
**Colorado Independent Ethics Commission**  
**633 17th Street Suite 300**  
**Denver, Colorado 80207**

**May 15,2009**

**Dear Ms. Feldman:**

**I write to ask the Independent Ethics commission to consider whether two employees of the Colorado Department of Education, John Condie and John Penn have acted unethically under Article XXIX of the Colorado Constitution.**

**Condie is the area supervisor for schools in Northwest Colorado and Penn is his supervisor. In May and early June, and again in August of 2008 I spoke to Condie and Penn about the violations of state law committed by members of the Steamboat Springs School District as outlined to you previously in complaint 09-04 which was dismissed for lack of jurisdiction. Both acknowledged to me that they were aware that an evaluation of a licensed administrator in Steamboat had been conducted by an unlicensed, interim superintendent and that the Steamboat Springs School District did not have either a written policy for licensed administrators or a district personnel performance advisory council as required by article 22 of the Colorado statutes.**

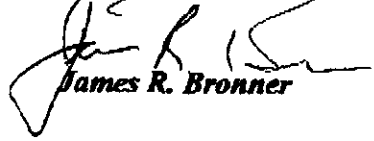
**As a result I asked each of them at different times if they were going to have the state board withhold or suspend the accreditation of the Steamboat Springs School District and publicize such withholding or suspension since 22-9-104 (e) mandates that the state board do so. They each said they would not and further said they would do nothing about the situation. They suggested in the May/June period that I take up this up with the new superintendent and then in August when only the issue of a policy for licensed administrators had been addressed, they again stated it was a local matter and that they would do nothing despite the statutory mandate.**

**Both Condie and Penn knew that the Steamboat Springs School Board was considering the non-renewal of the principal's contract while failing to afford him the statutorily required protections in place for the evaluation of a licensed administrator. Had Condie and Penn acted to fulfill the requirements of 22-9-104 and even just suspended accreditation and publicized that fact , the publicity would likely have forced the School Board to correct, rather than evade, the deficiencies and then ultimately to have provided the principal a proper evaluation with the system of protections that the legislature envisioned.**

**The foregoing sentence is not just idle speculation. I am in possession of a copy of an e-mail from the interim superintendent to one of the board members dated June 5,2008 in which she writes:" Any holes in our Admin eval system do not give him recourse to**

***reverse any decision the Board might make.....The only thing that could happen would be for the CDE to somehow force us to fix our procedures."***

***Very Truly Yours,***



***James R. Bronner***

# State of Colorado



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## INDEPENDENT ETHICS COMMISSION

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Jane T. Feldman, *Executive Director*

July 24, 2009

Mr. James Bronner  
PO Box 882625  
Steamboat Springs, CO 80488

Re: Complaint 09-05

Dear Mr. Bronner:

The Independent Ethics Commission met on July 21, 2009 to discuss the Complaint you filed with the Commission. The Commission determined that your complaint does not allege a violation of "Article XXIX or any other standards of conduct or reporting requirements under the jurisdiction of the IEC." See, IEC Rules 7.D.1., 3. The Commission therefore dismissed the Complaint.

For the Commission,

Jane T. Feldman  
Executive Director

**Feldman, Jane**

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**From:** Bronzball@aol.com  
**Sent:** Monday, June 08, 2009 5:55 PM  
**To:** Feldman, Jane  
**Subject:** Re: No Subject

Dear Jane:

I don't know if Luis took what you said out of context or whether I mininterpreted what he said. It's not important to what I was proposing. If the Commission now, because it is understaffed, would prefer to address this entire situation by position paper, I would be prepared to drop the complaint and provide evidence to support a position paper. The position paper could even say that x, y, and z have been alleged and if those allegations are true, then the conduct would be unethical. It's just a suggestion. I am prepared to proceed with the complaint if that is the appropriate procedure. Thanks for your prompt response. Jim

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6/9/2009