



Platte

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general, said Tuesday afternoon.

How the fire began, and where the bodies were located in the house, and whether there was a message of any type from any member of the family, are questions yet to be answered.

Jackley's office isn't releasing any other details about the incident at this time, Rabern said.

Two years ago a former state official's body was found in Charles Mix County.

Richard Benda, who was under investigation regarding state grant money, died from a shotgun blast on a farm near Lake Andes. Jackley's office determined the death was a suicide, using a stick to trigger the shot.

Jackley declined to release the death investiga tion report in that incident because Benda's former wife wouldn't consent. The South Dakota Supreme Court upheld his decision.

Other than official death certificates filed by coroners, state law holds that death investigation reports are closed to the public, unless the official responsible for the report agrees to release it.

The little that is currently known about the Westerhuis deaths come in the wake of a state audit that found a variety of weaknesses in the cooperative's management of funds and lax oversight by

state Department of Education officials.

The federal government provided the GÉAR UP funding to the state Education Department, which in turn provided the money to the cooperative.

The cooperative then paid several organizations to arrange for delivery of GEAR UP services to schools and to host an annual summer gather at South Dakota School of Mines and Technology.

The state audit didn't extend past the cooperative's finances. State Auditor General Marty Guindon said Tuesday his office is conducting follow-up work regarding the 2014 audit.

"I will not provide any additional details on this as it is work in progress. We are cooperating fully with investigators," Guindon said.

Besides distributing the GEAR UP grant, the cooperative oversaw Indian education services for the state department.

That included the cooperative paying for an Indian education advisory committee that Secretary Schopp instituted in September 2012.

Among the members were former state Indian education director Keith Moore, who has been

receiving a monthly salary of \$4,000 for his service, and former state Education Secretary Rick Melmer, who received \$1,000 per month.

Melmer resigned from the panel in July.

The roles of Moore and Melmer came to attention during the state audit.

Mid-Central submitted their stipends as expenses to be reimbursed by the state Department of Education. The state department however didn't require proof that the two worked.

According to the state audit of the program's operation for 2014, Moore and Melmer didn't submit effort logs for the first quarter of the 2014 fiscal year covering the months of July, August and September of 2013. The fiscal year runs July 1 to June 30.

The audit found their first logs were submitted Oct. 28, 2013.

Scott Westerhuis said in May that time cards hadn't been prepared for Melmer and Moore prior to the Oct. 28, 2013, date.

Mid-Central charged the state Department of Education a total of \$32,570.83 for Melmer and Moore for that period of nearly four months in fiscal 2014, according to the audit.

Melmer and Moore also were part of a group authorized by the Mid-Central board to attend a national GEAR UP meeting in San Francisco in July 2013.

Scott Westerhuis was the registered agent for several non-profit organizations that received large payments from Mid Central for performing services for the GEAR UP program.

Mid Central lists one known as AIII - American Indian Institute for Innovation as a partner. State records show AllI was initially created in 2008.

Westerhuis filed new pa-

perwork in May this year for a similar-named non-profit organization, American Indian Institute for Innovation and Excellence.

Westerhuis, his wife, Nicole, and Stacy Phelps, a state Board of Education member who runs the South Dakota GEAR UP program in Rapid City, were the incorporators.

The directors shown in state records are Phelps, John Herrington of Lewiston, Idaho, and Carlos Rodriguez of Washington, D.C. Herrington and Rodriguez were the officers for the original AIII.

Mid Central also lists another non-profit known as OSEC – Oceti Sakowin Education Consortium -- as a partner. Westerhuis was its registered agent. OSEC received large payments for SD GEAR UP activities. Where those non-profits

dispersed the GEAR UP funds wasn't immediately clear. Westerhuis also had sev-

eral corporations of his own. He was the only manager listed on state records for

Rock Ranch Consulting. Another called Chita Corporation listed Scott

and Nicole Westerhuis as its only directors; it was formed in 2012 and filed its most recent annual report in October 2014.

Another, Blackrock Consulting, listed Phelps as president, Scott Westerhuis as vice president and Nicole Westerhuis as secretary. It was incorporated in 2010 and dissolved in 2013.

Attempts to reach Phelps

by telephone messages at the GEAR UP office and his home and by email were unsuccessful Tuesday.

Phelps attended the state Board of Education meeting in Rapid City on Monday, according to another participant who said the GEAR UP contract change wasn't discussed.

Phelps has been allowed to simultaneously continue on the state Board of Education and to receive funding from the federal GEAR UP grant through the cooperative. The state board typically doesn't get involved in grant and contract matters.

Moore returned to South Dakota after resigning in 2012 from his post as federal director of Indian education in the U.S. Department of Interior.

Moore and another South Dakota man, Brian Drapeaux, who was Moore's chief of staff, were under federal investigation regarding attempts to steer a federal contract in 2010-2011 to Personal Group, a Pierre business that had employed Drapeaux immediately prior to his federal job.

The investigation determined Melmer was supposed to be a subcontractor, according to the Interior inspector general's December 2014 report.

Moore and Melmer continued their paid work for the cooperative and state department overseeing the Indian education program in South Dakota even after the report came out.

Schopp on Tuesday referred questions about schools," Huber said. "We try to put ourselves in that conversation."

While a new track facility wouldn't be the sole reason a recruit chooses USD, it's certainly a benefit, Ireland said.

"Knowing we'll have this great facility definitely helped bring me here," she said. "I can imagine it was the same thing for other recruits."

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pulling the GEAR UP grant from the cooperative to Venhuizen in the governor's office.

"We are not going to get into detail at this time on the communication between DOE and Mid-Central, as this is the subject of an ongoing DCI investigation," Venhuizen responded in an email.

He said the department "has already reached out to the Board of Regents about administering the GEAR UP grant.

"That is a good fit because of the GEAR UP mission of preparing at-risk students for college, and Dr. Mike Rush (the new executive director for the regents) worked with the program in Idaho.

"Although nothing is finalized, Dr. Rush is open to the discussion and we are hopeful that can be accomplished," Venhuizen said.

He added that the state Division of Criminal Investigation's work initially focused on the fire. He said DCI has been asking questions this week about financial matters.

DCI was told about Schopp's decision to change the GEAR UP grant arrangement, according to Venhuizen.

The state department's finance director, Tamara Darnall, and the cooperative's director, Dan Guericke, met with the Legislature's Government Operations and Audit Committee on Aug. 25 to discuss the state audit findings and responses.

A legislator said Tues-day that Scott Westerhuis attended the meeting.