

Jennifer Swindell, managing editor
Idaho Education News
jswindell@idahoednews.org



May 10, 2018

Bryan Taylor
Canyon County Prosecuting Attorney

Attn: Samuel B. Laugheed
Chief Deputy, Civil Division
Canyon County Prosecuting Attorney's Office

On Tuesday, May 9, 2018, it is my belief the Nampa School District's Board of Trustees violated Idaho's open meeting laws by hiring a superintendent and keeping its choice a secret.

It has been reported today the trustees went into executive session, then came out of executive session, deliberated using the label "Candidate A" and "Candidate B" instead of the actual names of the candidates, and then voted unanimously to hire "Candidate A". I have requested the name of the person that the trustees voted to hire and have been denied this information.

What is clear is that pursuant to Idaho Code §74-202(1) decision means: any determination, action, vote or final disposition upon a motion, proposal, resolution, order, ordinance or measure on which a vote of a governing body is required, at any meeting at which a quorum is present, but shall not include those ministerial or administrative actions necessary to carry out a decision previously adopted in a meeting held in compliance with this chapter.

The trustees' use of pseudonymous identifiers in the decision, for candidates disclosed only in the secret executive session, would, if permitted, effectively render Idaho Code § 74-201 a nullity: "...that the formation of public policy is public business and shall not be conducted in secret."

Here, a decision was rendered, but the decision itself is meaningless without the names of the persons voted upon, known only to the attendees of the executive session.

The public will forever be unable to identify which candidate was discussed for accuracy, transparency and accountability.

Please consider this a formal complaint regarding the Nampa School District's Board of Trustees violation of Idaho's opening meeting laws.

Respectfully,

A handwritten signature in black ink that reads "Jennifer Swindell".

JENNIFER SWINDELL, MANAGING EDITOR