

J. Michael Clára  
Salt Lake City School Board  
District Two

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12 June 2013

DELIVERED CERTIFIED MAIL  
7012 2920 0000 7126 4991

Ms. Janet Roberts, Business Administrator  
Salt Lake City School District  
440 East 100 South  
Salt Lake City, Utah 84111-1891

FILE COPY

Re: GRAMA REQUEST: Superintendent Compensation

Dear Ms. Roberts,

Pursuant to **Government Records Access Management Act (GRAMA)**, *Utah Code §63g-2-204*: I am requesting a copy of all records (*a book, letter, document, paper, map, plan, photograph, film, card, tape, recording, electronic data, or other documentary material regardless of physical form or characteristics*) in reference to or regarding Superintendent McKell Wither's compensation since the date of his hiring in 2003.

On **June 10, 2013**, I sent you an email with the following request:

**"Can you please provide me in writing a break down of the superintendent's salary/compensation, each year, from 2003 to the present? This should include: COLA, performance bonus, 401K contributions, and any/all categories of compensation i.e. longevity etc...Thank you."**

As of this writing, I have not even received an acknowledgement of my email request. In the absence of a detailed public record of the Superintendent's current contract and compensation, I am submitting this GRAMA request.

As you are aware, on June 4, 2013, the School Board held a public hearing on the 2013-2014 Budget. I proposed that the budget be amended to include a 3% Cost of Living Increase Allowance (COLA) in place of the 1% (for employees), you and the Superintendent had proposed in the budget before the School Board. One of the reasons I stated for submitting this amendment, was to place the employees in line with the 3% annual bonus that the Superintendent receives.

**"Local school boards are the bedrock of our society, yet they are invisible to the public"**

Señor Florez -Deseret News

I have since posted an entry in my blog demonstrating that under our current budget, the Superintendent is actually the recipient of a 6% increase and the employees of the District are granted a meager 1% increase.

I am now receiving feedback that the district administration is attempting to impugn my character by stating that the conclusions I have reached are false. I am also receiving reports that the administration is assigning ulterior motives to my actions.

Releasing the requested information will serve to remedy the false witness being peddled by the administration. Additionally, it will shed some light on the duplicitous explanation the Superintendent proffered at the budget hearing. It will also serve to allow district employees and the public, greater transparency as we approach the **Truth in Taxation** hearing scheduled for August 6, 2013. As you are aware, I felt that transparency was lacking during the budget process, to that end I filed a complaint with the State Auditor of Utah.

I believe the documents should be released because the District has not been forthright with the information, which I believe is contrary to the spirit of Utah's Open and Public Meetings Act:

*"In enacting this chapter, the Legislature finds and declares that the state, its agencies and political subdivisions, exist to aid in the conduct of the people's business. It is the intent of the law that their actions be taken openly and that their deliberations be conducted openly" (see Utah code §52-4-101).*

Utah Code §63g-2-203(4) encourages agencies to fulfill a records request without charge.


Based on Utah Code §63g -2-203 (4a), I am requesting a waiver of copy costs because releasing the records primarily benefits the public rather than a person.

Furthermore, based on Utah Code §63g -2-203 (4c) my "legal rights are directly implicated by the information in the record" as I am a newly elected member of the Board of Education (see Utah Code §53A-3-402).

I am of the opinion that the public has a right to examine all the records pertaining to School Official's compensation package.

I recognize that you will respond to my request within 5 business days, as permitted by Utah Code §63g -2-204 (3)(b).

Respectfully,

  
J. Michael Clára  
Board Member, District 2

cc: The Honorable John Dougall, Auditor of the State of Utah  
Ray Parker, Reporter for the Salt Lake Tribune

