



J. Michael Clára
Salt Lake City School Board
District Two

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Delivered Certified Mail: 7012 000 7124 9080

Mrs. Kristi Swett, Board President
Salt Lake City School District
2256 South King St.
Salt Lake City, Utah 84109



Re: GRAMA Appeal Letter

Dear Mrs. Swett,

On **August 13, 2014**, I submitted a GRAMA request to Superintendent McKell Withers, seeking information on School Bus #199, which malfunctioned on June 2, 2014, causing two students to be severely burned.

On **August 14, 2014**, I received a reply from the superintendent's attorney denying my request for an expedited response.

I am submitting this appeal to you, in your capacity as the president of the board of education. Unlike the superintendent, I believe that time is of the essence. Moreover, I believe that the school administration has poorly handled the aftermath of the June 2, 2014 incident. To that end, I am requesting the information on this school bus, so that I can file a request for assistance with the appropriate state and federal regulatory agencies.

As you are aware, I have always maintained that my obligation is first to my community, which elected me to represent them, not the school bureaucracy. Recognizing that you feel otherwise, I want to remind you that this past legislative session, I promoted the passage of legislation that gave clarity (within state law) to the role of a local school board member:

Notwithstanding a local school board's status as a body corporate, an elected member of a local school board serves and represents the residents of the local school board member's district, and that service and representation may not be restricted or impaired by the local school board member's membership on, or obligations to, the local school board. [See HB 250 (2014)]

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

Señor Florez -Deseret News

In the case involving the school bus incident, the superintendent has been slow to demonstrate progress towards ensuring that the district's buses are appropriately modified so as to prevent hot coolant fluid from invading the passenger compartment and injuring more students.

The last update I received, along with other school board members, was on Tuesday night in the closed door session. You will no doubt recall that I objected to the fact that this issue was brought up in the close door meeting of the school board as it did not meet the criteria as stated in the Utah Open and Public Meeting Act. The update was no different from what I had already received in email exchanges with the superintendent over the past three months. The last I was told, was that school bus #199 was sitting at the Blue Bird lot and would not be looked at until the end of August because they were busy with other matters.

In response to my GRAMA request (two days ago), I was informed that the bus has been repaired. In prior emails, the superintendent stated he would send a full report to the board. Where is that report? What was the cause of this mishap? What was done to mitigate the defect? What is being done to other buses to keep our students safe? etc..etc... these are all questions I am being asked by members of my community and I have no answers for them. My requests for information have been met with delays and a trickle of vague and ambiguous responses. This behavior on the part of the superintendent and his bureaucracy is unacceptable!

As an elected representative of the school board, I initially requested that all buses with this same layout be looked at and modified before school starts. It appears that the bureaucracy is unable to fulfil that request or offer an explanation as to why modifications of other buses are not needed.

I believe that the appropriate state and federal agencies need to step in and ensure that our students will be safe when they board the buses on August 25, 2014. It is for that purpose that I appeal the delay of information as set forth in the GRAMA response from the school establishment.

Shalom,



J. Michael Clára
Board Member, District 2

