



J. Michael Clára  
Salt Lake City School Board  
District Two

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974 S. 1400 W. • Salt Lake City • Utah • USA

14 May 2015

DELIVERED VIA CERTIFIED MAIL: 7012 2920 0000 7124 9127

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



Re: GRAMA Notice of Appeal: Security Deployment

Dear Ms. Roberts,

Pursuant to § 63G-2-401, *Utah Code* – please accept this **GRAMA Notice of Appeal**, in your capacity as the district's chief administrative officer.

On **April 29, 2015**, I submitted a GRAMA request for information on the deployment of Salt Lake City Police Department at Board of Education meetings.<sup>1</sup>

On **May 13, 2014**, I received a letter from Ms. Kristina Kindall<sup>2</sup> denying my request on the basis that the records were classified as “protected”.

I am appealing on the basis of § 63G-2-206, *Utah Code* which in part, states: “a governmental entity shall provide a ... protected record to another governmental entity... if the requesting entity... is entitled by law to inspect the record.”

In this case, I am a duly elected member of the governing body<sup>3</sup> of the government agency in which I am requesting the information and therefore “entitled by law to inspect the record”.

Equally persuasive, the Utah Legislature has established that “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.”<sup>4</sup>

Accordingly, I submit this appeal for your review and consideration.

Shalom,

J. Michael Clára  
Board Member, District 2

Enclosures (3)

<sup>1</sup> GRAMA request to Superintendent McKell Withers from J. Michael Clára, Board Member 04/29/15

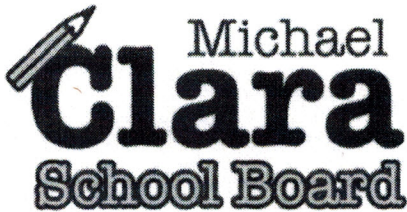
<sup>2</sup> GRAMA Denial letter to J. Michael Clára, Board Member from Kristina Kindall, Director, Policy & Legal Services 05/12/15

<sup>3</sup> § 53A-3-402, Utah Code- Local School Boards –Powers and Duties Generally

<sup>4</sup> § 53A-3-402, Utah Code – Local School Boards –Duty to Represent

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

Señor Florez –Deseret News



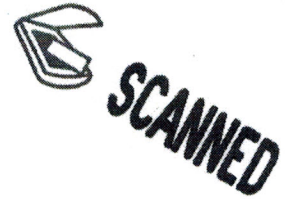
**J. Michael Clára**  
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29 April 2015

DELIVERED VIA ELECTRONIC MAIL

Mr. McKell Withers, Superintendent  
% Salt Lake City School District  
440 East 100 South  
Salt Lake City, Utah 84111



Re: GRAMA: Salt Lake City Police Deployment at Board Meetings

Dear Mr. Withers,

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 including emails, or other documentary material regardless of physical form or characteristics*) in reference to the deployment of Salt Lake City Police and their subsequent removal from the Board of Education meetings. I am also requesting all information pertaining to the district's decision to secure the services of Kane Consulting. Please include any and all information that references me in any way. Please also include all communications between members of the Board of Education, employees of the Salt Lake City School District and Salt Lake City personnel and elected officials of the City. I am also requesting information on any and all communications between District personnel and Kane Consulting.


I believe that your dissemination of these documents is in keeping with 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).*

This is an issue that is been a matter of public record in our meetings and public discussion in the community. I believe the public has a right to know the outcome of district's decisions on this matter. 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 an elected member of the Board of Education representing the residents of District 2. (see Utah Code §53A-3-402).

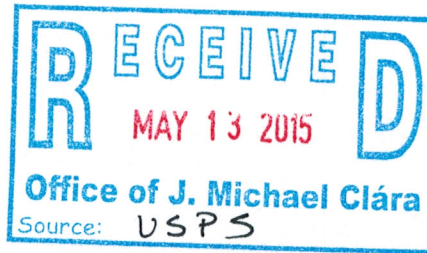
Shalom,

  
J. Michael Clára  
Board Member, District 2

*"Local school boards are the bedrock of our society, yet they are invisible to the public"*  
Señor Florez -Deseret News

May 12, 2015

J. Michael Clára  
974 South 1400 West  
Salt Lake City, Utah 84104



Re: GRAMA Request to Salt Lake City School District Dated 4/29/2015

Dear Board Member Clára:

Salt Lake City School District ("District") received your GRAMA request for a copy of:

1. "all records in reference to the deployment of Salt Lake City Police and their subsequent removal from the Board of Education meeting,"
2. "all information pertaining to the district's decision to secure the services of Kane Consulting,"
3. "any and all information that references me in any way,"
4. "all communications between members of the Board of Education, employees of the Salt Lake City School District and Salt Lake City personnel and elected officials of the City," and
5. "all communications between District personnel and Kane Consulting."

The District's response to your requests are as follows:

1. There are no documents responsive to your first request.
2. Included is the document fully responsive to your second request.
3. We've taken your third request to mean references to you in records relating to Kane Consulting, the Salt Lake City Police Department, and/or security at board meetings. Given that interpretation, there are no documents responsive to your third request.
4. Similarly, we've taken your fourth request to mean communications between the Board of Education, District employees, Salt Lake City personnel, and city elected officials, relating to Kane Consulting, the Salt Lake City Police Department, and/or security at board meetings. Given that interpretation, there are no documents responsive to your fourth request.
5. The document responsive to request #2 is also fully responsive to request #5.

Records that have not been provided are protected pursuant to Utah Code Ann. §63G-2-305(17) because the records are subject to attorney client privilege, and/or are irrelevant to your GRAMA request, including any email exchanges or attachments of which you were a sender or recipient.

Pursuant to District Policy C-7, Records Management, and its corresponding administrative procedures, you have a right to appeal this decision to the district's chief administrative officer, Janet Roberts. Any such appeal must be filed within thirty (30) days from the date of this letter. An appeal must be initiated by filing a Notice of Appeal, and include the appellant's name, mailing address, daytime telephone number and the requested relief. Additional information such as a statement of facts, the basis for appeal, and any supporting legal authority may also be included in your appeal. Please contact me if you have any questions regarding this response.

Sincerely,



Kristina L. Kindl  
Director, Policy & Legal Services  
Salt Lake City School District

cc: Salt Lake City School District Board Members  
McKell Withers, Superintendent  
Janet Roberts, Business Administrator