



J. Michael Clára
Salt Lake City School Board
District Two

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26 January 2016

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DELIVERED VIA ELECTRONIC MAIL

Ms. Heather Bennett, Board President
% Salt Lake City Board of Education
440 East 100 South
Salt Lake City, Utah 84111

Re: Agenda Request to Formally Accept Mayor Biskupski's Extended Hand of Friendship

Dear Ms. Bennett,

I am writing to request that you place the issue of accepting Mayor Biskupski's request to "attend and participate",¹ in Salt Lake City Board of Education meetings on the agenda for the February 02, 2016 Board meeting.

BACKGROUND

On December 21, 2015 - Mayor-Elect Biskupski attended the Board meeting and requested the following:

"I would like to be able to participate...I really would like to be at the table"

Pleasantries were then exchanged between the Mayor Elect and Board members. It appeared that all were accepting of her request and the conversation was concluded by you telling the Mayor-Elect:

*"I'll get back to you, I'll call you"*²

On January 05, 2016 - The Mayor's Deputy Chief of Staff, David Litvak³ attended the regularly scheduled meeting of the Board, yet he was not invited to participate in the deliberations of the Board.

On January 06, 2016 - I sent you a letter stating in part:

*"I recommend that we respond to the Mayor's aspiration for cooperation between our two governments, by being the gracious host and provide a place (i.e. seat, nameplate etc.) at the Board table for the Mayor or her designee. I thank you in advance for attending to this matter."*⁴

¹ A school district board shall allow an interested mayor and interested county executive to attend and participate in the board discussions at a school district board meeting that is open to the public under Title 52, Chapter 4, Open and Public Meetings Act. §53A-3-409, Utah Code

² *Ibid*

³ See 01/05/16 Draft Board Meeting Minutes:

⁴ Michael Clára letter to Heather Bennett - Re: Mayor Biskupski 01/06/16

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

Señor Florez - Deseret Education

On January 19, 2016 – The Mayor’s Deputy Chief of Staff, David Litvack attended the regularly scheduled meeting of the Board of Education. Mr. Litvack attended the meeting in his official capacity as the Mayor’s designee, yet he was not permitted to sit with the Board.

I asked you in the public meeting ⁵ to update the Board on these outstanding requests. You responded with the following explanations:

- *“We can have a conversation about that...”*
- *“I would have preferred that the request come from the Mayor...”*
- *“Since this law has been enacted we have never had a request from the Mayor’s Office...”*
- *“We have a limited number of seats around the table...”*
- *“I will call on the Mayor’s designee as I would any interested person...”*

I responded by reminding you that the Mayor herself, ⁶ did indeed make the request to participate in our Board meetings. You then inaccurately conceded the Mayor’s request:

- *“She [Mayor] did express an interest and she is very welcome to come...”*
- *“She [Mayor] did not however request a place at the table...”*

When I reminded you that you never responded to my letter of 01/06/16. You replied:

- *“Well, it is not on our agenda...”*
- *“We can quickly poll the members of the Board and see how they feel about it...”*
- *“I did not feel like that is what she [Mayor] was asking for...”*
- *“So, I am happy to go back to her and ask her...”*
- *“Or I can ask David to ask her...”*

At that point, Mr. Litvack walked to the front of the room and diplomatically repeated the Mayor’s entreaty to participate and sit at the table with the Board. It was at that point, that you relented and gave Mr. Litvack the choice to sit with the Board or to take a place on the front row where the public sits. Mr. Litvack chose to sit with the Board. ⁷ It is clear to me and others, that you are resistant to Mayor Biskupski’s desire to participate in the Board meetings. As outlined above, your stated reasons for rejecting her request are without merit. Moreover, your rejection of her request and mine is contrary to Utah state law. ⁸ I recognize that you were a devoted supporter of Mayor Becker:

“Some members of the district school board announced endorsement of Becker on Monday, including ...current board president Heather Bennett, and board members Kristi Swett and Katherine Kennedy.”⁹

Along with that recognition, I acknowledge that the same article stated my position on the Mayoral race:

“...Michael Clára, who represents the city's west side, said [he] endorsed Biskupski because [he] doesn’t believe Becker has addressed the disparity between the east and west sides...Clára said 80 to 90 junior high students are arrested in west-side schools, while east-side schools typically only have up to 1 arrest per year.

⁵ Due to the fact that you did not honor the Mayor’s December request, nor did you reply to my January letter where I asked that we accommodate the Mayor’s request;

⁶ See 12/21/15 Draft Board Meeting Minutes: “Mayor-Elect Jackie Biskupski addressed the board. She said she would like to participate with the board through this process.”

⁷ See video of the January 19, 2016 –Board of Education meeting

⁸ A school district board shall allow an interested mayor and interested county executive to attend and participate in the board discussions at a school district board meeting that is open to the public under Title 52, Chapter 4, Open and Public Meetings Act. §53A-3-409, Utah Code

⁹ Becker, Biskupski Grapple Over Plans to Equalize Education – Deseret News 09/21/15

He said that's because west-side students are disciplined through the juvenile justice system while schools without police officers discipline their students through the school system. "When you expose children to police in that negative way at an early age, there's an expectation that that's the only way their behavior is going to be modified is through the police," he said. "When I reached out to Ralph Becker and his staff, they were insensitive to that issue. ... I support (Biskupski) because she, at the very least, is willing to acknowledge that there's a problem." ¹⁰

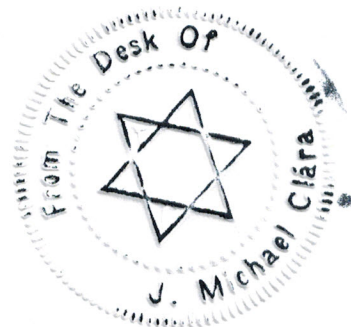
Despite your assertions to the contrary, Mayor Biskupski did indeed ask to participate and sit at the Board table.¹¹ I believe it is highly incongruous of you to imply that Mayor Biskupski has breached some sort of protocol because she did not make the request with the formality that you expected. With all due respect to your office, we should not lose our perspective; we are talking about a locally elected school board president not a mafia boss -there will be no kissing of the ring in your case.

The idea that "we have limited seats around the table"¹² is easily solved by prioritizing who sits at the Board table. Priority should be given to elected officials, then appointed officials (those appointed by the elected officials i.e. Superintendent, Business Administrator, Mayor's Designee etc....) and then District staff (i.e. the Superintendent's two attorneys, the recently inflated superintendency etc.) If that does not work, then I will gladly allow the Mayor or her designee to sit in my seat and I will sit on the corner facing the Board.

Placing this issue on the agenda will allow the Board to take action and rectify this indecorous behavior.¹³ We owe it to the residents of Salt Lake City to put our differences aside and work with the Mayor that won the election. The work we are doing is too important to get mired in this type of passive-aggressive resistance and pettiness.

Shalom,

J. Michael Clára
Board Member, District 2



¹⁰ Ibid

¹¹ As stated by Mayor Biskupski in the December 21, 2015 - Board meeting

¹² As stated by Board President Bennett in the January 19, 2016 - Board meeting

¹³ Power belongs not to individual members of a Board of Education but to the Board of Education acting as a corporate body through collective action. ... The statement or action of an individual member or group of members of the Board of Education does not bind the Board of Education itself, except when that statement or action is specifically authorized by an official act of the board. ...-Board of Education, Salt Lake City District Page 7