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Salt Lake City School Board
District Two

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Page | 1 of 2

HAND DELIVERED & ELECTRONIC MAIL

The Honorable Howard Stephenson
The Honorable Luz Escamia
% Utah Senate
State Capitol Complex
Salt Lake City, Utah 84114



Re: Salt Lake City School District, Transportation Audit

Dear Senator Stephenson and Senator Escamia,

I am writing to ask that you consider requesting a Legislative Audit on Public School Busing in the state of Utah. I have reason to believe that Salt Lake City School District, Superintendent Withers and Business Administrator Janet Roberts are submitting false information to the Utah State Office of Education (USOE).¹ It appears that the Salt Lake City School District is defrauding the state by receiving state transportation funds for ineligible school bus routes.

BACKGROUND

We recently had an incident in the Salt Lake City School District where Associate Superintendent Barbra Kuehl announced the cancelation of a bus transporting students to a gifted and talented program because of an unauthorized school boundary change. Fellow Board member, Melissa Ford and I, were successful in establishing the Local School Board's authority to change school boundaries² and approve bus routes³ (as opposed to school administration). Moreover, current statute tells us the following:

*"Transportation is over routes proposed by **local boards** and approved by USOE".⁴*

In my three years of service on the Local Board of Education, I could not recall ever approving bus routes, nor could I find any record of such action by the "Local Board". I asked the school administration for a copy of current routes that are "proposed by the local board and approved by USOE"; they refused to respond to my written questions and requests so I resubmitted them in the form of a GRAMA request.

¹ See Schedule A1 Report for transportation fund reimbursement

² See Utah Code §53A-3-402 (21)

³ See Utah Code §53A-17a-127

⁴ See R277-600-6

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

Señor Florez -Deseret News

As you can see by the attached GRAMA denial letter, the school administration's attorney, Kristina Kindl responded to my request by issuing me a \$110.00 invoice that must be paid before she will provide me a copy of the routes proposed by the "Local Board" to USOE.⁵ I refuse to pay for information that I am entitled to, as a member of the "Local Board".

As a result of the administration's refusal, I called the USOE, Transportation Division and requested the same information. They too refused my request. I then submitted a GRAMA request to state interim Superintendent, Sydnee Dickson; to her credit, the information was promptly provided.

During a **February 11, 2016**, parent meeting at Clayton Middle School in Salt Lake City, Ms. Kuehl, Associate Superintendent, advised the parents that her actions (changing school boundaries and canceling bus routes) were sanctioned by Ms. Kindl, the school administration's attorney.

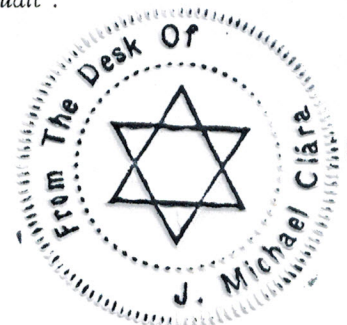
In a **February 16, 2016**, closed door, Board of Education meeting, I was forced to defend myself against the threat of **Board Censure**, because I am questioning financial improprieties. My response was to once again, explain that I am immune from such intimidation tactics. I also reasserted my right to defend and represent the interests of those who elected me.⁶ During the public portion of that same meeting, I questioned the veracity of the District's financial transportation reports. As a result of my questions, I was **shouted down by other Board members** and was told by the Board president that questioning the finances of the District was "*disrespectful*" to the school district staff. In the attached video of that meeting, you will see Business Administrator Janet Roberts admit that false information was submitted to USOE.⁷ Furthermore she states words to the effect that USOE is now considering reimbursing other school districts for ineligible routes. That makes no sense to me.

Nevertheless, the inappropriate statements and behavior displayed by the Salt Lake City School District administrators and select Board members has state wide implications. A recent audit states the following: "*The USOE needs to ensure accuracy when calculating distributions. In addition to the problems with reimbursements for in lieu expenditures, the USOE's calculations of the mile and minute amounts had several problems.*"⁸

As you can see from the information set forth in this request, the school district administration has not only blocked by ability to obtain information but has threatened me for seeking the truth. I believe I have exhausted all local means at my disposal, it is for that reason I turn to you. I will also submit a detailed request to the Utah State Auditor. In closing, I should also point out that during the 02/16/16 Board meeting, Business Administrator, Janet Roberts defiantly said that she would "*welcome an audit*".

Shalom,

J. Michael Clára
Board Member, District 2



⁵ See Salt Lake City School District's Attorney's Response to Board member's request 02/19/16

⁶ See §53-3-401, Utah Code: **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.** [As set forth in HB 250 - Local School Board Amendments /2014 Legislative Session]

⁷ See YouTube: Transportation Funding Fraud?

⁸ See A Performance Audit of School Busing –November 2008