

February 1, 2012

Douglas County School District Board of Education
620 Wilcox St.
Castle Rock, CO 80104
Hand-delivered

Re: Improper Closure of February 2 Board Meeting

To the Members of the Board:

We are writing to you as a broad-based group of concerned citizens and parents. We fear that the Board meeting set for February 2 – which will be closed to the public under the claim of “executive session” – signals this Board’s increasing reliance on inappropriate backroom governance. The notice for that meeting violates the good-government principle of transparency, the strict, public-protective mandate of the Colorado Open Meetings Law, and DCSD’s own formal policy. We, the citizens and parents of Douglas County, have been deprived of any real disclosure of what the February 2 Board meeting is meeting about and of what legal and factual justification there can possibly be for holding an entire school board meeting which entirely excludes the public.

The law and policy of this state affirm that the formation of public policy is public business and may not be conducted in secret. The intent of the Open Meetings Law is to ensure that the public has access to meetings, including school board meetings, at which public business is considered. The law guarantees that citizens like ourselves will be given a greater opportunity to become fully informed on issues of public importance so that meaningful participation in the decision-making process may be achieved.

The closure of the February 2 meeting seems to follow a pattern of increasing closure of DCSD school board meetings to the public. Three years ago, closure of school board meetings was rare; the Board only occasionally invoked executive sessions and those sessions seldom lasted more than thirty minutes. In the last year, however, the current Board has adopted an informal policy of spending two hours of every school board meeting in executive session. And now the Board has cancelled its usual public meeting and has substituted for it a meeting that is completely closed to the public.

The Colorado Open Meetings Law, C.R.S. 24-6-402(4) and DCSD Board policy BE/BEA/BEB require the Board to “identify the particular matter to be discussed [at an executive session] in as much detail as possible without compromising the purpose of the executive session.” The notice of the February 2 meeting violates this requirement. The notice does not identify any of the “particular matters” to be discussed nor does it provide any detail about those matters. This lack of notice deprives us as citizens of the opportunity to become fully informed on issues of public importance so that we may meaningfully participate in the decision-making process. The lack of adequate notice and the closure of the entire meeting to the public also robs parents and citizens of their right to address the Board on matters that the Board is considering.

Because this closed executive session is being convened in violation of state law and Board policy, we demand that the entire meeting be opened to the public. We also request that you take a hard look at your practices and return this Board to its long-standing pre-2010 practice of holding appropriately limited executive sessions.

Thank you for your attention to this important matter, and we look forward to receiving your reply.

Respectfully,

The Undersigned Citizens of Douglas County