

July 9, 2013

The Hon. Lincoln Chafee  
Governor  
State House  
Providence, RI 02903

BY MAIL AND EMAIL

RE: REQUEST TO VETO S-5895A/S-369A

Dear Governor Chafee:

We strongly request your veto of H-5895A/S-369A, bills that would exempt from public disclosure under the Access to Public Records Act (APRA) any school district documents that are prepared to protect students from undefined “potential and actual threats.”

Last month, our groups sent you a letter urging your veto of a separate bill completely exempting “school district safety plans” from disclosure under APRA and from public discussion under the Open Meetings Act. A copy of that letter is enclosed for your reference. Independently, these bills are a troubling step backward from the promise of transparency and openness that accompanied the General Assembly’s passage last year of comprehensive amendments to APRA. Together, they represent a headlong retreat from those key goals and, in this particular context, send a troubling message to parents in Rhode Island.

Both of these pieces of legislation unfairly ask parents to simply trust their school officials to do the right things in protecting their children. But parents have a right to participate in those discussions, not be kept in the dark and rely on blind faith. When they – or the media or PTOs – are barred from finding out whether, for example, their schools are complying with state laws governing fire drills, the secrecy authorized by these bills serves no public interest other than to protect school officials from the scrutiny they deserve in a free society.

The safety of young children is extremely important, but we believe that, in the name of protecting them, these bills do just the opposite. We urge you to veto this legislation.

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May 16, 2013

The Hon. Lincoln Chafee  
Governor  
State House  
Providence, RI 02903

HAND-DELIVERED

Dear Governor Chafee:

As organizations that have long advocated for open government and the public's right to know, we are writing to urge you to amend the school safety plan secrecy legislation that you introduced before it makes its way to your desk for formal approval.

H-5941 (which has passed the House) and S-801 (which has passed Senate Education Committee) would make secret *all* school committee discussions, and all school district documents, regarding school safety plans. You have often noted the importance of transparency in government in order to promote accountability, strengthen residents' confidence in government, and advance the free flow of information. However, by keeping parents and the community in the dark about school safety activities, these bills mark a major step backward for parental involvement in critical school matters and for the public's right to know.

Just two years after the Columbine tragedy, the General Assembly recognized the importance of public discussion on school safety by requiring school committees to make school safety and school emergency response plans available for public comment and in compliance with the state open meetings law. Your legislation expressly undoes this transparency, shrouding the school safety process in secrecy.

Among the many issues that could be discussed and dealt with in secret under this legislation are such important questions as:

- Should the school committee consider having armed guards or other armed staff in their schools?
- What sort of training will school officials be given in order to best respond to a crisis?
- How will parents be contacted in the event of an emergency?

- Given the limited financial resources that each school district has, where will the costs associated with school security improvement be taken from?
- How well has a child's school district complied with state department of education school safety standards?

Indeed, one need only review the legislation's list of policies and procedures that must be included in a school safety plan to recognize the impropriety of making it all secret. Some of the policies are clearly designed to be shared with parents and students, so concerns about "security" or "safety" serve no purpose other to prevent any meaningful public oversight in their adoption. Among those mandated policies are: procedures addressing how to contact parents in the event of a violent incident; arrangements with police and fire officials designed to ensure that they are adequately trained and effectively and fairly recruited; and various procedures that are explicitly designed *for students*. Ironically, one of the pieces of school safety information that would be decided in secret and withheld from the public under these bills are "strategies for improving communication ... among students and between students and staff."

There are undoubtedly specific types of security-related school information that should be confidential. But under this legislation, the amount of information that will be withheld from parental, and public, view is vast. This legislation eliminates the ability of parents and the community to respond to the appropriateness of a school district's safety plan, or to point out possible safety flaws that could be corrected or strengthened, or to hold school officials accountable if their standards, or implementation of those standards, fall short of state recommendations. We believe that the time for this discussion is before an emergency occurs, not after.

Earlier this year, in announcing the state's new Transparency Portal, you called the Portal's launch "a significant step in my Administration's efforts to provide the public with an increased level of information regarding the operation and management of government, as well as ensuring the most efficient use of taxpayers' money. It will serve as an important resource for holding agencies accountable for progress and increasing the public's awareness of the important services government provides." We agree with those sentiments, but we believe they equally apply to public oversight of school safety plans.

Our organizations respectfully request that, in keeping with your long-stated goal of promoting transparency in government, you propose amendments to H-5941 and S-801 before their final passage that will more appropriately manage the balance between addressing legitimate confidentiality needs surrounding school security and promoting public oversight of school safety plans.

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The Hon. Lincoln Chafee  
May 16, 2013

We appreciate your consideration of our concerns and hope that you will take positive action on this. If you have any questions at all, please feel free to contact any one of us.

Sincerely,

Mark S. Murphy, President  
Rhode Island Press Association

Rosanna Cavanagh, Executive Director  
New England First Amendment Coalition

Steven Brown, Executive Director  
American Civil Liberties Union of Rhode Island

John Marion, Executive Director  
Common Cause Rhode Island