



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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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