

EAGLE: REFUSAL OF MEETING ACCESS IS VIOLATION

PATRICK HENRY ONCE SAID THAT LIBERTY IS NEVER SECURE AS LONG AS GOVERNMENT DOES BUSINESS IN SECRET.

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(The Wichita Eagle) -- The Wichita Eagle has requested an investigation into what it believes to be violations of the Kansas Open Meetings Act by the Wichita School District.

Lyndon Vix, a lawyer representing The Eagle, filed a complaint with Sedgwick County Attorney Nola Foulston and with the Kansas attorney general's office saying the district's refusal to allow access to meetings of a community task force on busing constitutes a violation of the act.

District officials say the task force meetings are not subject to open-meeting laws because the group was created to advise Superintendent Winston Brooks on issues concerning the district's integration plan, not to develop a new plan.

According to the complaint, which cites information from the district's Web site, the task force was intended to "study the (busing for integration) plan and work with Superintendent Brooks to develop a recommendation."

An Eagle reporter tried to attend the task force meeting but Brooks suspended the meeting rather than conduct business with a journalist present.

The Kansas Open Meetings Act says, "all legislative and administrative bodies and agencies of the state...and other subordinate groups thereof." Accordingly, Vix wrote, meetings of the task force should be open to the public.

District officials, however, said the task force is not required to be open because it does not have decision-making authority.

"We are aware of the Eagle's contention of a violation of the Kansas open meetings law. The Board's legal counsel has thoroughly reviewed and researched this issue, and based on the research and review, it has been and remains our position that the task force meetings were not subject to the Kansas open meetings law," said Susan Arensman, a spokeswoman for the school district.

Sherry Chisenhall, the newspaper's editor and vice-president for news, disagreed.

"This task force is contemplating an issue of enormous public importance. It ought to be doing so openly and publicly," she said. "It's hard for me to imagine any reasonable argument against doing this."

***Do you have an Open Government experience to share?
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