



Power Palace <powerpalacegym@gmail.com>

Public records request

3 messages

Power Palace <powerpalacegym@gmail.com>
To: rennet@newberg.k12.or.us

Wed, Jun 12, 2024 at 12:31 AM

I am filing the following records request related to last night's school board meeting.

Carey Martell
Editor, Yamhill Advocate

 **newberg school board request june 22.pdf**
1308K

Tabitha Renne <rennet@newberg.k12.or.us>
To: Power Palace <powerpalacegym@gmail.com>

Fri, Jun 14, 2024 at 11:37 AM

Dear Mr. Martell:

The board voted to appoint an interim superintendent in open public session.
The statement that the board made any final decision or voted in executive session is inaccurate.

The board met with legal counsel in executive session, as it is authorized to do under ORS 192.660(2)(f). The contents of that discussion are privileged and confidential.

There is not a recording of the executive session, and as of today's date I have not finalized minutes from that meeting, which in any event, would most likely be exempt from disclosure under ORS 192.660(2)(9) and ORS 192.650(2).

[Quoted text hidden]

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Tabitha Renne
Executive Assistant to Dr. Paula Radich, Interim Superintendent
Executive Assistant to Dr. Stephen Phillips, Superintendent
Newberg School District
[714 E 6th St.](#)
[Newberg, OR 97132](#)
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Power Palace <powerpalacegym@gmail.com>
To: rennet@newberg.k12.or.us

Fri, Jun 14, 2024 at 12:08 PM

I noticed in your response that you did not say that a discussion about hiring the interim superintendent did not take place during the executive session.

In order for conversations in an executive session to be exempt from public disclosure the board must declare what they are going to talk about that is going to be exempt from public disclosure. This is the law.

Because the board did the vote to hire without having any prior detailed discussion about hiring the interim superintendent and did so upon leaving the executive session this strongly implies to me the board had some kind of lengthy discussion about hiring an interim superintendent during the executive session. And it doesn't sound like you are denying that such a conversation took place. This is especially troubling because the district never made any public notice that they were going to be doing such a hiring in the first place.

If such a conversation was had during the executive session, because it wouldn't have been previously declared that they would be discussing the hiring of the interim superintendent of the district, that conversation cannot legally be part of the executive session and is therefore subject to public records request. First state law there has to be a recording of what was discussed during that session including the recording of the meeting minutes of what took place during the executive session.

Executive sessions are not for discussing anything and everything that a board wants to discuss that they would like to hide from the public. It must be declared to the public before the executive session takes place specifically what kinds of subjects are going to be discussed during that executive session, so that the public has some notice before the meeting that the subjects are going to be discussed by the board.

Therefore I am writing again that if there was any conversations about,

--considering the employment of a public officer, employee, staff member or individual agent.

- consider the dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent who does not request an open hearing.

If any of these subjects were discussed during the executive session then it was not disclosed to the public ahead of time these subjects would be discussed and therefore these conversations are not privy to exemption from public records request because they were not legally part of the executive session.

If you are having trouble understanding this I advise you to look at the Oregon State website

<https://www.oregon.gov/ogec/public-meetings-law/pages/executive-session.aspx>

I have attached a screenshot of the relevant section of the website.

If I do not receive a satisfactory response that either indicates no conversations took place about the hiring of the interim superintendent during the executive session or that fulfills the public records request because such a conversation did happen, I will be appealing to the district attorney and potentially filing a lawsuit. If you insist that no records exist at all of what was discussed during the executive session I will also be filing a complaint to the district attorney for violation of state law.

Carey Martell

Editor, Yamhill Advocate

[Quoted text hidden]



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645K