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Teachers' union wins fight to halt e-mails; Howell case up for appeal

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A Wayne County judge has sided with the Michigan Education Association to stop the Wayne-Westland Community Schools district from releasing union-related e-mails sought under the Freedom of Information Act.

A similar case recently decided in Livingston County is pending an appeal.

Representatives with Education Action Group, an organization seeking school spending reform, sought the e-mails of teachers' union President Nancy Strachan, which were written on a taxpayer-funded e-mail account. However, the MEA filed suit against the district to stop the release of the documents.

The documents were to be released Friday, but Wayne County Circuit Judge Kathleen MacDonald on Thursday issued a temporary restraining order blocking the school district from producing the requested information. The matter will be decided at a later date.

EAG alleges the judge did not give its side "reasonable opportunity to get legal counsel."

"EAG was completely bushwhacked. We have not obtained legal counsel because the issue was between EAG and the school district and the district never gave any indication (they) would be unable to fill the request," an EAG spokesperson said in an e-mail statement. "What was done (Thursday) was totally unfair, denied us due process, and illegal. We are evaluating our options, but are determined to protect the public's right to know and will fight ever harder for the documents to receive the sunlight they deserve."

The case is similar to one recently decided in Livingston County Circuit Court.

Judge Stanley J. Latreille ordered in October that the estimated 5,500 e-mails written by Howell Public Schools union leaders on school computers are public record and should be released to an Oakland County researcher, who requested the information under FOIA.

The teachers' union, however, is appealing that decision.

Initially, administrators had started releasing the e-mails to the researcher until the Howell Education Association teachers' union sued to block them.

The researcher, Chetly Zarko, requested the 2007 correspondence of the former HEA president and other officials discussing election candidates, officials in office or ballot proposals. He said he expects to find communications about a small percentage of teachers who wanted to accept an additional 1 percent pay increase on top of what was offered instead of the union-affiliated health benefits, which was a sticking point during negotiations and resulted in HEA protests at school board meetings. This is a matter facing many school districts in Michigan, he said.

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