

Judge blocks release of e-mails sent by WWEA president

BY SUE MASON • OBSERVER STAFF WRITER • DECEMBER 11, 2008

A Wayne County Circuit Court judge has stopped the release of messages sent by the president of the Wayne-Westland Education Association to a west Michigan education watchdog group.

Last week, Judge Kathleen McDonald blocked the release of the e-mails to the Education Action Group which requested them through a Freedom of Information Act request filed Nov. 11 with the Wayne-Westland Community Schools.

"The EAG was completely bushwhacked," said Kyle Olson, EAG vice president of strategy. "We did not obtain legal counsel because the issue was between EAG and the school district and the district never gave any indication that it would be unable to fill the request."

Olson also called McDonald's decision "totally unfair" and "illegal," and said it denied the group due process.

EAG had requested copies of communications WWEA President Nancy Strachan had sent using a "taxpayer-funded e-mail account." According to Olson, the request was to determine the union's communications with the Michigan Education Association during a four-day teacher strike in October as well as the extent of union involvement in the recall effort of Wayne-Westland school board members Martha Pitsenbarger and Skip Monit.

"We have no interest in Strachan's communications with teachers regarding the education of Wayne-Westland kids," he said. "We're simply trying to get to the bottom of the union's involvement in the recall effort the organizers say stems from the union's 'illegal withholding of services' related to the four-day strike."

The e-mails were set to be released last Friday, however, McDonald sided with the Michigan Education Association which filed a lawsuit against the school district last Wednesday to stop the release of the e-mails.

The MEA declined comment on the lawsuit, citing an agreement to refrain from comment engineered by administrative law Judge Doyle O'Connor of the Michigan Employee Relations Commission. The school district and the WWEA are engaged in fact-finding in an effort to hammer out a new contract.

McDonald issued a temporary restraining order last Thursday, a move Olson called "unprecedented" in that a nongovernment plaintiff was given standing as a plaintiff in a FOIA case.

Referring to the text messaging scandal in Detroit, Olson said the public's right to make fair judgments should outweigh the union's attempt to cover up their president's "careless use of taxpayer-funded equipment."

Olson said that EAG is evaluating its options, adding that the nonprofit, nonpartisan group "will fight the union every step of the way" to get the information released.