

STHS gets second chance by accreditation team

By Kathryn Reed

While a bit of apprehension fills the halls of South Tahoe High School because of next week's visit from the accreditation team, optimism also abounds because there is the belief the original decree handed down last spring was based on faulty assessments.

Being an accredited high school is huge, especially when it comes to colleges looking at applicants.

South Tahoe High is accredited.

The issue is that instead of receiving a six-year accreditation, the school received a two-year probationary status. The district is appealing it based on three issues. In the letter to the certifying board Lake Tahoe Unified School District Superintendent Jim Tarwater and STHS Principal Chad Houck said the grounds for the appeal are:

- We believe there are errors in carrying the prescribed procedures on the part of the evaluation team;
- We believe there was demonstrable bias or prejudice on the part of one or more members of the evaluation team which may have materially affected the commission's decision;
- We believe the evidence before the commission prior to and on the date the decision which is being appealed was made, was materially in error and misrepresented; potentially a result of the first ground for appeal.

The entire appeal letter is one page with no supporting documentation for why the district believes the above statements.

"I think it's most valuable that the public realize we have an amazing facility with an amazing staff," Tarwater told *Lake Tahoe News*. "The fact the WASC process didn't turn out the way we wanted was a kick in the gut. Many said it was not right and that is why we appealed. Regardless of the process we won't stop trying to be awesome for kids."

While it's normal for the team to talk to the superintendent, they skipped Tarwater. That isn't going to happen during the re-evaluation.

"When they come talk to me, I have the data," Tarwater said.

On Nov. 30 a team of three from the Western Association of Schools and Colleges will be in town to reassess the high school. One person was part of the original team, two will be new. The original team had three teachers, two principals and a field rep from the state Department of Education. The new ruling will come out in January. The two likely outcomes are either the probationary status remains in place or a longer non-probationary accreditation is granted.

"They didn't find anything we didn't already know and weren't already working on," Houck told *Lake Tahoe News*.



Some question whether sports are taking a greater priority at STHS than academics. Photo/Provided

Looking within

“I take it a little personally because I know we do great things for the kids that were not reflected in the report,” one teacher told *Lake Tahoe News*. No teacher would let *LTN* publish his or her name.

LTUSD is very much a top down district with site administrators taking their cues from the district office. Houck, like all principals, is on a year-to-year contract.

A lack of communication exists between the district office and school sites. But there is also a chasm at the high school with some instructors believing Houck caters to his favorites.

“You have to develop a culture of trust where people feel comfortable saying there is a problem, otherwise you never address it,” one educator told *Lake Tahoe News*.

While the evaluation team looks at hard data, members also do a series of interviews. They try to get a feel for the

atmosphere on the campus. They care about a lot more than athletics, which some people believe has been a growing priority at STHS to the detriment of academics.

A veteran of the process on both sides of the aisle – meaning as an evaluator and being evaluated, summed it by saying, “They are making sure you are being honest.”

While Tarwater defended the district’s incremental approach to Common Core, there are board members this year who have questioned the slowness – though not publicly. Tarwater told *LTN* that all teachers who are supposed to be trained in Common Core are trained.

Even though the district believes the outcome was unjustified, changes have taken place since last spring. Common Core is being implemented to a greater degree. Viking Goals are being discussed with students. Student outcomes are not just measured by the letter grade, but new metrics that have been initiated, according to Houck.



The new facilities received high marks by the accreditation team.

The evaluation process

Schools do a self-evaluation that is long and involved. Then a team of educators convened by WASC does a multi-day visit to basically grade the site on the self-evaluation. It's normal for schools to point out deficiencies. What WASC looks for is having a plan in place to rectify the shortcomings.

That self-evaluation was done under Houck's first year as principal of STHS. This is his third year.

Teachers and administrators from other districts make up a visiting WASC team.

Fred Van Leuzen, executive director of Western Association of Schools and Colleges which is based in the Bay Area, did not return multiple calls. Staff told *LTN* he is the only one who can talk to the media.

This means WASC can't explain:

- Why they didn't meet with the superintendent.
- Why they didn't meet with the entire leadership team.
- If the outcome was directly tied to school leadership.
- How they ensure the district-to-district evaluation is equitable.
- If past performance was considered when finalizing the assessment.
- If they evaluated all the evidence provided by the school. Much of STHS' data is digital and there isn't any way to prove they looked at it and considered it in their evaluation.
- If there is an evaluators' evaluation or how they

assess the credibility of the people who make up the evaluation team.

The seven accreditation principles are:

- Accomplishment of school purpose, such as core beliefs, vision, mission, and schoolwide learner outcome.
- High achievement of all students based on schoolwide learner outcomes/curricular standards.
- Use of multiple ways to analyze data about student achievement.
- Program evaluation in relation to schoolwide learner outcomes, standards and research-based Accrediting Commission of Schools-WASC criteria and indicators.
- Alignment of findings to a schoolwide action plan.
- Evaluation of ongoing improvement and impact on student learning.
- Total involvement/collaboration of all leaders, board members, teachers, staff, students, parents, and others.

In the 30-page initial report to the district, the team had several concerns. Most centered on the district being slow to implement Common Core, and no real way to know students are learning what is being taught.

Highlights from the report include:

- The self-study had one year of data on attendance rates, EL/LEP population, teacher, class sizes and dropout rates.
- While the expected learner outcomes are measureable, the school is trying to determine how these goals will be monitored. When informally asked about the Viking Goals many students did not have knowledge of them.

- The school provided very little data about students and student achievement in the self-study. The data that was provided had little analysis.

- While the school has a Schoolwide Action Plan, there is no evidence on a long-range action plan regarding the school's areas of need. The administration acknowledges that they need to develop and implement an accountability system for monitoring the schoolwide learner outcomes.

- Staff appear to be involved in shared responsibility and actions; however, accountability for student learning is less clear.

- The lack of collaboration time for teachers is viewed as an obstacle to success that is complicated by contract issues, including the use of prep minutes.

- Teachers at STHS have taken advantage of a number of tools and resources in the adoption and implementation of [Common Core State Standards], however, there is much to be done in terms of a comprehensive approach toward the implementation of curriculum that requires a more contemporary pedagogical approach. ... Discussions with the staff and school's administration confirmed that great strides are currently under way but the process lacks consistency due to minimal support at the district level as well as a lack of allocation of funds to support an increase of common planning time for the teachers.

- STHS does not have a formal process in place for the evaluation of courses by continually assessing the effectiveness of their course offerings and making adjustments as needed.

- Common Core State Standards implementation is a stated weakness in the self-study report. Teachers have received little or no training about the CCSS and implementation is sporadic to nonexistent.

· (Need to) provide courses that meet the needs of all student subgroups.

Opinion: Tahoe needs to focus on transportation

By Joanne Marchetta

By now, most people have heard: Federal courts upheld the 2012 Regional Plan for Lake Tahoe, affirming the blueprint that maintains development caps and strengthens environmental protections while encouraging community revitalization, redevelopment, and updated infrastructure.

Capturing the most attention these days is the traffic in our small communities from millions of people who drive up to enjoy our lake. And the transportation system is where TRPA is giving more focused attention to benefit Tahoe's environment, economy, and quality of life.



Joann
Marchetta

TRPA is working on its transportation plan, Linking Tahoe, as an essential foundation to maintain Tahoe's quality of life. We have reached out to residents, visitors, and government

partners, and heard from all of them that Tahoe's transportation system needs major improvements.

Recent project approvals just outside the Tahoe basin have heightened public scrutiny of the region's transportation shortcomings. During peak times, roadways are clogged, parking areas are full, there's a shortage of places to charge electric vehicles, and transit service is limited.

And that's not the whole of it. Population growth in Reno, Sacramento, and the Bay Area means tens of thousands more people will be traveling to our region to enjoy the lake and mountains on any given day in years to come. Finding ways to better handle this visitation is a reality that needs to be addressed.

As these metro areas grow, we cannot simply build a wall to keep people out or build bigger roads to accommodate more traffic. We need a mix of solutions: targeted road and parking projects, transit services and transit priority lanes, bike and pedestrian routes, better technology, and creative strategies to manage traffic volumes. We need to make it easier and more rewarding for people to get to, from, and around the Tahoe basin without having to get in a car at all.

The biggest question is how to pay for these improvements. November election results on transportation funding measures give us a better sense of what the public is willing to support.

All around California, voters both supported and rejected sales tax and bond measures to pay for transportation projects. In the Bay Area, voters overwhelmingly passed ballot measures to raise billions of dollars in funding for roads, trails, affordable housing, and transit where they live and work.

Nationwide, voters passed 34 of 49 local and statewide ballot measures for transit funding, measures that will raise nearly

\$200 billion for their home districts. This was the largest number of ballot measures and the largest collective amounts for transit funding in an election in the country's history, according to the American Public Transportation Association.

More counties are working on their own sales taxes and other measures to pay for transportation. That's because state and federal fuel taxes are not raising enough money to pay for the transportation repairs and upgrades communities want and need.

With limited exceptions, funding successes in our visitors' metropolitan home districts were not matched here at Lake Tahoe this election. Yet we know there is widespread support for building bike and pedestrian trails that serve our communities by linking neighborhoods and tourist lodging to schools, jobs, shopping centers, and recreation areas. Tahoe has made tremendous progress on this front, building 150 miles of bike and pedestrian routes over the last 20 years. But the bigger game changers for the transportation system will require much more. We know many residents and visitors want more transit routes and more frequent service. When providers offer free and more frequent service, people use it.

Transportation projects are one of the best ways to achieve our many goals for Tahoe. They can enhance recreation opportunities, revitalize communities, reduce stormwater pollution, and get people out of cars to reduce emissions. Going forward, the hard question is how we'll pay for these transportation improvements.

Recent changes to federal transportation laws recognize the heavy visitation to Lake Tahoe and we expect to see more federal funding. This new funding will help, but it will not be enough. We must have a broad discussion on this important question, involving all our partners and communities in the Tahoe Basin. TRPA is reaching out to partners in neighboring metro areas to involve them as well.

What transportation costs should be paid by residents, businesses, second-home owners, or the millions of people who drive up to Lake Tahoe? What share should be paid by gasoline taxes, sales taxes, or other innovative funding measures? The answers to these questions are not yet clear at Tahoe. But the discussion is necessary and the need is urgent. As with all success at Tahoe, like that of the 2012 Regional Plan, by working together and bringing forward our best ideas, we can find solutions. And our communities and our lake will be all the healthier for it.

Joanne Marchetta is executive director of the Tahoe Regional Planning Agency.

Nevada to focus on inmates' mental health issues

By Sandra Chereb, Las Vegas Review-Journal

The state Department of Corrections is establishing a designated mental health facility at Northern Nevada Correctional Center to provide coordinated treatment for inmates housed around the state, Director James Dzurenda said.

Dzurenda told the state Board of Prison Commissioners, chaired by Gov. Brian Sandoval, that the goal is to concentrate services in one location and allow medical staff to tailor treatment to individual inmates.

The changes are being implemented in stages, Dzurenda said. The correctional center in Carson City will have an acute mental health unit for seriously mentally ill inmates. The facility also will have a transitional unit for inmates who

have stabilized. Another transitional unit is being established at nearby Warm Springs Correctional Center.

Read the whole story

Teen admits murdering man in S. Lake Tahoe

One of the men accused of murdering a man in South Lake Tahoe earlier this could be going to prison for life.

Tristan Batten, 18, of Vallejo on Nov. 22 pleaded guilty to murder, involuntary manslaughter, second degree robbery and second degree robbery where a weapon was present. He will be sentenced next year. Details of the plea agreement have not been released.



Tristan Batten

Batten is one of seven people arrested in Jan. 30 murder of Dennis Wright, 40. He was gunned down in the parking lot of the Beverly Lodge in South Lake Tahoe during a drug deal turned robbery-murder.

Other suspects in this case include:

- Tevarez Lopez, 33 – charged with murder

- Domenic Randolph, 22 – charged with murder
- Andrew Adams, 25 – charged with murder
- Harvest Davidson, 20 – charged with murder
- Vanessa Muzio, 18 – charged with accessory to murder
- Dion Jermaine Vaccaro, 24 – charged with murder.

– *Lake Tahoe News staff report*

Middle school suicides in U.S. reach all-time high

By Elissa Nadworny, NPR

There's a perception that children don't kill themselves, but that's just not true. A report shows that, for the first time, suicide rates for U.S. middle school students have surpassed the rate of death by car crashes.

The suicide rate among youngsters ages 10 to 14 has been steadily rising, and doubled in the U.S. from 2007 to 2014, according to the Centers for Disease Control and Prevention. In 2014, 425 young people 10 to 14 years of age died by suicide.

"Kids spend a lot of time at school ... it's where they live their lives," says David Jobes, who heads the Suicide Prevention Lab at Catholic University in Washington, D.C. "Suicide prevention has been focused on schools for a long time because it's a place where kids are and where a lot of problems can manifest."

Read the whole story

CalPERS eyes higher contribution rates

By Dale Kasler, Sacramento Bee

CalPERS is preparing more pension rate hikes, and they could cost government agencies billions of dollars.

With consultants predicting long-term declines in investment earnings, the big California pension fund is considering substantially higher contribution rates for the state and the thousands of municipalities and school districts that rely on CalPERS to serve their retirees. Workers could get hit with higher contributions, too, although that would depend on contract negotiations.

A decision isn't likely until February, but CalPERS' deliberations are already causing anguish to employers, employees and the pension fund itself. The move will surely cause more budget strain for government agencies, particularly at the local level, even though the higher rates are likely to be phased in over a number of years.

Read the whole story

Snippets about Lake Tahoe

- Kirkwood Mountain Resort plans to open Nov. 26.
 - The Roemers will play at Whiskey Dicks in South Lake Tahoe for free on Dec. 24. Doors open at 9pm.
 - All proceeds from lift tickets purchased at Squaw Valley and Alpine Meadows on opening day (Nov. 23) will benefit Squaw Valley Alpine Meadows Foundation (SAF), a nonprofit organization dedicated to providing scholarships to Squaw Valley Alpine Meadows athletes and coaches.
 - Stateline's Weidinger PR received awards for each of its three entries in the Public Relations Society of America, Sierra Nevada Chapter Silver Spikes Awards. The firm's public relations efforts for the groundbreaking of Edgewood Tahoe Lodge captured the Silver Spike for Special Events and Observances, 1 or 2 days. Awards of excellence were earned for the Operation Sierra Storm, Tahoe meteorological conference in Special Events and Observances, 3 or more days; and celebrity golf tournament Diamond Resorts Invitational for Overall Program.
-

Trap at Skyland removed without bear



A trap was set, but no bear caught last week in Skyland. Photo/Provided

Nevada Department of Wildlife officials removed a bear trap sitting outside a Skyland residence without having caught the bear.

The trap was set Nov. 14 and removed Nov. 18. NDOW places traps upon a homeowner's request. This is the 11th trap this year removed without having caught a bear.

The neighbor, according to the Bear League, has a penchant for leaving trash out.

The Bear League tried to reach out to the homeowner and offered non-lethal methods of deterrents.

– Lake Tahoe News staff report

Caesars bankruptcy heads to showdown

By Tracy Rucinski, Reuters

The U.S. government's bankruptcy watchdog objected on Monday

to a Caesars Entertainment Corp (CZR.0) subsidiary's proposal to exit Chapter 11, threatening to derail a largely consensual plan to slash \$10 billion of debt.

The Caesars subsidiary, Caesars Entertainment Operating Co Inc (CEOC), filed an \$18 billion bankruptcy in January 2015 amid allegations by creditors that its private equity-backed parent had looted the unit of its best assets and stripped debt guarantees.

Feuding parties made a peace deal in September that included a \$5 billion contribution by Caesars to the unit's reorganization plan in exchange for releases from billions of dollars in potential legal claims.

Caesars is the parent company of Harrah's Lake Tahoe and Harveys in Stateline.

Read the whole story

Few consequences for government hiding records

By Miranda S. Spivack, Reveal

For more than three decades, Nick Maravell and his family farmed on a 20-acre plot in suburban Maryland, tucked between the Potomac River and megamansions in Potomac, a tony suburb that is home to powerful lobbyists, government contractors and other wealthy families.

Nick's Organic Farm, a relaxed place where customers would stop by to pick up some vegetables or simply drop in for a chat, was a tenant on land owned by the county public school

system. But one day in 2011, Maravell got some bad news. Montgomery County's top elected official and his aides had been negotiating in secret to get the school board to kick out Maravell's farm and rent the site to a private soccer club.

"It caught everybody by surprise," said Curt Uhre, a neighbor.

Public contracts shrouded in secrecy

Residents who cherished the farm quickly rallied to Maravell's side. Worried about traffic and the potential loss of open space, they began researching the county's proposal to convert the farm to soccer fields.

During the legal fight, they also began learning about Maryland's open records law. Used frequently by journalists and business interests, the state's public records law allowed them to seek government documents – memos, officials' calendars and other items – that might offer clues to how the deal was done or hints about who had been speaking with whom, when the plans were hatched and why.

But when residents asked for those documents, they hit a wall: Montgomery County government officials said they could not find many emails, letters and calendars related to their search.

This seemed preposterous, so the residents took the only route available to them – they went to court. A skeptical county judge urged the government to look anew for missing documents. Officials soon managed to find most of what the residents had sought.

The details weren't pretty.

Documents showed that County Executive Isiah Leggett, a Democrat, less than a year from his next election, had been pushing behind closed doors for the private soccer club to take over the site and attempting to pressure a reluctant

school board, even though in theory he had no power over school system decisions.

The Maryland Open Meetings Compliance Board also found that the school board had violated the state's open meetings law by discussing the lease deal in closed session.

Patrick Lacefield, Leggett's spokesman, sees the dispute differently.

"The issue was not transparency," Lacefield wrote in an email. "That was a ruse to advance the substance of those opposed to the project – that they opposed using public land located near their exclusive neighborhood so that kids, including disadvantaged kids, could have a place to play soccer."

The battle over the fate of the farm spanned two years and cost the residents at least \$100,000 in legal fees, Uhre said. Was the county's failure to provide key information to the public due to lack of knowledge of the state's open meetings law? Sloppy record keeping? Deliberate obfuscation? It was impossible to tell.

This expensive, drawn-out dispute was over a single plot of land and some soccer fields. But the story of Nick's Organic Farm is far from unique. The same thing is happening across the United States.

While much media attention is focused on federal government secrecy, secretive practices of state and local governments often get less scrutiny but frequently have a more immediate impact on communities.

Details of emergency management plans that would inform residents how their government will operate in a hurricane, earthquake or other catastrophic event can be hidden in the name of national security. Information about an unplanned shutdown at the nuclear plant up the road can be delayed or kept secret. Should residents be able to learn who has guns in

their neighborhood, information that most states have in recent years decided to make off-limits to the public? Should police videos be kept out of the public's hands in the name of privacy?

There are no definitive national studies of the scope of state and local secrecy, but the studies, surveys and anecdotal evidence that do exist strongly suggest state and local government secrecy has increased in the past 10 years. While there are many reasons for this, it has coincided with a decline in local news coverage, technological advances that governments haven't been able to afford and an increase in outsourcing of government functions to private entities.

Whatever the causes, lack of transparency by state and local governments can discourage civic discourse and grass-roots engagement with government, as a frustrated public often simply gives up after struggling but failing to find out what is going on close to home.

Robert J. Freeman, executive director of New York's publicly funded Committee on Open Government, one of few such agencies in the country, says U.S. jurisdictions have fallen behind countries such as Estonia, Mexico and Peru in sharing records and keeping public meetings public.

"You need a government champion who works independently to make the laws work," he said. But few governments in the U.S. have them. In many states, the only way to pry loose information is to file a lawsuit.

The rise in government secrecy carries a big cost. When governments have to defend lawsuits or other proceedings challenging their practices, the public bears the expense. When governments fail to post documents on a website and instead respond to repeated queries from the public by photocopying the same material again and again, there is waste. Perhaps most significantly, lack of transparency poses

a major risk to good government: When the public is shut out and information is hard to get, governments can mask poor practices, corruption, waste, fraud and abuse.

State and local secrecy takes many forms. Some communities fail to provide budget information that is clear and easy to understand, or they list contracts but don't explain why they were awarded. Others try to charge excessive fees for information – sometimes millions of dollars, as the Massachusetts State Police did to a lawyer seeking information about drunken driving tests – hire outside companies to supply data at extraordinary prices or evade open meetings laws by creating small subcommittees that they claim are exempt from the statutes.

Many state and local governments cite national security to withhold information. This means that something relatively simple, such as finding out who is getting a contract to clean the offices at a local nuclear power plant, can become a ridiculously expensive legal battle.

When members of the public seek information – such as the residents who wanted to find out why Nick's Organic Farm was being evicted – they often bump into impenetrable walls. Information laws in many states are weak, enforcement by governments is limited and appeals are difficult.

Many states have no meaningful internal appeal system, often forcing anyone who wants to appeal to head to the courthouse, which for many people is a fight that becomes out of their financial reach. Among the exceptions are Connecticut, Florida and New York where someone denied information may have an opportunity to appeal administratively and, in many instances, without cost. Maryland recently changed its laws to include a state ombudsman for public information who is supposed to help those seeking government information, without charging fees to do so.

Courts sometimes have enabled state and local secrecy. The U.S. Supreme Court said in 2013 that the Virginia government – and other states, if they choose to – had to provide public information only to state residents. That left thousands of businesses around the world – large and small – scrambling to stay informed about state regulations, contracts and other necessities. And reporters from news organizations outside the state are forced to find local reporters to file requests for information vital to their investigations.

The events of 9/11 caused new retrenchment on openness. The League of Women Voters in 2006 found that there was a “growing difficulty” in gaining access to public information, much of it justified as “critical to protect homeland security.” And the National Freedom of Information Coalition, in more recent surveys, has found “a greater inclination among government officials for gaming the system than complying with existing disclosure and accountability laws.”

There are many examples of what the coalition believes is gaming the system.

As he was poised to launch his campaign for president in 2015, Wisconsin Gov. Scott Walker hatched a plan with Republican colleagues to drastically reduce public access to state government documents and emails in a state with a long history of government transparency. Initially Walker denied that the idea originated in his administration, but emails obtained through open records requests by news organizations in the state revealed that Walker had misled the public about his administration’s key role.

Massachusetts State Police demanded \$2.7 million to retrieve documents when a lawyer asked for data on breath alcohol tests. In Tennessee, a state board created to assess state transparency regulations held meetings in secret. In Maryland, the same county government that thwarted residents in the Nick’s Organic Farm case asked a resident to pay more than

\$58,000 for information about a public library project.

As for Maravell, he eventually moved out, having decided the future in Potomac was too uncertain. In late 2015, Montgomery County officials contemplated a new proposal for the site – a solar farm on the fields Maravell once cultivated. But the neighbors geared up again, ready to do battle. This time, it took the county only a few months to drop its plans.

Digital era introduces new problems

Technological advances have been a mixed bag for state and local government transparency. Megan Rhyne, who leads the Virginia Coalition for Open Government, said the digital era has ushered in new problems for governments that do try to make information more accessible.

“Electronic records have not made things easier,” she said. “Local and state officials are drowning. There are copies floating all over the place, which on the one hand should make them easier to find, but on the other hand, it is harder, because they don’t know who has it. They are trying new solutions for email management and trying to keep track of emails while not jamming their servers. Everyone thought that the digital age would make things easier, but it really hasn’t.”

In New Jersey, Rutgers University labor studies professor Janice Fine sought state data about a range of government functions, only to find that it existed but wasn’t in any useful form.

“It was impossible to disaggregate data,” she said, making it impossible to look for trends or patterns of spending when she was investigating contracting and labor practices.

Many governments are struggling to capitalize on the digital age. Overwhelmed by data, they cannot centralize information, ensure that it is understandable and struggle to make it

public even when they want to. Often, agencies in the same government have purchased different software and hardware and are unable to produce datasets or lists of contracts that include the entire government.

Many governments, especially smaller municipalities or townships, don't have enough bandwidth to allow them to post data and documents. And if they are able to post information, it can be fairly useless – a list of numbers or dollar values with little to no explanation of what they represent.

"It's not always intentional," Fine said.

That often leaves government officials erring on the side of withholding information.

"When in doubt, leave it out," is the way that Thomas Susman, an American Bar Association official, describes this tendency. Susman, as a top aide to then-Sen. Ted Kennedy, D-Mass., helped shepherd expansion of the federal Freedom of Information Act through Congress when it was amended in 1974.

Tight budgets often are used as a rationale for limiting state and local transparency. In California – where there is a state constitutional right to public access, but also a constitutional right to privacy – the Assembly in 2013 pushed to exempt local governments from disclosure rules because of tight budgets. A year later, voters approved a ballot measure that required local governments to comply with open records regulations.

As public education has become privatized with the rise of charter schools, information about the publicly funded schools has become difficult to obtain, said Lisa Graves, a former Justice Department official who leads a Wisconsin-based nonprofit looking at charters.

In Arizona, for instance, the state has set up nongovernmental nonprofit entities to oversee the charters, immediately

putting off-limits for at least a year any information about staffing, salaries, contracts and other information that public school systems usually are required to disclose, she said. (Some of the information is available a year later in the nonprofits' IRS Form 990 filings.)

Little enforcement of open records laws

Only a handful of states in the U.S. have any reliable system for enforcing their own open meetings and open records laws. Most rely on private parties to press for enforcement.

Too often, it is the community activist whose interest in government information is sparked by a local fight – over development, schools, traffic or crime – who bears the burden and cost of trying to enforce those laws.

Data from the John S. and James L. Knight Foundation show journalists' efforts to battle these issues are diminishing and it often is residents who are engaging in the fights. Local and state enforcement is complaint-driven: Attorneys general aren't trying to enforce these laws, only responding to complaints.

The University System of Maryland Board of Regents, which got into trouble in 2013 for holding illegal closed-door sessions on a proposed move of its flagship campus to the Big Ten athletic conference and offered many mea culpas, apparently isn't eager to change its ways. Earlier this year, the board tried to get the state General Assembly to make it easier to meet in secret, a move that was ignored by major news organizations but chronicled by the campus' student newspaper. The proposed legislation died in Annapolis.

In Texas, several city councils conducted business by email, claiming they had privacy protections under the First Amendment. The U.S. Court of Appeals for the 5th Circuit in 2012 upheld a local statute that criminalized violations of the open meetings law, saying that "there is reason to think

that the First Amendment does not protect the right of government officials to deliberate in private, given that it sometimes requires them to open their proceedings to the public.”

Lawmakers had complained that it was impinging on their First Amendment rights to speak freely (and in private).

In San Jose, resident Ted Smith filed a public records request seeking information about a downtown development project partly funded with public money. The city turned down his request for official emails because the mayor and council members had sent them on their personal accounts. Smith sued, and the case is now before the California Supreme Court. In San Diego, Donna Frye, a former city council member, is working to win support for a ballot measure that would make city officials’ texts, emails and other correspondence on private phones, tablets and other personal devices public information.

Oklahoma’s public university regents set up small subcommittees that don’t equal a quorum – allowing them to meet behind closed doors. Officials at the University of Kentucky, who are balking at releasing information about a completed sexual assault investigation implicating a now-former faculty member, in August announced that they were suing the university’s student newspaper to try to prevent disclosure. The state attorney general had ordered disclosure of most documents, and the university can appeal that ruling only by going to court against the student newspaper.

In Oklahoma, journalism professor Joey Senat has urged local prosecutors to do more to file complaints against government wrongdoers, but he says that too often, their fear of offending fellow government agencies makes them reluctant to move on a violation that is only a misdemeanor.

“We have asked the DA to press charges, but they rarely do,”

he said. As for public universities, Senat said the situation in Oklahoma is far from unique. "Public universities across the country don't seem to understand what that means to be a public university," he said.

Police body cameras: Whose footage is it?

One more critical issue is bedeviling open records advocates and the government.

Across the country, thousands of police officers have begun to wear body cameras to record their actions – but in many communities, there are fierce debates about whether the video footage should be public and who actually controls the footage. In most cases, Axon, a Taser company, has control of the footage. Axon body cameras are used by many major city police departments, including Cleveland; Fort Worth, Texas; Los Angeles and Philadelphia.

In North Carolina, the governor in July signed a law excluding body camera footage from the public record. New Hampshire, Minnesota and Louisiana also recently passed laws restricting public access to such footage. At least 19 states and the District of Columbia have enacted laws limiting access to law enforcement video footage.

Sarah Lustbader, a former Bronx, N.Y., public defender who is examining police policies about who gets access to body and dashboard camera footage, said the cameras have morphed into a tool for police protection instead of a means for the public to get a clearer understanding of incidents.

"We were told these body cameras would help prevent some of the police abuses we have seen over and over again," she said. "Instead, the federal government, which has poured a lot of money into body cameras, has put (control of) the programs into the hands of the party they were supposed to be a check on."

"I know of no jurisdictions where police do not have custody and control of their footage," she said. "Body camera footage has become an evidence tool for police, not a tool for police accountability."

Dan Bevarly, interim executive director of the National Freedom of Information Coalition at the University of Missouri, said residents increasingly must help fill in the gaps. But he said it's unclear whether many communities can engage in efforts such as those in Potomac, Maryland, where a sophisticated and expensive legal battle helped give organic farmer Nick Maravell a reprieve.

"As the media disappears from public meetings, will the citizens step up?" Bevarly asked.