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News

Castleford School Board Wants to Put Legal Notices Online

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November 07, 2015 2:00 am • JULIE WOOTTON jwootton@magicvalley.com (10) Comments

CASTLEFORD • Castleford's school board wants to change state law so it can publish legal notices on its website instead of in a local newspaper, a move opponents say would harm government transparency.

The district is bringing a resolution to the Idaho School Boards Association during a convention Nov. 13 in Coeur d'Alene. If it's adopted, the school boards would lobby state lawmakers next session. The law now requires school districts and public charter schools to publish legal notices — such as for budget hearings — in a local newspaper.

Castleford school officials say they could save money and reach more people on their website. But newspapers are lining up against the change, saying schools would no longer be accountable to the public for sharing important information.

"It seems extremely short-sighted to push forward with this kind of resolution," said Jeremy Pisca, a Boise-based attorney who represents the Newspaper Association of Idaho.

It's poor timing for the ISBA to look at a resolution that provides less transparency, he added, and hopes members will vote down the proposal.

Castleford's legal notice resolution is among 12 proposals statewide. If approved by a majority of ISBA members, it

Related Documents

ISBA resolutions

2016 Proposed Resolutions

Resolutions representing the views and positions of the Idaho School Boards Association (ISBA). Resolutions and amendments shall be considered one of the most important decisions of the Annual Convention. Resolutions adopted at the Annual Convention automatically remain valid until the ISBA for a period of two years, unless otherwise specified.

No.	Resolution	Submitted by
1	Public Notice Alternatives	Castibon
2	Revenue Against Controversial	Castibon
3	Local Option Sales Tax for School Construction	Lewisville
4	Discretion of State of Public Property While Operating Resolutions	Carrollwood, Missouri
5	Parental Rights	Paasch/Chadwick
6	Early Day Closures	Waller
7	Changes to Requirements in the School Board Student Program	Taylor, American Falls, Jerome
8	Teacher and Principal Evaluation Variables	Greenlee
9	Administrators in Districts with Remote Schools	Duffin, Mountain View, Pocatello
10	Revised the Member National Assessment Certification Title	Boise
11	Public Works Construction	Boundary County
12	Information on How to Withdraw Resolutions	Missouri

*Resolutions were numbered pursuant to the order in which they were received.

Other Resolutions

One of the highest-profile resolutions this year comes from Lewiston. The school board wants a local option sales tax to be an option for funding school construction projects.

Many school districts struggle to get the required two-thirds supermajority to pass a facilities bond, the resolution states.

That could affect the Wendell

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will become part of the association's 2016 legislative agenda.

The ISBA's executive board gave the resolution a "do pass" recommendation.

Though Castleford says the change is to save money, the district paid an average of just \$187.59 for legal notices over the past three years, according to documents obtained by the *Times-News* through a public records request. That's less than 1 percent of the district's total budget.

Newspapers are also raising questions about whether districts can be trusted to post the information online. Last month, Castleford's website had broken links to financial information that's required by law to be posted. And on Thursday and Friday, the website was down completely, displaying only an error message.

Newspapers also argue that printing notices in papers would be more affordable for smaller districts than paying employees to ensure the notices are properly posted on their websites.

Castleford began to reconsider its legal notices when the Buhl Herald closed in March. The school board needed another place to publish them and switched to the *Times-News*. School board chairman Todd Wells said he doesn't think the rates are high compared with other newspapers nationwide, but the *Times-News* rates were "significantly higher than the Buhl Herald."

When the Buhl Herald reopened after Melanie Foster bought it, the Castleford district switched back.

"I'm a little surprised to hear them say the *Times-News* legal rates were significantly higher. Legal rates are set by the Legislature and are the same for all newspapers, regardless of their circulation," said *Times-News* Publisher Travis Quast. "I don't know what they were being charged by the previous publisher of the Buhl Herald, but it should have been the same newspaper to newspaper."

The Legislature has kept rates for legal notices at the same price since 2008.

Posting Information Online

Regardless, people sometimes look online for information instead of in a newspaper, Wells said. Yet newspapers also publish legal notices on their websites in addition to their print publications.

At a Twin Falls school board meeting in late October, trustees indicated they'd support Castleford's proposal.

Trustee Bernie Jansen said it would bring legal notice requirements "up to the 21st century," but he may change his mind about the proposal once he hears debate about it.

School District. The Aug. 25 election was the fourth attempt to get money for Wendell High School repairs and to create a maintenance fund.

How Much Do School Districts Spend on Legal Notices?

Castleford – about \$2.5 million operating budget

So far in 2015: \$94.77

2014: \$262.47

2013: \$205.53

Twin Falls – about \$45 million operating budget

2015/16 (so far): \$157.68

2014/15: \$1,703.22

2013/14: \$3,324.88

Jerome

FY 14-15

General fund budget: \$18.2 million

Legal notices: \$455.04

FY 13-14

General fund budget: \$17.3 million

Legal notices: \$581.67

FY 12-13

General fund budget: \$16.3 million

Legal notices: \$462.30

Cassia County

14-15 School Year

General fund budget: \$28.2 million

Legal notices: \$1,112.54

13-14 School Year

General fund budget: \$26.9 million

Legal notices: \$807.18

12-13 School Year

General fund budget: \$26.2 million

Legal notices: \$1,134.43

Shoshone – about \$4.4 million operating budget

From June 2013 to June 2015, the district spent \$1,567.88 on legal notices.

Kimberly

FY15

General fund budget: \$9.4 million

Legal notices: \$193.45

FY 14

General fund budget: \$8.9 million

Legal notices: \$390.83

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Castleford's resolution states school districts already post financial information on their websites and that legal notice costs have increased.

FY 13

General fund budget: \$8.2 million

Legal notices: \$587.48

But most Idaho school districts and charter schools aren't meeting state transparency requirements. Only 14 — including Blaine County, Shoshone and Twin Falls — have all of the required financial and teacher contract information posted online, Idaho Education News reported in October.

The ISBA made a “do pass recommendation” before the IEN story came out, Executive Director Karen Echeverria said.

Staffing constraints is one challenge to posting information online, Wells said. “Especially in a small school district, so many people are wearing so many hats.”

Castleford school leaders are working to get a system in place to regularly update information online, he added. “It's a learning process.”

But Pisca, the newspaper association lawyer, says it's important for legal notices to run in a newspaper because it provides third-party verification. “It provides proof that it was done correctly,” he said.

If school districts publish legal notices only on their websites, it would be easy for someone to make changes after the fact, he said.

There's nothing wrong with posting online, Pisca said, as long as it's in print, too. “(Websites) don't create any long-lasting proof that notice was given.”

Also, it's too hard for citizens to track legal notices from multiple sources, Pisca said. “Newspapers provide one convenient place for constituents to find notices.”

Wells said he doesn't know how many people are looking at information on the school district's website.

But in a small town, if anyone has questions about the budget, they usually talk to a school administrator or school trustee, Wells said. “We all know each other pretty well.”

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(10) Comments



arscott71 - November 08, 2015 10:11 am

Report Abuse

I wonder how many of the commenters live and pay taxes in the Castleford district? I do. My kids no longer attend Castleford. A large number of the folks that actually own property and pay the property taxes and supplemental levee taxes in Castleford district no longer have kids in school, many are retired. If you do not have kids attending school then why would you check the website? You wouldn't unless you see a public notice in the news paper you read every morning over your morning coffee.

Living in the Castleford school district they have no business doing this. The website is far from reliable or accurate. Schools are already doing far more in the dark that the general tax payers that do not have kids in school don't know about this will just make it even easier for them to hide what they are doing and how they are performing. They were one of the only districts in the area to not share how students did on last year's standardized tests. It took me two months to get results for my kids.

Even if they do publish in the paper there is nothing stopping them from posting on the website.



eszanto - November 07, 2015 10:02 am

Report Abuse

I believe public entities should have the option to publish legal notices online. If there are

concerns about non-compliance, penalties can be established, providing a compelling reason for compliance. Publishing legal notices in the paper is an outdated model. At a minimum, public entities should be allowed to publish a very short notice in the paper, referring readers to the entity's website for more information. Alternatively, if the law is changed allowing online publishing, someone enterprising (perhaps a news organization) could develop a state-wide repository where all public notices could be published and easily searched/browsed. The business model could be based on individual posts or membership fees.



Tumbleweed49 - November 07, 2015 9:22 am

Report Abuse

"They're driven by FEAR, PARANOIA, RACISM and LIES." TN quote on folks that don't agree with them.

Those words towards the citizens of this Valley, and the assaults upon the way we have lived here for generations, echo's in my mind. I know there are very few people here that live up to TN insults. There are some, most aren't.

I don't consider TN credible anymore. They print the side they are pushing for.

If online ads were available I would definitely use them. I wouldn't have to put up with those insults that are made towards me.

Buhl Herald is a much better newspaper nowadays.

If Castleford thinks that will work I'm all for it.

I think this change is overdue also and I don't think the TN is the primary source of communications anymore.

Times change.

In short I think it's a good idea.



deuce - November 08, 2015 10:21 am

Report Abuse

Danny-give it a rest. I'm surprised you still read the paper given that you have been so victimized by their opinion. I would have taken you for a man with thicker skin.



Tumbleweed49 - November 09, 2015 7:26 am

Report Abuse

Truth and honesty have always been an issue with me.

Thick skin doesn't have a thing to do with it. Truth of the matter does.

Name calling has never moved an issue one way or the other.

It's what's right and what's wrong that I object to.

Calling half of the Magic Valley, " FEARFUL, PARANOID, RACISTS and LIARS."

Is highly offensive, and it is wrong therefore untruthful. I know we're not that way.

I highly doubt TN has the objectivity that it once had, that made it great. Your right tho; I don't have to read it.



IDCowboy1 - November 07, 2015 8:43 am

Report Abuse

Methinks Mr. Quast's crusade for revenue is overriding his "crusade for openness in government". I'm sure the Buhl Herald gave Castleford a better deal on publishing legal notices than the S-N. They probably gave the same exact deal to the Buhl and Filer school districts.

Why? Because the Buhl Herald is a small town paper that seeks to report (and does a mighty fine job of it) the news and activities of the west end. They do so without regard to profit and/or notoriety. The S-N on the other hand, is mostly ads and op-ed pieces. I will say this though, the print edition of the S-N does make a really good fly swatter. I guess they do have that much going for them??



fingers - November 07, 2015 8:04 am

Report Abuse

This change is long overdue for all public and private entities. If the goal is to get the word out to the most people, going online is the way to go. The newspaper requirement was made into law when it was a primary form of communication. It isn't today. In fact, subscriptions to households are plummeting. The savings in publication costs would go right to the bottom line of all the organization's forced to use this archaic system that is kept in place by newspaper lobbyists.

whacko22 - November 07, 2015 7:55 am



Makes me wonder if our local rag is concerned with open legal notices OR their revenue stream.

Report Abuse



CeeNee - November 07, 2015 7:31 am

Report Abuse

It is all well and good to bring it up to 21st Century but what about the hundreds of people who don't have access to a computer? We have elderly friends and family who read the paper daily and not online. They miss out when the TV stations say for more information go to our web site. We don't take the paper any more but a lot of people rely on it for this kind of information.



whacko22 - November 07, 2015 10:23 am

Report Abuse

I'd say that most folks that have internet access at home are involved in or have knowledge of community goings on including law suits, repos, government meetings, and local budgets that impact their lives. Those you write about that lack internet access probably don't or couldn't care less about the world around them. Many public facilities offer free computer and internet access and even handicapped transportation. It's still the bottom line, newspapers depend on an outdated law that gives them the ability to extract revenue from every tax payer supported budget.

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