

OPINIONS AND COLUMNS

Students need real protections

Officials didn't protect students; proposed law should include police

Here at The Observer, we're glad the Iowa legislature is trying to strengthen the laws that require the prompt reporting of teachers who are suspected of wrongdoing.

Hopefully, House File 430 will help prevent the lack of reporting that allowed a former Central DeWitt teacher to remain in a classroom after authorities possessed evidence he had sexually exploited a student.

It's unclear to us what, exactly, state law requires of law enforcement officials and school leaders when they have reason to believe a teacher is behaving inappropriately with students. We'll leave that to legal experts to decide, but it's obvious changes in the law are needed.

What we are sure of is that multiple public officials failed their moral duty to report teacher Cody LaKose to the Iowa Board of Educational Examiners or his current employer as they should have.

Early last year, a former Central DeWitt High School student told DeWitt police she had been in a sexual relationship with LaKose when she was a student. According to court filings, she also provided police with cell phone evidence that LaKose had asked her for nude photographs.

Eventually, police sent a subpoena to



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the Central DeWitt School District seeking LaKose's contact information, presumably to correlate it with the cell phone evidence the former student had provided police.

The police department, according to DeWitt Police Chief David Porter, never reported the investigation to state regulators. "That's not something we would normally do," Porter told The Observer.

The school district did not report it to anyone, either.

Dan Peterson, Central DeWitt's superintendent, told The Observer he didn't report LaKose to state regulators because he didn't know LaKose was under criminal investigation. But because police had sent a subpoena to the district months earlier seeking information about LaKose, it is hard to believe that is true.

It is obvious that neither of these public officials did everything they should have done. It is also obvious that neither one is

taking responsibility for it.

The lack of reporting resulted in LaKose being allowed to continue teaching at other schools after he left Central DeWitt, which also holds the distinction of having agreed to a separation agreement with LaKose in 2018 allowing him to leave the district quietly while still receiving his pay and benefits for the remainder of the school year.

Peterson has refused to say why LaKose left the district or if the school district was investigating him at the time.

After leaving DeWitt, LaKose taught in Cedar Rapids and at Iowa City Regina High School, where police arrested him last month.

LaKose is now facing accountability for his alleged actions. He stands accused of five charges, including two felonies.

But as far as we can tell, Porter and Peterson are facing no accountability for failing to report LaKose to state authorities, leaving LaKose licensed and teaching elsewhere in the state.

House File 430, which was introduced before the LaKose case came to public light, is a step in the right direction. It should not, however, focus exclusively on educators. The LaKose case shows exactly why law enforcement professionals should be included as obligatory reporters as well.

Given how much time Iowa legislators have spent during the current legislative session talking about ways to protect children from all sorts of things, we hope they will amend this proposed law to give students all the protections they deserve.

Observer's Mission Statement

Sycamore Media's fundamental goal is to help small communities understand themselves through fair, objective journalism. We believe that honest information is powerful, and we believe it is a vital ingredient in good decision-making and effective self-government.

We will strongly advocate for government transparency and accountability, fair play and an honest assessment of public issues. We also will endeavor to ensure that all individuals and reasonable ideas are given fair hearing. Beyond that, our work should help provide connective tissue for our communities, helping businesses succeed through marketing services and binding people together through shared experiences, accomplishments and celebrations.

With parents' rights, Iowa giveth and taketh away

The Iowa Legislature and Governor Kim Reynolds cannot seem to make up their minds whether they support parental rights or are against Mom and Dad being the decision-makers when it comes to their children's well-being.

Trying to analyze Republican officials' views on parental rights is challenging. Baseball's infield fly rule is simpler.

In 2021, the Republican majorities in the Iowa House and Iowa Senate passed legislation to prohibit schools from requiring students to wear facial masks in the classroom to fend off Covid. The governor quickly signed the new law, offering this explanation: "Iowa is putting parents back in control of their children's education and taking greater steps to protect the rights of all Iowans to make their own health care decisions."

Iowans who disagreed with the effects of the new law at least could understand its parental-rights premise. But last month, the Republican majorities in the Legislature and the governor made a sweeping U-turn on parental control of children's health care — at least when that care involves teens and pre-teens who identify as transgender.

The Legislature passed a controversial bill prohibiting health care professionals from giving medical treatment "for the purpose of attempting to alter the appearance of, or affirm the minor's perception of the minor's gender or sex, if that appearance or perception is inconsistent with the minor's sex [at birth]."

Doctors had been providing that care only in a small number of cases in Iowa and only then with the approval of parents. The LGBTQ clinic at University of Iowa Hospitals served 211 patients under age 18 last year, the Cedar Rapids Gazette reported.

Such treatments included medications called puberty blockers that have been used for 30 years in the United States. These slow the physical changes puberty causes in the human body. That gives children, their parents, and their health care professionals time to deal with the serious distress the



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Iowa Freedom of Information Council

child is experiencing because of a mismatch between their biological sex and the gender they identify with. Other treatments for minors have included hormone therapy and, only rarely, surgery.

But when the governor signed the gender health bill last month, she explained why parental permission was not an adequate reason for minors to receive these treatments.

"I have to do what I believe right now is in the best interest of the kids," she said. "It's not easy for our elected officials to make these decisions. We have to try to figure out what's the best for the majority of our kids."

Iowans can be forgiven if they have trouble understanding why it is not the parents who get to make those what's-best-for-the-kids decisions, in consultation with their child's health care providers.

We can forgive the Matt McIvers of Iowa who all are asking why their opinions count for nothing when it comes to medical care for their trans kids and why, instead, Kim Reynolds and Republican lawmakers have the superior intellect to make these decisions for kids.

McIver, a Des Moines dad, is the father of an 11-year-old transgender son. He told the online news site Iowa Starting Line the prohibition on gender-affirming health care for trans kids is "government overreach that inserts legislators in between parents and children."

LETTERS TO THE EDITOR

Lawmakers taking too much control

Editor:

I am writing to express my concerns about the rise of authoritarianism in our society and its impact on our individual rights, particularly in areas such as parenting, education, and healthcare.

Authoritarianism is a political system that seeks to concentrate power in the hands of a few, often at the expense of individual freedom and civil liberties. It is characterized by a strong central government, limited political freedoms, and the suppression of dissent.

Unfortunately, we are seeing the effects of authoritarianism in various aspects of our society. For instance, our right to raise our children as we see fit is being challenged by government interference and regulation. Additionally, our school system is becoming increasingly privatized, which has led to the neglect of public schools and a lack of resources for students.

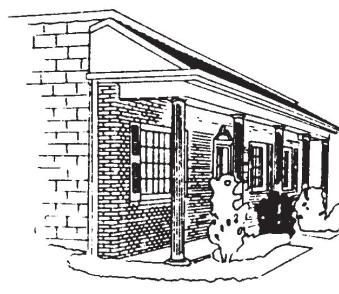
Moreover, the recent spate of school

shootings highlights the urgent need for comprehensive gun reform. The fact that assault guns are being used to kill students, regardless of whether they attend private or public schools, is a chilling reminder of the consequences of a lack of sensible gun legislation.

In addition, we are seeing an erasure of education around issues of race and sexuality, which undermines our ability to understand and respect other people's lives. This is particularly troubling as it perpetuates ignorance and perpetuates harmful stereotypes, leading to the perpetuation of discrimination and prejudice.

Finally, I am deeply concerned about the attack on a woman's right to choose regarding her reproductive health. It is deeply troubling that certain groups of people want to limit women's autonomy over their bodies and reproductive health. It is particularly worrying that people without medical or historical knowledge are making decisions that should be left to doctors, historians, and parents.

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OPINIONS AND COLUMNS

Apparently, transparency comes at a price

Superintendent talks transparency, but doesn't always live it

The Observer has now paid more than \$14,000 in legal expenses in its effort to force the Central DeWitt Community School District to follow the law and be transparent with the public.

Our company filed a lawsuit more than a year ago after evidence came to light that strongly suggested the school board — at the superintendent's urging — had conducted an illegal meeting that shut taxpayers, teachers, parents, and students out of an important discussion about parental rights and the appropriateness of specific books for classroom use.

The Observer filed an open records request under Iowa Code Chapter 22, our state's open records law, requesting minutes and a digital recording of the closed meeting.

Central DeWitt Superintendent Dan Peterson told The Observer the district was denying the request. He claimed the closed meeting was legal, citing an exemption to the law that allows school boards to conduct private meetings when evaluating an employee's performance.

After Peterson officially denied the request, we pleaded with the district to reconsider, hoping to avoid an unnecessary lawsuit. Our



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efforts accomplished nothing.

Even though Peterson often uses the word *transparency* when communicating with the public, we did not believe him when he told us the meeting was about his job performance.

Ironically, it was Peterson himself who unwittingly created the evidence that convinced us he was not being truthful about the real reason he wanted to shield the district's business from public view.

The day after the board conducted the meeting, Peterson posted a letter to the district's website that disclosed what we believe was the true purpose of the meeting.

"At my request, myself and our administrative team had a meeting with the school board last night to have an open discussion with all present about this situation," Peterson wrote while referencing two books he had pulled from classrooms.

That seemed like pretty strong evidence to us the meeting was not about Peterson's performance. And, if the meeting was not about Peterson's performance, that means he has knowingly run up a legal bill at taxpayers' expense to maintain a story he knows is not true.

From the beginning of this unfortunate ordeal, we've been trying to understand why the district would put itself in this position and what kind of rational argument it could possibly make to defend itself.

We are still trying to get our minds around that one.

But there are some things we do understand. We understand it is a newspaper's job to advocate for government bodies to operate within the boundaries of the law.

We also understand it is our job to advocate for the idea that decisions affecting taxpayers should be made in front of taxpayers. That is, after all, how democratic government is supposed to work.

If the case moves forward as we expect, it should be in a judge's hands by the end of May. We are certainly looking forward to a final resolution.

We are not yet sure how much money the district has wasted or will waste to defend its position, but we feel strongly it is a terrible misuse of public funds.

The Central DeWitt community deserves real transparency, and it shouldn't take this long, or cost this much.

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Stripping auditor's access could lead to more waste

I thought the often-repeated desire to weed out waste, fraud and abuse from government spending was something Republicans, Democrats and independents could all agree on in Iowa.

Boy, am I naive.

A bit of recent Iowa government history illustrates this contradiction between our elected officials' statements and their actions.

The Iowa Communities Assurance Pool was created in 1986 to offer liability and property insurance coverage to its member-owners, about 800 Iowa cities, counties, fairs, transit agencies and other so-called 28E multi-government entities.

The insurance pool's only customers are various governments. The pool's revenue comes from about \$45 million in premiums these governments pay each year. Management of the pool is handled by a seven-member board of directors elected by the member-owners.

In 2019, the Associated Press disclosed that for many years, the board overseeing the Iowa Communities Assurance Pool had routinely held two of its six meetings each year at luxury out-of-state vacation resorts. The insurance pool paid the cost of the board members' travel to these venues in Florida and Michigan, along with their lodging and meals for several days.

In August 2019, one month before the Associated Press report, the pool's board of directors met over three days at The Boulevard Inn, a bluff-top hotel at the Lake Michigan resort community of St. Joseph, Mich. Room rates there in August typically are about \$400 per night.

Not surprisingly, the AP report caught the eye of State Auditor Rob Sand — just as it might if the Des Moines City Council or Iowa Board of Regents were meeting regularly at resorts in Florida every winter and in Michigan every summer.

Sand notified the insurance pool his staff wanted access to its records so his auditors could review the pool's spending to determine whether the payments for the out-of-state trips and other reimbursements to board members had a legitimate public purpose and complied with state laws.

"We look forward to fighting for taxpayers' right to know what is happening with their money," Sand told the AP.



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Months later, after providing some but not all of the documents Sand wanted, the insurance pool sued the auditor in an attempt to void his subpoena. The pool took the position Sand did not have legal authority to conduct such a review. In the view of the pool's lawyers, the pool was established under a section of Iowa law that puts it outside of the state auditor's scrutiny and on a legal footing that puts it outside the state open meetings and public records laws.

This month, the Iowa Supreme Court ruled unanimously the insurance pool is correct, that it is not subject to the state auditor's oversight. The court's decision said while it may be good policy to subject the government insurance pool to oversight by the auditor, the Legislature has not chosen to do that.

That brings us to today.

If you thought the Legislature might be working now to revise the statutes under which the Iowa Communities Assurance Pool and similar government insurance pools are organized — bringing them within the oversight of the state auditor in an attempt to guard against waste, fraud and abuse, you would be wrong.

Your mistake can be forgiven, though. Yes, lawmakers are working to eliminate what they perceive to be waste, fraud and abuse in government programs as diverse as unemployment insurance benefits, Medicaid and food assistance for the poor. And, given lawmakers' comments, you might logically think it would be on their radar, too, if a government board was routinely meeting at vacation destinations in other states, with taxpayer money paying the cost.

LETTERS TO THE EDITOR

Many people helped me solve my 'Fred Frenzy'

Editor:

Monday, April 17, turned into a horrific day for me and could have been traumatic without the help of numerous people. My dog Fred escaped out of the back door of my car.

After trying to catch him, he was already to the post office. A man in his car tried to help by getting out of his car. Another lady was trying to lead him away from the main street. I was told to get my car and three of them would try to catch him.

On my way to my car, I met a young man who said he had out my purse on the front seat. He had also put my groceries in the car and closed the door.

Back in my car, I saw a man in a flannel shirt running after my dog as fast as they both could run. I went around the block toward where they were running. No sign of either.

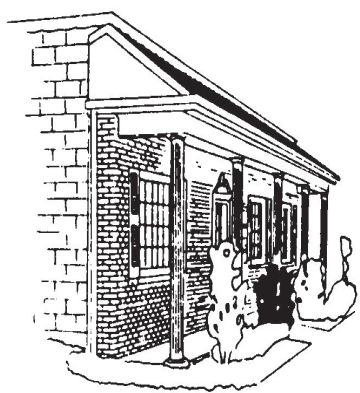
I went around another block and Fred was running toward the street. I stopped, opened my car and he came in.

I never got to thank all my helpers, only knew of one, Deb.

Later, I went to Kwik Start for our noon meal and Fred had locked me out of my car. Police no longer unlock cars. Called a business who sent a man, but he had no luck. Sharyl B. was in the store, asked if she could help. She called my son and he came with a key.

Thank you Sharyl, Deb and everyone else who helped me.

Betty Ann Boussetot
Calamus



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OPINIONS AND COLUMNS

District mishandles violation response

In haste to defend itself, district digs a deeper hole

Central DeWitt Schools Superintendent Dan Peterson was dishonest last year when he told the public the purpose of an illegally closed meeting was to review his performance.

And, in a mystifying lack of governance, school board members failed to object.

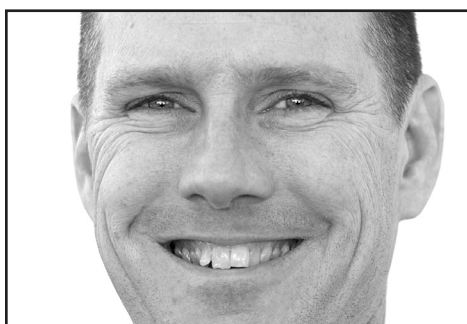
Those unfortunate realities are now clear because of a lawsuit this newspaper filed that forced the district to release an audio recording of the meeting. What is not as clear is why no one at the meeting objected to the violation of Iowa's open meetings law — a law all elected officials and public servants should understand and respect.

The recording captures Peterson opening the meeting in a way that makes clear he never intended the meeting to be a performance review at all. He told the board he wanted to discuss curriculum, gender and sexuality issues and an administrative realignment.

During the meeting's first hour and 40 minutes, the board talked exclusively about the appropriateness of using specific books in school and how to handle parents' complaints about them.

During the remainder of the meeting, the group — which included not only Peterson and the board, but also some of Peterson's subordinates — discussed gender neutral bathrooms, how to provide protections for transgender students and a plan to adjust administrative assignments.

The content of the meeting became public late last month when a district judge issued a harshly written ruling that picked



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apart the district's claim it had closed the meeting to evaluate Peterson.

In his ruling, the judge wrote that "the scope of the meeting was breathtaking in contrast to its stated purpose."

Among other blunt critiques, the judge included this zinger: "This was not a minor or technical violation."

With that, one might assume the district's leadership would make an immediate show of contrition toward the public and offer a full-throated apology.

That's not what happened.

Instead, in a misguided effort to get ahead of negative publicity, the district rushed to post a recording of the meeting on its website along with a poorly thought message that carried each board member's name.

The post, which can be read on the district's website at cd-csd.org, contains a line that is especially troubling. It reads: "The Board maintains that the individual Board members acted appropriately leading up to and during the closed session."

The sentence gaslights constituents.

We wonder who wrote the statement, and

we wonder why all board members were willing to put their names on it.

But, despite having filed the lawsuit and risked thousands of dollars to bring about this reckoning, we still believe the board is made up of people with honest intentions. We have chosen to cling to the notion that the individuals who make up the board don't possess a full understanding of the requirements and intent of Iowa's open meetings law and allowed themselves to be misled by those who should have known better.

While superintendents and school board attorneys are highly trained and highly paid professionals, board members are merely elected community volunteers who make their livings doing other things.

We also feel strongly that it's important to consider the nature of what board members said during the meeting. While the topics were politically charged, the discussion was thoughtful and productive — except for the fact it should have been conducted in public.

What we don't understand is why board members have been willing to follow Peterson down this disastrous path, and why, even now, they continue to give him cover.

The beginning of this unnecessary adventure was Peterson's faulty decision to pull books from classroom use without consideration of district procedures. Then, when the issue leaked into public view, as anyone who is politically astute should have assumed it would, he requested the closed meeting and was dishonest with the public about its purpose.

It seems likely Peterson was looking for a way to shield himself from public accountability for his knee-jerk decision.

Then, after it became obvious the meeting violated the law, Peterson remained defiant, trying to save face, and the board followed his lead again, allowing the district to waste thousands of taxpayers' dollars defending a claim that wasn't true.

Where the district's legal counsel fits into this wreck of a story, we don't know, but we do believe a wary eye should be cast in that direction as well. Whatever amount the district's attorney is paid for handling this case, we believe the price is too high.

Board members, for whatever reason, have allowed themselves to be sucked into the center of this unnecessary mess that has drawn unflattering statewide attention to DeWitt, and some of it, no doubt, is their own fault.

There are no disputed facts here. No spin job will make a dent. The community understands what has happened. The only question that remains is how the story ends.

The board could finally accept responsibility for governing the district, speak in a straight-forward manner to its constituents, and make some hard decisions. If not, voters will eventually have the opportunity to do it for them.

One last thought

Given the board has not conducted a public meeting since the judge's ruling, we are curious how its members came to agree on the language it posted in its response.

Each board member's name is on the letter, so we assume each read it and agreed to it before it was posted. We are curious how that could have been achieved legally without a public meeting.

While we are not alleging a second violation of the law, we believe it raises interesting questions. We will keep you posted.

What leaders don't grasp about books in schools

My late friend Paul was a fine Des Moines teacher. I wish the Evans girls had him for history and government.

Judging from his ability to entertain me with descriptions of his interactions with students, parents and administrators, I am confident he could make the Peloponnesian War come alive for his history students and hold their attention.

If I live to be 100, I will never forget him relating anecdotes from parent-teacher conferences. He described one student sitting next to Mom, listening as Paul expressed concern about the kid's sluggishness many mornings.

Then came the money quote: "You know the rules!" Mom exclaimed, looking her son in the eyes. "There's no marijuana use on school nights!"

I have always gravitated to teachers, even back in my school days in the last century. Their observations from the classroom are priceless — and often quite candid and illuminating.

Take, for example, my recent lunch with a middle school English and literature teacher. Here is his money quote: "This may surprise our governor and the Republicans in the Legislature, but there's not a line of students clamoring to go to the library."

For all the hand-wringing and angst about the books available in schools and the claims teachers and librarians are just itching to "indoctrinate" kids with all sorts of liberal ideas, there is a far bigger and real problem that is getting too little attention from our leaders. That is the lack of interest too many kids have in reading anything that is not on their phone.

That lack of awareness by our leaders has not stopped them from believing kids are lining up in school libraries to read juicy tidbits about nasty things like gender,



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sex, racism, U.S. history and other topics considered to be "woke," whatever that is, that educators supposedly are pouring into impressionable young minds.

My teacher friend would dearly love to have a student pull up a chair and ask him for suggestions for books the kid should read. My friend would be thrilled if a pass to the library was as highly sought after as a restroom pass.

My friend would prefer to spend more time on the day's lessons and less time dealing with students messing around on their phones in class, begging classmates for snacks, or explaining to the teacher why they have not completed an assignment.

Our recent conversation is one reason why I smiled the other day when I read about the wonderful way a family in Iowa City has chosen to remember Grandma June, who was a librarian.

Mitchell and Ellie Lingo erected one of those Little Free Libraries on a post outside their home, near one of the Iowa City high schools. The concept behind these tiny book-sharing wooden boxes is simple:

The goal is to make books more available in neighborhoods without a traditional

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LETTERS TO THE EDITOR

Superintendent not only one responsible

Editor:

There has been a great deal of focus on the superintendent (of the Central DeWitt Community School District), and the Observer was right to do so. Clearly this was not a "Super Evaluation" meeting. I listened to the 2:07:52 meeting.

Materials, (books)/Alignment (staff) and Gender Issues (trans)

Something to not be overlooked here is the school boards role/responsibility in the above.

It was clear from the audio, that the Board was aware of the subject matter before the meeting. Opinions were shared as part of a well thought out process.

I am not upset about the content, it was a great conversation. The issue is, has

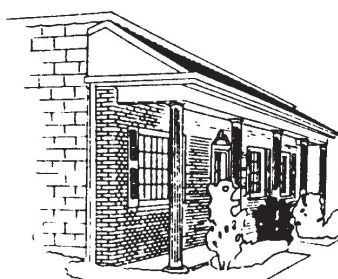
always been, the transparency and manipulation by the Board and Administration involved.

Don't let that go unnoticed. The assistant superintendent and principals all shared in this illegal meeting as well as the elected school board members.

The Board chose to hide behind a false narrative, one that has cost the taxpayers \$18,500. The Board fought this release of information, even thru a highly contested election cycle. Many on the Board stumped against those who correctly campaigned for transparency.

The Central Dewitt School Board reputation has been, and continues to be, diminished. The good that was trying to be done is overshadowed by their shady actions. They should be held responsible the next election cycle.

Hector "Michael" Delgado
DeWitt



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