

10 October 2021

David Binetti
West Ada Parents Association
372 S. Eagle Rd Suite 195
Eagle, ID 83616

Rene Ozuna
Vice-Chair
West Ada School District Board of Trustees
1303 E Central Dr
Meridian, ID 83642

RE: Conflict of Interest Violation of Board Trustee Amy Johnson

Vice-Chair Ozuna,

I write to bring to your attention a serious matter regarding an apparent conflict of interest violation of Trustee Amy Johnson. Please consider this a formal complaint and request for adjudication, as detailed below.

Policy Violations

The [West Ada School District Policy Manual](#) Section 201.4 outlines the District's Conflict of Interest policy and the legal obligations of each trustee. The policy manual specifically references the following Idaho Legal Code Sections: 18-1359, 18-1361, 18-1361A, 33-507, 74-501, 74-502, 74-503. [The West Ada School Board Code of Ethics for School Board Members](#) policy 201.1 clearly outlines the Code of Ethics including items 3, 4, 15, and 16 which apply directly to this complaint.

Background and Summary of Complaint

On August 24, 2021 the West Ada School Board held a meeting at the District Service Center at 1303 E Central Drive, Meridian, ID. Trustee Johnson is the Board Chair, and as such she sets the agenda, invites guests, and directs the meeting.

During the meeting, Chair Johnson granted 1 hour and 23 minutes of time to Dr. Jim Souza and Dr. Kenny Bramwell, Chief Physician Executive and System Medical Director, respectively, of St. Luke's Health System (a private, not-for-profit corporation) to address the Board and attendees. No other experts from education-related disciplines (such as academics, social-emotional wellness, or child behavior) presented.

Dr. Souza and Dr. Bramwell's stated purpose in appearing before the Board was to provide a neutral update on Covid-19 related capacity issues at St. Luke Hospitals. Putting aside the fact that health system metrics are wholly unrelated to public education to begin with, during the presentation Dr. Souza and Dr. Bramwell went well beyond mere recitation of conditions. They repeatedly entreated the Board to accept their personal school board policy recommendations, opined at length on topics well beyond their area of expertise, and openly attempted to influence the Board and attendees. No attempt was made from the Chair to constrain the guests to the topic on which they were ostensibly invited to speak.

Trustee Johnson is currently a Director of Strategy at Blue Cross of Idaho, a major business partner of St. Luke's Health System. On August 22, two days before the Board Meeting, Blue Cross of Idaho specifically addressed the importance of vaccination to maintaining in-person education in a [public statement](#), and is currently running an [active media campaign](#) encouraging vaccination in addition to their #RockTheMask campaign featured on Facebook. Masks and vaccination also prominently featured in Dr. Souza and Dr. Bramwell's presentation.

During discussion, Chair Johnson stated, "I'm comfortable moving to a policy that incentivizes mask wearing and vaccinations" before voting on a Quarantine Release policy that specifically prohibited healthy students from attending school for ten days if exposed while unmasked/unvaccinated, while allowing masked/vaccinated students to attend school normally. Accordingly, in the following weeks thousands of otherwise healthy West Ada students were abruptly sent home to suffer a separate and unequal education -- and in some cases not instructed at all.

This result is entirely incongruous with Trustee Johnson's stated "North Star" principle stressing the importance of in-person education, but was entirely consistent with Dr. Souza and Dr. Bramwell's specific policy recommendations as well as Blue Cross's public position. These actions -- directed solely at unvaccinated/unmasked students despite principles to the contrary -- suggest greater issues at play, and it's unclear to what degree Trustee Johnson's decisions were influenced by her professional obligations.

And that lack of clarity is precisely why Conflict of Interest policies exist.

Not only do they address direct pecuniary situations, they also prohibit non-pecuniary situations that produce the mere *appearance* of a conflict of interest: specifically to maintain the public trust that is otherwise jeopardized when employment conflicts with a public office.

The West Ada Board conflict of interest policy addresses this directly, saying:

The [Conflict of Interest] policy is designed to prevent placing a Trustee in a position where the Trustee's interest in the public schools and interest in his/her place of employment might conflict, and to avoid the appearance of a conflict of interest, even though such a conflict may not exist.

Yet Trustee Johnson neither recused herself nor even disclosed her professional relationship with her invited guests. This is a direct violation of both the letter and spirit of the Conflict of Interest policy.

As a school board Trustee, Chair Johnson's "first and greatest concern must be the educational welfare of the students of the school district." However, when the school board delves in matters of public health policy -- which Trustee Johnson specifically mentioned as a justification for her "incentive" -- these interests conflict with her professional role. This biases her decisions and makes her an unfair arbiter of educational welfare decisions for the students of the district, which was reinforced by the lack of a single question related to the educational impacts of the public health issues being discussed and ultimately implemented.

Since Trustee Johnson is unable to adjudicate herself, as Vice-Chair this matter falls to you to determine if the West Ada School District policy prohibiting Conflict of Interest has been violated. Any such evaluation must comprehensively review any and all communication that would demonstrate a prioritization of epidemiological concerns over educational ones that would stem from her profession. This assessment must be transparent, independent and conducted expeditiously.

Most important, to avoid further erosion to the public trust you must insist Trustee Johnson immediately step down from the Board Chair and recuse herself from any and all future decisions that touch upon matters of public health.

This need not wait for a formal determination of conflict of interest because, as the West Ada Policy states, an actual conflict need not exist -- the mere appearance of a conflict is sufficient to require disclosure and recusal, and the fact pattern outlined in this complaint is *ipso facto* proof of such an appearance. If she refuses to do on her own volition, the Board should take immediate action consistent with its own policies to force a recusal directly at the next opportunity.

I look forward to your prompt reply.

Most sincerely,

A handwritten signature in black ink, appearing to read "David Binetti", with a long horizontal flourish extending to the right.

David Binetti

West Ada Parents Association