



STATE OF NEBRASKA  
**Office of the Attorney General**

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**DOUGLAS J. PETERSON**  
ATTORNEY GENERAL

**NATALEE J. HART**  
ASSISTANT ATTORNEY GENERAL

August 22, 2018

Emily Jensen  
[REDACTED]

Re: *File No. 17-M-131; Winside Public Schools Board of Education; Emily Jensen, Complainant*

Dear Ms. Jensen:

This letter is in response to your correspondence in which you requested that this office investigate alleged violations by the Winside Public Schools Board of Education ("Board") of the Nebraska Open Meetings Act, Neb. Rev. Stat. §§ 84-1407 through 84-1414 (Reissue 2014, Cum. Supp. 2016, Supp. 2017). In accordance with our normal procedures, we requested a response from the Board after we received your complaint, and we subsequently received a response from its attorney, Timothy Malm.

As an initial matter, your complaint makes a number of allegations which are outside the scope of the Open Meetings Act, including violation of district policies, libel and slander, defamation, and bullying. This office has no general supervisory authority over governmental subdivisions in Nebraska. These portions of your complaint do not implicate the Open Meetings Act, are outside the enforcement authority of this office, and will not be addressed herein.

We have reviewed your complaints, supporting materials, and the response from the Board in detail. Your primary complaint concerns a closed session held during the Board's June 8, 2017 meeting. Also included in your complaint were minutes from the Board's meeting of February 8, 2017. While you make no specific allegations regarding the February meeting, we reviewed those minutes for any irregularities related to the Open Meetings Act. Our conclusion from our review of the minutes from each of these meetings is that no substantive violations of the Open Meetings Act occurred on either date. Additionally, with respect to your complaints regarding the June 8, 2017 meeting, the Board took no action which would be void or voidable following the closed session.

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Therefore, there would be no action for this office or a court to take against the Board relating to that closed session. Consequently, no further action is necessary by this office and we are closing our file.

Sincerely,

DOUGLAS J. PETERSON  
Attorney General

A handwritten signature in blue ink that reads "Natalee J. Hart". The signature is fluid and cursive, with the first name being the most prominent.

Natalee J. Hart  
Assistant Attorney General

cc: Timothy Malm

02-697-29