

MOTION TO EXPEDITE HEARING ON
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION

The afternoon of Tuesday, October 20, 2020, the West Ada School District announced that school would reopen on Wednesday, October 21. Katie Kloppenburg, “School to resume on alternating schedule for West Ada on Wednesday,” KIVI-6 (Oct. 20, 2020).¹ In a message to parents, the district specified that it had *not* reached an agreement with the West Ada Education Association, but that it was nevertheless confident it would have the staff necessary to resume its hybrid model of partially remote, partially in-person schooling on Wednesday. Clark Corbin, “In-person school set to resume Wednesday in West Ada,” Idaho Ed News (Oct. 20, 2020).²

Tuesday night, the president of the West Ada Education Association, Eric Thies, sent a statement to media. “West Ada Education Association responds after two days of teacher sick-outs,” CBS-2 (Oct. 20, 2020).³ In it, he confirmed that “we have not been able to reach an agreement with the West Ada School District on a revised plan to keep educators and students safe. . . . The classroom experience is the cornerstone of learning, but it is the district’s responsibility to provide an environment that is safe for students and staff. To this point, we are not convinced that they have done so.” *Id.* He characterized the resumption of school as a pause in the sick-out: “We have agreed to wait until their school board meeting Tuesday to evaluate their progress” toward meeting the union’s demands. *Id.* And he ended with a threat: “The West Ada Education Association will continue to hold district leadership accountable for the safety of students and educators . . .” *Id.*

¹ Available at <https://www.kivitv.com/news/school-to-resume-on-alternating-schedule-for-west-ada-on-wednesday>.

² Available at <https://www.idahoednews.org/news/school-set-to-resume-wednesday-in-west-ada/>.

³ Available at <https://idahonews.com/news/local/west-ada-education-association-responds-to-current-situation-after-two-days-of-sick-outs>.

It is clear from Mr. Thies' statement that the resumption of school is only a temporary suspension of the union's strike, and that if the board does not cave to the union's demands at their Tuesday board meeting, the sick-out could resume. That board meeting is scheduled to take place at 6 p.m. on Tuesday, October 27.⁴

Plaintiffs believe it is essential that the union, the school board, and parents know that this strike is illegal and that its resumption is barred by court order before that meeting. Therefore, Plaintiffs respectfully move this Court to expedite a hearing on their motion for a preliminary injunction in order to secure a ruling by 5 p.m. on Tuesday, October 27.

DATED this 21st day of October, 2020.

LIBERTY JUSTICE CENTER

By: /s/ Daniel R. Suhr
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⁴ See "West Ada All District Calendar," available at <https://www.westada.org/site/Default.aspx?PageID=2&DomainID=4#calendar1/20201027/event/707194>.

CERTIFICATE OF SERVICE

I hereby certify that on the 21st day of October, 2020, a true and correct copy of the foregoing MOTION TO EXPEDITE HEARING ON PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION was served upon:

West Ada Education Association Incorporated
Eric Thies, registered agent
620 N. 6th St.
Boise, ID 83702-5542

By U.S. Mail, postage prepaid

LIBERTY JUSTICE CENTER

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