

Electronically Submitted Public Comments
January 14, 2021 Board Meeting

Items not on the agenda, within the subject matter jurisdiction of the Board

Name	Comment
Leslie Briggs	The trimester system has created a severe lack of subject matter continuity for our secondary students. Assuming the board allows in person school in Fall 2021, many 9th graders will begin HS not having taken a math class since the Fall 2020 trimester. What is the plan to get the online students up to speed in core subject matter like math and English? Or is there a plan at all?
Celeste Gilles	Why any discussion regarding the opening of secondary schools is not on the agenda is simply beyond comprehension. Even if there is nothing you can do about it, to at least openly acknowledge the parents and students of secondary schools in this community that you are here and still thinking of them would be prudent, don't you think? Why this is not an agenda item at EVERY SINGLE board meeting until secondary schools are open is unacceptable. We want to hear from you! Our kids could have been in school 114 days ago, but instead they have not seen a classroom for 308 days (longer than the entire school year)! This is unacceptable! And it is your fault! If there is truly nothing you can do about getting them back to the classroom, can you at least talk about your plan once OC is out of the purple tier? You have testing days for students... will you have vaccine days for teachers? If we get out of purple tier what will "in person" look like? 2 days, 5 days? Will there even be an "in person" this academic school year? Will you just not face up to telling senior parents that their students won't see the inside of a classroom until college? Imagine that - straight from a junior in high school to college before seeing the inside of a classroom! The lack of proper education is, quite frankly, disgusting! Are you going to keep the ridiculous playbook? Cohorts that can't be cohorted? Or maybe you are just going to sit back, once again, and let the teachers and their unions dictate what you do next? On Monday Capo Unified (with over 50 schools and 55,000 students, who are all seeing the inside of a classroom right now) posted on their instagram page how they have spent their \$24 million in

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	<p>CARES Act funds. In case you missed it, they purchased 450 folding chairs for outdoor learning, 900 folding tables for outdoor learning, 305 hand washing stations, 273,000 face masks, 13 new school busses, 34,516 new chrome books, 1,728 pop-up canopies for outdoor learning, among other things listed on the post - check it out, it's really nice! How much money did LBUSD get? What have you done with the funds? You have had almost a year to figure this out. You made your decision in July of 2020 to not send kids to school until November under the guise that it would be "too disruptive", and look where that got you. What decisions are being made right now in preparation for return to in person learning? Please let us know. Say something, anything! We want to hear from you!</p>
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Presentation Regarding the Ralph M. Brown Act

Name	Comment
Leslie Briggs	<p>Given the current subpar education our students are receiving, why are you focusing on such an irrelevant topic like the Brown Act ? It seems you are simply wasting more time attempting to justify the current rift between board members.</p>

Discussion Regarding Board Governance Protocols

Name	Comment
Howard Hills	<p>By citing the record of the Board's meetings on May 30, 2019, and August 30, 2018, as part of a narrative regarding "protocols" for Board proceedings, the Board's presiding officers attempt once again to create a legal fiction falsely asserting authority to suppress free speech by its critics. Since the Board has inserted an in-depth written statement about its "protocols" initiatives in the record, an organized ad hoc committee of parents and students asked me once again to submit for the record an exposition of facts and truth in rebuttal to the Board's</p>

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posted Agenda Item No. 6.

The Board members described me and my advocacy on school governance in derisive and disdainful terms on the record in the Board meeting held May 30, 2019, confirming on the record what has been clear for over a decade. Which is that I should and don't have any expectation the Board considers what its critics express. But in response to the requests of parents and students impacted by current Board practices, this repeats the counter narrative for the benefit of the public. This rebuttal is as tedious as the Board's posted statement on "protocols," and in addition to being submitted to the record it is being disseminated independently as well.

The absurdity of the Board's "protocols" initiative reflects an obsession the Board has had for a decade about defending its political self-interest at the expense of open, transparent and fair school governance. For members of the public familiar with the cult-like syndrome driving Board majority for over a decade, it is not surprising that this obsession is being pursued with a vengeance, even as the public health crisis impacts our teachers, students, parents, school employees.

It is one of the consequences of the 2020 election that the Board majority Board is still - and in fact more than ever fixated - on trying to vindicate its failed "protocols" vendetta against its critics. Yet, the Board is unable to impose its will based on unproven accusations and inflict retaliation behind closed doors without lawful public disclosure and accountability.

It is with a combination of arrogance and mediocrity that the Board and Superintendent persist in the misguided priorities rejected in the very notion that its self-proving fallacy that its politicized "protocols" myth deserves the time and attention of the Board during a spike in a life-threatening pandemic.

We notice you have the same old "protocols" material we

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have seen for years posted on agenda for tomorrow night's meeting. The assertion that "establishment of protocols" that never actually occurred has been carried out in an orderly manner over a period of years would be laughable if not so pathetically petty.

The tortured history of Board attempts to impose so-called "protocols" that have not been adopted as Board rules under CA Ed. Code Sec. 35010(b) is itemized in your agenda item #6 on this topic.

The assertion the Board has adopted binding "agreed-upon governance protocols" Nov. 4, 2016, in a manner that is relevant and/or binding on Board members under Board Bylaw 9310, is not substantiated or confirmed by the record of the Board "discussions" which took place in two workshops.

The term "established protocols" is used in Bylaw 9010, but there is no indication as to how and in what way any so-called protocols have been "established" at all. There is no record that confirms vague, arbitrary, incompetently composed "protocols" have been or can be promulgated on a way that is enforceable, binding, consistent with due process, or that create any obligations for Board members.

Bylaw 9010 also purports to impose a "responsibility" to limit free speech and open debate to public free speech and communication by Board members "in ways that promote the Board's ability to govern." That is a vague and subjective standard that is unenforceable, just like the narrative that "protocols" promote "unity" among other purposes.

What do slogans like "unity" and "ability to govern" mean? To anyone with an 8th grade level of civic literacy that terminology is easily recognizable as null and void in the context of public affairs. Unity is a political standard and ability to govern is not an objective standard but like unity an expression of the ambition for political control.

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These subjective notions would be unenforceable even if properly promulgated, but there is not even a debate about the efficacy of fabricated "protocols" without an "act of the Board" under Bylaw 9323.2 that can be documented and that has been recorded in the minutes. Without the latter the "protocols" are not real. And yet the current and past Board majority has spent countless hours and hundreds of thousands of tax dollars seeking to enforce its fatuously silly make-believe "protocols" as an act of petty political retaliation against its critics.

Specifically, for one of many examples, the minutes of the Board meeting of August 30, 2018, do not indicate protocols were adopted as required by Bylaw 9310, 9323.2 or CA Ed. Code 35010(b). Rather, the minutes of the Aug. 30, 2018 meeting state that the Superintendent "discussed protocols" and "Protocols will continue to be discussed and refined." As such your so-called "protocols" are no more valid or enforceable now than ever was before.

The document labeled "LBUSD Adopted Protocols" that was circulated after that, I think it was in 2018 and 2019, has no legal authority and is embarrassingly illiterate, even juvenile. For example, that document stated that once the Board majority decides a matter the Board minority that opposed a Board action must abandon opposition and support that Board's actions.

Complying with a binding Board rule even while opposing it is part of a Board member's legal rights and duties. Compliance with Board policies while still advocating that policies adopted by the Board be changed is a right of the public that elects members with diverse views and ideas to represent the community on the Board.

The idea that the Board majority can adopt "protocols" to silence the opposition of the Board minority on any issue is so juvenile and inane, no doubt student Board members could explain to the Board why that is simply anti-democratic petulance by the Board majority.

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FINALLY, your agenda item on "protocols" records that the May 30 2019, Board meeting with the Aspen Group was part of the "establishment" of protocols. Not true, that was a 6 hour taxpayer funded marathon at which the following occurred:

Aspen group suggested community meetings to improve community relations, but the current Superintendent opposed that because "public would get into site operations issues and Board does not do operations." That is contrary to CA Ed. Code Sec. 35161, but in ignorance the Board submissively deferred to the Superintendent.

Went asked by Aspen consultants what his goal was for the all day governance workshop, the Superintendent answered "For the Board to act as a majority." Since by law the Board can act only by majority rule, that inarticulate statement can be supposed to mean he wants the Board to act with "unity" that promotes the "ability to govern," which are California School Board Association code words to unanimous voting without minority dissent, an anti-democratic standard imposed by the CBSA as a lobbying organization controlled by former Superintendents in the education consulting industry profiting from the civic incompetence and ignorance of Board members with low performance standards..

Board member Vickers, Wolff and Kelly had a colloquy in which they expressed obsession with political image and agreed "No matter all the good we do, the press throws us under the bus."

The Aspen Group stated and Board agreed that it is "conflict of interest" for a Board member to have a social friendship with a critic of the Board because that "undermines trust." In response to a Board member who stated sometimes that member does not trust other members to follow the rules, and the Aspen Group consultant stated that "We have found that a person who does not trust others is themselves not trustworthy." That is a twisted illogical tautology no different than the logic of

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assertion "If you report a crime you are a criminal," or "If you allege abuse of power you are abusing power," or "If you allege corruption you are corrupt."

That statement by a so-called "governance expert" being paid by taxpayers was so stupid one is stupefied but it, yet at the May 30 meeting the Board majority expressed agreement and affirmation that the consultant had distilled very essence of the Board's purpose in imposing "protocols," which was that the Board can not trust any Board member who alleges that the Board can not be trusted to follow its own rules.

Board member Vickers complained bitterly that Howard Hills is "trying to make the Board look bad," and that Board member Perry was an accomplice to Hills and other Board critics in making "inaccurate" commentary about the Board. However, Vickers pointedly and vigorously denied twice that Hills had twice offered to correct any inaccurate statements. Yet, Vickers had responded to my offer to correct mistakes in an e-mail assuring me there was no inaccuracy that needed to be corrected. Vickers and the Board never replied to my e-mail quoting Vickers false and dishonest denial at the May 30 meeting. That e-mail also included the text of e-mails in which I had made and she had declined my offer to correct any inaccurate statements by me about the Board.

Clearly, Vickers wants the political benefit of accusing critics of being inaccurate, but not accountability for her own inaccurate statements. That is true as well at the October 2018 meeting when without anyone else bring it up she blurted out a denial that the Board had approved the MTV contract in 2002-2003, even though Vickers joined the unanimous recorded yes vote by the Board on the agenda action item approving the contract and authorizing the Superintendent to execute it. Vickers also voted yes to approve the minutes confirming the Board had approved the contract, and in the next emergency meeting she then voted to rescind the approval and subsequently also voted to approve the minutes stating

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	<p>that the Board had receded its approval of the contract.</p> <p>THAT IS HOW PETTY AND DISHONEST THE BOARD HAS BECOME. BUT DON'T TRY TO GO TO THE WEBSITE TO LISTEN TO THE RECORDING OF THE MAY 30, 2019, SIX HOUR MEETING THAT THE BOARD CITES IN AGENDA ITEM NO. 6. THAT MEETING WAS ONLY AUDIO RECORDED, AND THE AUDIO RECORDING WAS TAKEN DOWN DURING THE 2020 SCHOOL BOARD ELECTION. IT HAS NOT BEEN RESTORED DESPITE REQUESTS.</p>
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