



PERB Received
10/05/23 15:29 PM

STATE OF CALIFORNIA
PUBLIC EMPLOYMENT RELATIONS BOARD

UNFAIR PRACTICE CHARGE

DO NOT WRITE IN THIS SPACE: Case No:

Date Filed: 10/05/2023

INSTRUCTIONS: File the original and one copy of this charge form in the appropriate PERB regional office (see PERB Regulation 32075), with proof of service attached to each copy. Proper filing includes concurrent service and proof of service of the charge as required by PERB Regulation 32615(c). All forms are available from the regional offices or PERB's website at www.perb.ca.gov. If more space is needed for any item on this form, attach additional sheets and number items.

IS THIS AN AMENDED CHARGE? YES If so, Case No _____ NO

1. CHARGING PARTY: EMPLOYEE EMPLOYEE ORGANIZATION EMPLOYER PUBLIC¹

a. Full name: Temecula Valley Educators Association, CTA/NEA

b. Mailing Address: 11745 E. Telegraph Road, Santa Fe Springs, CA 90670, CA 90670

c. Telephone number: (562) 478-1388

d. Name and title of agent to contact: Stephanie Joseph, Staff Counsel E-mail Address: sjoseph@cta.org
Telephone number: (562) 478-1388 Fax No.: (562) 478-1434

e. Bargaining Unit(s) involved:

2. CHARGE FILED AGAINST: (mark one only) EMPLOYEE ORGANIZATION EMPLOYER

a. Full name: Temecula Valley Unified School District

b. Mailing Address: 31350 Rancho Vista Rd Temecula, CA 92592

c. Telephone number: (951) 676-2661

d. Name and title of agent to contact: Kimberly Velez, Interim Superintendent E-mail Address: kvelez@tvusd.us
Telephone number: (951) 676-2661 Fax No.:

3. NAME OF EMPLOYER (Complete this section only if the charge is filed against an employee organization.)

a. Full name:
b. Mailing address:

4. APPOINTING POWER: (Complete this section only if the employer is the State of California. See Gov. Code, § 18524.)

a. Full name:
b. Mailing Address:
c. Agent:

5. GRIEVANCE PROCEDURE

¹An affected member of the public may only file a charge relating to an alleged public notice violation, pursuant to Government Code section 3523, 3547, 3547.5, or 3595, or Public Utilities Code section 99569

Are the parties covered by an agreement containing a grievance procedure which ends in binding arbitration?

Yes No Unknown

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6. STATEMENT OF CHARGE

a. The charging party hereby alleges that the above-named respondent is under the jurisdiction of: (check one)

- Educational Employment Relations Act (EERA) (Gov. Code, § 3540 et seq.)
- Ralph C. Dills Act (Gov. Code, § 3512 et seq.)
- Higher Education Employer-Employee Relations Act (HEERA) (Gov. Code, § 3560 et seq.)
- Meyers-Milias-Brown Act (MMBA) (Gov. Code, § 3500 et seq.)
- Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act (TEERA) (Pub. Utilities Code, § 99560 et seq.)
- One of the following Public Utilities Code Transit District Acts: San Francisco Bay Area Rapid Transit District Act (SFBART Act) (Pub. Util. Code, § 28848 et seq.), Orange County Transit District Act (OCTDA) (Pub. Util. Code, § 40000 et seq.), Sacramento Regional Transit District Act (Sac RTD Act) (Pub. Util. Code, § 102398 et seq.), Santa Clara VTA, (Pub. Util. Code, § 100300 et seq.), and Santa Cruz Metro (Pub. Util. Code., § 98160 et seq.)
- Trial Court Employment Protection and Governance Act (Trial Court Act) (Article 3; Gov. Code, § 71630 – 71639.5)
- Trial Court Interpreter Employment and Labor Relations Act (Court Interpreter Act) (Gov. Code, § 71800 et seq.)

b. The specific Government or Public Utilities Code section(s) or PERB regulation section(s) alleged to have been violated is/are:
Gov't Code section 3543.5(a), (b), and (c)

c. For MMBA, Trial Court Act and Court Interpreter Act cases, if applicable, the specific local rule(s) alleged to have been violated is/are (***a copy of the applicable local rule(s) MUST be attached to the charge:***)

d. Provide a clear and concise statement of the conduct alleged to constitute an unfair practice including, where known, the time and place of each instance of respondent's conduct, and the name and capacity of each person involved. This must be a statement of the facts that support your claim and *not conclusions of law*. A statement of the remedy sought must also be provided. (*Use and attach additional sheets of paper if necessary.*)

See attached Statement of Charge

DECLARATION

I declare under penalty of perjury that I have read the above charge and that the statements herein are true and complete to the best of my knowledge and belief. (A Declaration will be included in the e-mail you receive from PERB once you have completed this screen. The person filing this Unfair Practice Charge is required to return a properly filled out and signed original Declaration to PERB pursuant to PERB Regulations 32140 and 32135.)

(Type or Print Name)

/s/
(Signature)

10/05/2023
Date



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IS THIS AN AMENDED CHARGE? YES If so, Case No. NO

1. CHARGING PARTY: EMPLOYEE EMPLOYEE ORGANIZATION EMPLOYER PUBLIC¹

a. Full name: Temecula Valley Educators Association, CTA/NEA
b. Mailing address: c/o CTA - Legal Department, 11745 E. Telegraph Road, Santa Fe Springs, CA 90670
c. Telephone number: (562) 478-1388
d. Name and title of person filing charge: Stephanie Joseph, CTA Staff Counsel E-mail Address: sjoseph@cta.org
Telephone number: (562) 478-1388
e. Bargaining unit(s) involved: Certificated unit

2. CHARGE FILED AGAINST: (mark one only) EMPLOYEE ORGANIZATION EMPLOYER

a. Full name: Temecula Valley Unified School District
b. Mailing address: 31350 Rancho Vista Road, Temecula, CA 92592
c. Telephone number: (661) 264-1111
d. Name and title of agent to contact: Dr. Kimberly Velez, Interim Superintendent E-mail Address: kvelez@tvusd.us
Telephone number: (951) 676-2661

3. NAME OF EMPLOYER (Complete this section only if the charge is filed against an employee organization.)

a. Full name:
b. Mailing address:

4. APPOINTING POWER: (Complete this section only if the employer is the State of California. See Gov. Code, § 18524.)

a. Full name:
b. Mailing address:
c. Agent:

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5. GRIEVANCE PROCEDURE

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Are the parties covered by an agreement containing a grievance procedure which ends in binding arbitration?

Yes No Unknown

6. STATEMENT OF CHARGE

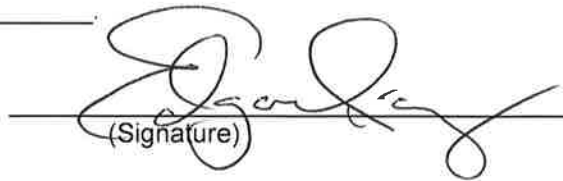
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- b. The specific Government or Public Utilities Code section(s), or PERB regulation section(s) alleged to have been violated is/are: Gov't Code section 3543.5(a), (b), and (c) Unknown
- c. For MMBA, Trial Court Act and Court Interpreter Act cases, if applicable, the specific local rule(s) alleged to have been violated is/are (**a copy of the applicable local rule(s) MUST be attached to the charge**):
- d. Provide a clear and concise statement of the conduct alleged to constitute an unfair practice including, where known, the time and place of each instance of respondent's conduct, and the name and capacity of each person involved. This must be a statement of the facts that support your claim and *not conclusions of law*. A statement of the remedy sought must also be provided. (*Use and attach additional sheets of paper if necessary.*) See attached
Please see attached Statement of Charge

DECLARATION

I declare under penalty of perjury that I have read the above charge and that the statements herein are true and complete to the best of my knowledge and belief and that this declaration was executed on Oct. 5, 2023 (Date)

at Temecula, CA (City and State)

Edgar Diaz, Temecula Vly Educators Association President
(Type or Print Name and Title, if any)


(Signature)

Mailing Address: 29377 Rancho California Rd, #205
Temecula, CA 92591

E-Mail Address: edgar.6diaz@gmail.com

Telephone Number: (951) 609-3229

STATEMENT OF CHARGE

INTRODUCTION

During the six months preceding the filing of this charge, the Temecula Valley Unified School District (District), by its own actions and those of its agents, Superintendent Kimberly Velez, Assistant Superintendent of Human Resources Francisco Arce, and others breached their duty to bargain in good faith in violation of the Educational Employment Relations Act (EERA). Specifically, representatives of the District unilaterally changed the working conditions of bargaining unit employees by adopting a new policy regarding the display of items in the workplace, and interfered with protected activity by issuing a policy that is likely to prohibit materials in support of employee organizations. The District also unilaterally changed the working conditions of bargaining unit employees by adopting a new policy regarding actions that teachers must take when they learn that a student wishes to change information in their official or unofficial records, including but not limited to their name, when they learn that a student is transgender or non-binary, when a student is injured during school activities, when a student expresses suicidal ideation, and when a student complains about verbal and/or physical altercations, including bullying. The District undertook these acts without first providing the Union, Temecula Valley Educators Association (TVEA or Union), with notice and an opportunity to bargain these changes and/or the effects of these changes. By its acts, the District has denied TVEA its rights under the EERA, failed and refused to bargain in good faith with representatives of TVEA as evidenced by, but not limited to, the following:

STATEMENT OF FACTS

1. At all times relevant, the District has been a public school employer within the meaning of Government Code section 3540.1(k).
2. At all times relevant, TVEA has been an employee organization within the meaning of Government Code section 3540.1(d) and the exclusive representative of certificated employees of the District.
3. On or about August 17, 2023, TVEA President Edgar Diaz received a copy of the District School Board's agenda for its upcoming August 22, 2023, meeting. (Agenda attached, in relevant part, as Exhibit A). The agenda revealed the District's intent to adopt new Board Policy (BP) no. 5020.1, Parental Notification. This new policy required, among other things, bargaining unit employees to "notify parent(s)/guardian(s), in writing, within three dates from the date that any

district employee, administrator, or certificated staff, becomes aware that a student is:

- (a) Requesting to be identified or treated as a gender (as defined in Education Code section 201.7) other than the student's biological sex or gender listed on the student's birth certificate or any other official records.

This includes any request by the student to use a name that differs from their legal name (other than a commonly recognized diminutive of the child's legal name) or to use pronouns that do not align with the student's biological sex or gender listed on the student's birth certificate or other official records.

- (b) Accessing sex-segregated school programs and activities, including athletic teams and competitions, or using bathroom or changing facilities that do not align with the student's biological sex or gender listed on the birth certificate or other official records.
- (c) Requesting to change any information contained in the student's official or unofficial records.

(See Exhibit A).

4. BP 5020.1 also imposed new requirements on bargaining unit employees relating to parental notification for and documentation of students who are injured while participating in school sponsored activities, students who display suicidal ideation, and complaints regarding verbal and physical altercations, including bullying. (See Exhibit A).
5. At the August 22, 2023, Board Meeting BP 5020.1 was adopted by the District. (Minutes attached, in relevant part, as Exhibit B).
6. Prior to its adoption of BP 5020.1, the District did not give TVEA notice and an opportunity to bargain as required under Government Code section 3543.1.
7. On or about September 7, 2023, TVEA demanded to bargain the policy and its impacts/effects and reminded the District that it was running afoul of the EERA by adopting the policy without first providing the Union notice and an opportunity to bargain. Specifically, TVEA stated:

The District's adoption of this revised policy could also expose it to liability under the EERA for failure to give TVEA notice and an opportunity to bargain over the policy as it is applied to bargaining unit members. Due to the fact that BP 5020.1 falls squarely in the Board's

Human Resources policies and sets out both prohibitions on conduct and new mandates in the workplace, violation of which could lead to discipline, the policy affects the terms and conditions of employment. Additionally, Board Policy 5020.1 impacts matters within the scope of representation, including but not limited to the impacts and effects on employee evaluations, employee discipline, and on matters encompassed within Article 3.11 (Consultation), Article 4 (Rights Retained by District), Article 9 (Personnel File Contents and Inspection), Article 8 (Evaluation), Article 10 (Public Charges), Article 12.18 (Working Conditions), and Article 20 (Miscellaneous).

(TVEA's September 7, 2023, letter attached hereto as Exhibit C).

8. To date, the District has not responded and has, thus far, refused to rescind the policy.
9. On or about September 8, 2023, TVEA President Edgar Diaz received a copy of the District School Board's agenda for its upcoming September 12, 2023, meeting. The agenda revealed that the District intended to revise its Administrative Regulation (AR) no. 6115, Ceremonies and Observance. The amendment prohibited the display of broad categories of items in the workplace and included the following language:

FLAGS OTHER THAN THE UNITED STATES OF AMERICA AND STATE OF CALIFORNIA

A FLAG IS DEFINED AS A DISPLAY OF DISTINCT COLOR AND DESIGN USED AS A SYMBOL, STANDARD, SIGNAL, OR EMBLEM.

NO FLAG OTHER THAN THE UNITED STATES OF AMERICA AND STATE OF CALIFORNIA MAY BE DISPLAYED UNLESS IT IS A COUNTRY, STATE, OR UNITED STATES MILITARY FLAG USED FOR EDUCATIONAL PURPOSES WITHIN ADOPTED CURRICULUM. ANY OTHER FLAG MUST BE APPROVED BY THE SUPERINTENDENT OR DESIGNEE PRIOR TO DISPLAYING IF AND ONLY IF IT IS USED FOR PURPOSES OF EDUCATION AND ONLY DURING THE RELATED INSTRUCTIONAL PERIOD.

FLAGS OF HIGHER EDUCATION INSTITUTIONS SHALL BE PERMITTED AS PART OF THE COLLEGE AND CAREER PROGRAM.

(Agenda attached, in relevant part, at Exhibit D).

10. At the September 12, 2023, Board Meeting AR 6115 was adopted by the District. The District has yet to publish the meeting minutes from September 12, 2023.
11. Prior to its adoption of AR 6115, Ceremonies and Observances, the District did not give TVEA notice and an opportunity to bargain as required under Government Code section 3543.1.
12. On September 20, 2023, Diaz wrote a letter to the District School Board, copying Superintendent Velez notifying it that the unilateral adoption of AR 6115 policies would, among other things, infringe on employee and union rights under the EERA, and urging the School Board to rescind it until the parties had a full and fair opportunity to negotiate. (A copy of TVEA's September 20, 2023, letter is attached hereto as Exhibit E).
13. On September 22, 2023, District Assistant Superintendent for Human Resources, Francisco Arce, responded by refusing to rescind the policy and refusing to bargain anything other than the impacts and effects, stating:

As you know, on September 12, 2023, the Board of Education approved revisions to AR 6115. The District has implemented that revised administrative regulation. Of course, we would be happy to meet and bargain related to any negotiable impacts and effects associated with the revisions to AR 6115. At your earliest convenience, please let us know which impacts and effects TVEA wishes to negotiate and provide potential dates when TVEA will be available to negotiate.

(Arce's September 22, 2023, letter is attached hereto as Exhibit F).

LEGAL VIOLATIONS

14. **Duty to Bargain:** The District violated its duty to bargain in good faith with TVEA when it adopted AR 6115, Ceremonies and Observances, which prohibits employees from displaying broad categories of items anywhere in the workplace. Because violation of these policies changes the conditions of employment and could lead to discipline of employees, the District violated its duty to bargain such policies with TVEA before enacting them. Similarly, the District failed to provide notice and an opportunity to bargain over BP 5020.1, Parental

Notification, the violation of which also could subject TVEA's unit members to discipline.

15. **Interference with Protected Activity:** The District's policy on display of items in personal workspaces is so vague and overbroad that it could reasonably be interpreted to apply to materials expressing support for an employee organization, absent a formal clarification or amendment of policy from the District. Moreover, employees' right to display flags including but not limited to the various iterations of the Pride Flag is part of a larger social movement connected to the labor movement. The District's application of the policy to all flags, including the various iterations of Pride flags interferes with protected activity under the EERA. The policy thus interferes with employees' right to display materials in support of an employee organization, in violation of 3543.5(a).

REMEDY

1. The District should be ordered to rescind AR 6115 and BP 5020.1 and return to status quo ante.
2. The District should further be ordered to communicate to all employees that the policies have been rescinded.
3. The District should be further ordered to cease and desist from implementing unilateral changes to mandatory subjects of bargaining.
4. The District should be further ordered to post an appropriate notice at all places in the District where such notices are regularly placed (including through electronic mail, intranet, internet, or other electronic means) informing the District's employees of the Board's determination that the District violated the EERA.
5. Charging Party further requests any other relief that is deemed just and proper by the Board.

EXHIBIT A

on the consent calendar are considered to be routine and all will be enacted with one vote. There is no discussion of consent calendar items unless members of the Governing Board
specific items be removed from the Consent Calendar for separate action.

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ORDER

AL OF AGENDA

ANCEMENT OF CLOSED SESSION ITEMS

COMMENTS ON CLOSED SESSION ITEMS

SESSION

ENT DISCIPLINARY ACTIONS

ERENCE WITH LABOR NEGOTIATOR, AGENCY REPRESENTATIVE FRANCISCO ARCE/DESIGNEE (GOVERNMENT CODE SECTION 54957.6)

PLOYEE ORGANIZATION: TEMECULA VALLEY EDUCATORS ASSOCIATION (TVEA)

PLOYEE ORGANIZATION: CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA)

AINING UNIT MEMBER DISCIPLINE / DISMISSAL / RELEASE / COMPLAINT (GOVERNMENT CODE SECTION 54957)(1)

ERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9(d)(2) (1 CASE)

SSION - RECOGNITIONS

SSION - BUSINESS MEETING

ANCE

OF ALLEGIANCE


T OF ACTION TAKEN IN CLOSED SESSION

ITIONS/ ANNOUNCEMENTS/ SCHOOL RELATED ORGANIZATIONS


COMMENTS


NT CALENDAR

ARNING BOARD MINUTES OF JUNE 27, 2023 

ARNING BOARD MINUTES OF JULY 18, 2023 SPECIAL BOARD WORKSHOP 

ARNING BOARD MINUTES OF JULY 18, 2023 

ARNING BOARD MINUTES OF JULY 21, 2023 SPECIAL BOARD MEETING 

ARNING BOARD MINUTES OF AUGUST 9, 2023 SPECIAL BOARD MEETING 

NNEL ITEMS LISTING 8/22/2023 

ANT LIST – JUNE - JULY 2023 PURCHASE ORDERS, CONTRACTS, DIRECT PAYMENTS 

TIONS 

SCHOOL FIELD TRIPS 

ERENCE TRAVEL REQUEST (SSS) 

ERENCE TRAVEL REQUEST (BOE) 

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TRACT: KID TALK CALI SPEECH PATHOLOGY COMPANY

TRACT: THERAPY TRAVELERS, LLC DBA EPIC SPECIAL EDUCATION STAFFING

TRACT: NEW DIRECTION SOLUTIONS, LLC DBA PROCARE THERAPY

TRACT: VOCOVISION INC., DBA BLAZERWORKS

TRACT: AMN HEALTHCARE, INC.

TRACT: SOLIANT HEALTH, LLC

TRACT: INTERQUEST DETECTION CANINES

TRACT: MAXIM HEALTHCARE STAFFING SERVICES INC.

TRACT: SUNBELT STAFFING

TRACT: THERAPEUTIC APPROACH TO GROWTH (TAG)

TRACT EXTENSION: FOR STUDENT CHARTER BUS TRANSPORTATION SERVICES

PARRAL HIGH SCHOOL MODERNIZATION - PHASE 1 BID NO. 2020-21-103 REED FAMILY ENTERPRISES, INC. - CHANGE ORDER 30B-001

PARRAL HIGH SCHOOL MODERNIZATION - PHASE 2 BID NO. 2022-23-115 JB BOSTICK COMPANY, INC. - CHANGE ORDER 3-01R REED FAMILY ENTERPRISES,
16-001 RVH CONSTRUCTORS, INC. - CHANGE ORDER 30-01

CE OF COMPLETION FOR MARQUEE REPLACEMENT INSTALLATION AT EIGHT SCHOOL SITES - AES, ARES, CHES, FVES, PES, PVES, TLES & TTES - BID NO. 2022-
ON ELECTRIC, IN

QUEE REPLACEMENT INSTALLATION AT EIGHT SCHOOL SITES - AES, ARES, CHES, FVES, PES, PVES, TLES & TTES - BID NO. 2022-23-113 CHAMPION ELECTRIC
01

STRUCTION MANAGEMENT SERVICES FOR CHAPARRAL HIGH SCHOOL MODERNIZATION - ADDENDUM 2 TO THE MASTER CONTRACT WITH NEFF CONST

MOVAL OF MULTIPLE CONTRACTS FOR SERVICE AGREEMENTS THROUGHOUT THE DISTRICT 2023-2024

CRITION INK DIETETIC INTERNSHIP PROGRAM AFFILIATION AGREEMENT

ENTUM ONLINE PROGRAM - HOME INSTEAD INNOVATION ACADEMY CURRICULUM

DELETE INSTRUCTIONAL MATERIALS 2022-2023

ORANDUM OF UNDERSTANDING (MOU) BETWEEN TEMECULA VALLEY UNIFIED SCHOOL DISTRICT AND RANCHO CHRISTIAN SCHOOL, A NON-PROFIT PR
24

MOVAL OF THE SCHOOL PLANS FOR TITLE I PARENT FAMILY ENGAGEMENT POLICIES AND SCHOOL-PARENT COMPACTS FOR 2023-2024

MISSION OF APPLICATION FOR FUNDING CONSOLIDATED AND REPORTING SYSTEM (CARS) 2023-24

SULTANT: RANCHO COASTAL SPEECH THERAPY, INC.

SULTANT: JOHANNA PENAGOS, M.A., PPS

SULTANT: GRACE MUCCI Ph.D., MS. ABPdN

SULTANT: ACCOUNTABLE HEALTHCARE STAFFING, INC

SULTANT: MELENDEZ CONSULTING, INC.

ND OPTIONS GROUP, LLC

ATION AND REPORTS

TENDENT COMMENTS

AGENDA ITEMS

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SESSION

SSION

SESSION ACTION

ANCEMENT OF NEXT MEETING

NMENT

Disability Information

Under the Americans with Disabilities Act, if you need special assistance, disability related modifications or accommodations, including auxiliary aids or services, in order to participate in this meeting, please contact the office of the District Superintendent at (951) 676-2661. Notification 72 hours prior to the meeting will enable the District to make reasonable arrangements for accessibility to this meeting. Upon request, the District shall also make available this agenda and all other public records associated with this meeting in appropriate alternative format.

Agenda items distributed to the Board of Trustees less than 72 hours in advance of the meeting and relating to an open session item will be available for public inspection on the District's website at www.sdsdsd.org/12.ca.us/boardmeetingagendas or at the scheduled meeting.

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(36030186) | [Accessibility Notice \(./Pages/AccessibilityNotice.aspx?S=36030186\)](#)

EXHIBIT B

was called to order by Dr. Joseph Komrosky at 4:00 p.m. on Tuesday, August 22nd.

AGENDA

rove the agenda.

discussed the agenda.

r Schwartz requested removal of action item number one policy parental notification.

otion: Motion to remove action item one: proposed Board policy parental notification.

y: Steve Schwartz
Allison Barclay

- z - Yes
- r - Yes
- ez - No
- omrosky - No
- Wiersma - No

not adopted. 2-3.

r Barclay requested to pull consent items 11, and 53. Board member Schwartz requested to pull consent item 5. Board member Wiersma requested to pull consent item 19. Consen
sion.

y: Danny Gonzalez
led by: Jennifer Wiersma

- r - No
- rtz - No
- ez - Yes
- omrosky - Yes
- Wiersma - Yes

NT OF CLOSED SESSION ITEMS

ENTS ON CLOSED SESSION ITEMS

ust wanted to say that, um well, I've been told that we're not allowed to mention specific employees because it's a closed session item and he's not actually listed, but I think a lot
lieve that what's happening to a particular Drama teacher from across the street is absolutely disgusting and unjust and unfair. it's not right that you try to change the rules mid-s
someone who's just doing their job and working in accordance with an approved lesson plan. So I am just asking the board to be reasonable. I believe that the district has done the
e done their investigation. I believe there is nothing actionable. I believe that this particular drama. The teacher did nothing wrong and he needs to be returned to the classroom. T
e. This community needs him. He's a very decent man, he's a good man. I know I've worked with him and I think what you're doing to him be smirching his name, calling him, calling
e, calling him an indoctrinator. It's vicious, it's vile and it was all orchestrated by your precious Pastor complete with a camera crew and a sound guy. That was atrocious. What you
you need to put Mr. the Drama teacher back in his classroom. Thank you."

ron- "Our daughter Amelia Compton is a 12th grade student at Temecula Valley High School. I She's having a tough start to her important senior year mainly because she was co-p
on-president of the TVHS Improv team and has been selected to direct the 2324 senior director play and is working on our application to UCLA's film school all of which is transfer
in place. To say drama is important to Amelia is an understatement. Conversely, to say that the TVHS drama program is without leadership and direction and is in jeopardy is the
ole question is really as to what end? We've asked Amelia to be patient and trust the official process of the district and the law. She took the time to write a letter to the Governin
e lecture by the Board president who quoted Education Code 233.5. We found it disturbing that the Board president advocated for his view of morality and not the teaching of th
it disappointing that the Board president left out the second paragraph of the same Education code which states quote "each teacher is also encouraged to create and foster an e
nds to realize their full potential that is free from discriminatory attitudes, practices events or activities" The Temecula Valley High School mission and vision states quote "we pre
and contribute to our community and our world. We do this by engaging and investing all students in challenging learning while supporting their needs" "Our district leaders and t
sion of the Temecula Valley High School additionally what is the negative impact of the teachers' continued absence on the college plans and college applications for our current 1
ost-secondary Performing Arts programs. Program instructors are critical in assisting students with letters of recommendation and assistance with scholarship preparations for
ard sacrificing our child's dream and aspirations? Has Amelia become collateral damage in this insanity? Last we would like to state what is becoming more in evidence and appare
e Governing board are attempting to govern the district as if it were the private Church and that their election has anointed them to govern without regard to public law, without t
manner toward our community and the public institution the district was originally established to be. TVUSD is not a church. TVUSD is an instrument is not an instrument of one p
ublic school and this is our public institution not governed by canon but by law, policy and regulation. As parents we are not members of the church of the most majority members,
lients. Our children are not parishioners, they're human beings with feelings, emotions, aspirations and dreams. The board ought to stop using the Diocese bully pulpit and said th
ve not a selected slice of those who they believe they represent with the entire community. We are educated pragmatic collaborative work with us and talk to us."

ay- "Hi my name is Chelsea and first off I have to apologize mostly to every parent in this room. This is my first board meeting which is deplorable. I think a lot of what's going on fo
nally stay out of the fray. I work hard. I own my own business here in Temecula. My husband and I both work. We have two girls that we are enormously proud of. I'm a theater maj
a, um but I was a theater major at UCLA and my 11th grader at TVHS hopes to be the same. She is maintaining four AP courses in addition to her extracurricular activities and I like
her be good, do good and be fair and it will all end up the right way. I'm here because I think that is the opposite of what is happening to the TVHS Drama teacher, Greg Bailey. I'm
I has stirred up amongst nationwide at this point, so it's impressive, to say the least, is catching us off guard and making this a worse situation for a man that truly was just doing his
round where you don't see caliber like Greg Bailey very often. I promise. He teaches more than just theater and drama. He teaches to be a good human. He teaches, to be fair, this
onologue or song or what might be he prefaces with this might have a couple bad words. He is what I would consider is shrewd in terms of drama. I'm here because I hope you guy
amilies on a daily basis. I'm here because, Jen you stood at my front door. My husband appointed you and so did I because we thought you guys would be fair and right and this ma
ou've flipped him inside out. His name will never be the same ever. Words like groomer and pedophile. You might as well call him a rapist, are being thrown at a man that has truly i
classroom, he has the right intentions and he does it right. He does it by the rules, he does it by the book and then some. I think the agenda is much bigger than Greg Bailey and I t
damage and he matters to us and he matters to our kids and it matters to this community and I implore you guys to do what is right and don't get caught up in the smoke."

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n- "Hello, I am the parent of a TVHS advanced drama student. My son has been a drama student for the past two years. I know the term parental rights and parent choice have been discussed in many meetings. As a parent, I understand these terms very well and my son has benefited from parent's choice over the last 12 years. He attended K through First in Menifee, where he had access to all the resources as a student, so we chose to move to French Valley specifically so he could attend school within TVUSD. He then attended second through fifth at La Vorna and we made the decision to transfer to French Valley for middle school because it was a better fit for his needs. When it came time for us to register for him for high school, we chose to jump through all of the hoops that are required to attend TVHS. We had exactly one reason for that transfer and it was the drama teacher. You see, my son has special needs that make social situations a little more difficult to navigate. He has theater classes at the age of eight in hopes that it would help him grow to be more comfortable in such situations. Not only did that happen for him, but my son found a love for the theater for the rest of his life. We chose TVHS because of its theater department and the backbone of that department its teacher, and it could not have been a better choice for us. In the past year, in the TVHS theater department, he has gone from shy, anxious and unable to look a person in the eye when speaking with them to outgoing, happy and able to handle most any social situation. It is a 24-hour round trip every day for my son to receive his theater education from this particular drama teacher and not because I love sitting in school traffic. It is so my son can be with the teacher who is the heart of that family. When he was taken from the classroom last May, I the parent was not given the choice in the matter. I have the right as a parent to have my son attend a drama program. My son has the right to receive a state-approved drama education so that he may have a chance in being admitted to a top musical theater program for college. He has the right to receive an education from the most qualified dramatic arts teacher in the valley, the TVHS drama team teacher. What is the right to remove parental rights away from the many TVH Drama parents to appease Drama parents to appease one single parent. So, when you say you are for all parental rights, do you mean for all parents? Isn't it really look that way? There are many parents in this district with kids who look different, learn different and love different these parents and students deserve the same right to have their child in a drama program. You cannot just serve one side, you have to serve all of the students in this district, which includes the TVHS drama students. It is our."

DISCIPLINARY ACTIONS

CONFLICT WITH LABOR NEGOTIATOR, AGENCY REPRESENTATIVE FRANCISCO ARCE/DESIGNEE (GOVERNMENT CODE SECTION 54957.6)

EMPLOYEE ORGANIZATION: TEMECULA VALLEY EDUCATORS ASSOCIATION (TVEA)

EMPLOYEE ORGANIZATION: CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA)

CONTRACT UNIT MEMBER DISCIPLINE / DISMISSAL / RELEASE / COMPLAINT (GOVERNMENT CODE SECTION 54957)(1)

CONFLICT WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9(d)(2) (1 CASE)

RECOGNITIONS

BUSINESS MEETING

AGIANCE

ACTION TAKEN IN CLOSED SESSION

CONFLICT WITH LEGAL COUNSEL - ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9(d)(2)) (1 CASE)

by the claim for damages for M.G. & D.G. received on July 18, 2023.

by: Steve Schwartz
led by: Danny Gonzalez

- z - Yes
- y - Yes
- ez - Yes
- mrsky - Yes
- sma - Yes

ANNOUNCEMENTS/ SCHOOL RELATED ORGANIZATIONS

MENTS

ssart- "Hi, I'm a Temecula resident and a proud mom of nine kids which includes my firstborn, my heart, my 25-year-old transgender son. I am here tonight with a lot of fear, fear for my other trans kids in Temecula because this policy is wrong and it's cruel. Can you even comprehend the level of betrayal a student is going to feel when their rights are violated when their parents say they want to be notified if their kid is trans because they want to help them, but don't you see if a child felt safe to come out with you to you, they would have done it before. According to a recent survey, 70% of trans kids are living in fear of being rejected and abused or kicked out by their parents and my son was one of them. He was afraid to come out because we have shared custody and if this policy were in place back then, a man who openly posted anti-gay anti-trans rhetoric on his social media, a man who harasses trans kids online for their identity that got that notification. You know that information disclosed to unsupportive parents puts our kids at risk for emotional and physical harm. How much support do you think my son needs to assume that every parent is out there to help their trans kid. You have to get this through your head right now that there will be parents out there who react with anger and violence. When this is in place, you have to be responsible to make sure that you can protect students who say to you I will be living in fear if you out me. Are you prepared to intervene on behalf of the students to provide support and resources for our students that are harmed by your policy change? You're not, you're not prepared for the moral responsibility that comes with this position either. I will wait for the sanctions that'll wait for you when this is all done."

Ed- "I see that you all have managed to put more items on the agenda that are completely wasteful spending of TVUSD money taxpayers money and policies that violate civil liberties. Ed code. How hard is it to look up the rules that govern public school boards in the state of California and what you can and can't do in those laws and rules. If you don't like the rules, you can make up your own. I'm going to give you an analogy. Let's pretend that I think driving after having consumed alcohol makes me a better driver. I'm sharper, more aware and just. Alcohol doesn't affect me like other people and I've done my own research. I've got some medical professionals and I can show you some information that would support my assumption on board. Now you may say drinking and driving is dangerous that there's plenty of scientific research that proves it. That even small amounts impair judgment, slow reaction time, you may also remind me that it's illegal. It doesn't matter what I think it's illegal. Well, guess what, I've decided that my personal rights are being violated and, if you don't like it you can take it with me. You can take the bus, you can drive your own car or walk. I'm gonna drive down your street after having consumed alcohol and if government intervenes, that's overreach. It's ridiculous. I hope you listen to that and think to yourselves thank God there's law enforcement that will stop somebody like her from drinking and driving. This isn't personal choice, it's someone's personal views are. When you propose these ridiculous policies and claim they are you protect children and are good for the community, you're violating Ed code, federal law, you're disagreeing with the law doesn't matter. I would love to see you three show any awareness of the laws that govern you and the duties of this office. Once again, this agenda shows you're pushing your own agenda. I mean someone else's agenda."

son- "I was told to talk slow because I talk fast but now I have a minute taken away so I will be talking fast, please try to keep up. My name is Gracie stems and I'm a junior at Temecula Valley High School. Before you asking you to not just hear the words I present but to truly listen to them and take them into consideration. As seen teachers, students, and parents are petitioning the Board at the end of the school year and during summer there were decisions made that were against the teachers across campuses, staff, and students thoughts. Such as new curriculum in the social studies a live textbook in second grade. Sending second grade students back from the rest of California. The removal of TVHS Drama teacher Greg Bailey from his classroom theories spending of mass amounts of money that are just going to literally nowhere that's pointless and now hopefully not a whole outing deal we aren't in Florida. I don't know what a drama student at TVHS who has witnessed and experience the effects that the removal of our teachers had first hand. You diminished our program and now it's struggling as hard as keeping it there is the dedicated students, parents, and teachers. One of the most welcoming spaces and people on campus was gone with the blink of an eye and we understood we've been asking since May 31st for our teacher back and don't understand why. We can't have them in class has been proven there's nothing to push against him and there's been low classmates have anxiety attacks and sob and have mental shutdowns over the fact that this person was no longer with us in class. I've also seen and felt the freeze that is put on to the staff as and students and parents as we ask you to listen. Stop letting your own agendas and politics in the way of hearing what teachers and parents and students want. Students and parents discussing and standing here are here and ready to work. Thank you."

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Hi my name is Carson Sand. I am a junior at Temecula Valley High School. I'm not going to speak for long, but I'm going to say what's on my mind. I have not gone to Temecula Valley High School for 4 years I've been to high school. I started off at River Springs Charter High School but switched over to Temecula Valley High School when I heard of how much of an opening, welcome was. For the most part, I have definitely received that from some of my best friends. Some of the teachers, especially some teachers within our community, have given me that more than anything it is what has mostly been discussed this meeting, and I would like to mention the undeniable point of the staggering in the sounds out of left field. The staggering number of trans people are exposed to their parents. I think, I know that, that number is undeniable whenever that point is used on either sides of the debate. If someone who's opening, accepting and listening to trans people take their own lives when they're exposed to their parents, people say that to people say that to show that we need our you know security privacy to feel loved when we're on the other side the only reason they could possibly be bringing up that point which is an undeniable fact is to be bigoted and to attack people say that they're mentally ill because of their inability to feel comfortable people talk to teachers to feel comfortable. This makes people uncomfortable."

"I taught nearly four decades in public schools so I'm surprised the subject of Parental notification is up for debate. Besides teaching and delivering lessons in our expert disciplines, we also let parents know when a student was out of sorts just to give the parents a heads up. It's unbelievable to me now some teachers hiding information from other teachers concerning irreversible decisions minors may make. Really do you know how often teenagers change their minds? It's not about to transition or not to transition it's about the parents not wanting to hold info from parents will save children from abuse is totally unfair to 99.9 percent of loving parents that would not think of doing such a thing. For that minuscule chance of abuse, the parent and child navigate that situation. What about outing kids? Seriously the whole school knows their new noun and pronouns. It's only a matter of time that the parents will be notified of their teacher's desire to avoid contacting an overbearing parent. That includes the unrealistic soccer dad the unreasonable stage mom, and the dreaded helicopter parent. These are not people we should remember the parents hired Educators with their tax dollars to do a job not to take over the parents job. We all just need to stay in our own lanes. Regarding lawsuits, lawsuits later are much more likely especially after a minor's regret when their transition decision did not solve their emotional problems. Finally, parents say they are losing trust in public schools. Let's all Board members to vote for this common sense policy after all as parents and grandparents wouldn't you."

"My name is Michelle Loza and I am a proud employee of TVUSD and the proud parent of two Mexican-American LGBTQ graduates of TVUSD. Many people know either Lito or Leticia at their sites of TVHS and CHS. I feel blessed that both knew it was safe to come out to their father and me and felt safe at their sites to not only be themselves but be a source of support for others. I've learned daily about the world and how that world can harm my kids. In my 25 plus years of education I have taken solace in the fact that I work in and my children attended school in California where the Ed code that prohibits discrimination on the basis of race, religion, sex, sexual orientation, or identity, religion, or ability and more most importantly protects student privacy. A place that Act which prescribes the inclusion of contributions of groups previously excluded from the history of California and the U.S. A place that has Title IX and CES law that not only enforces states that schools must find ways to prevent and deal with bullying and harassment and of course as mandated reporters we must always report if we suspect a student may not be safe. I know that the Board and the members of this community are aware of these laws. These laws exist because our LGBTQ youth are at risk population and we know that having even one student die is a loss that is felt tremendously. Imagine the harm that you were inflicting to all the LGBTQ students or any students that have felt marginalized due to their race religion Identity or ability please know that there are many in this community that will not stop fighting for you. Know the laws that protect you Slay Queens, and since I'm advocating for students I'd like to advocate for our students to bring back their teacher."

"I'm here to say protect our kids. I want to protect our kids. I want to protect my LGBT kids, my bipoc kids, my straight kids and every kid that feels alone and attacked that have been marginalized. I've perverted the word of God and our School Board. I want to leave our kids alone. Leave my LGBT kids alone, my bipoc kid,s my straight kids leave my kids alone to live the way that they want. The blunt truth I've been an administrator and teacher for over 20 years and from day one I have been proud to call myself an advocate for kids. Throughout these years I've wiped away tears and tried to console my kids that have been harassed and bullied for the color of their skin because they've been told to go back to Mexico and teased because of their accent. I've had to explain to my kids because of how they choose to worship God and love God. Sadly most of the time I've had to console my kids because their parents have disowned them for being LGBTQ. Their parents have taken them to therapy, to stand on the corner and protest against gay marriage. I've had to report parents to CPS and I will do it again because of the abuse that they have inflicted on their children. I have visited my kids in hospitals after they've attempted to take their lives, because they feel like the world that hates them, that rejects them, that creates laws and policies that marginalize them. I've had to report Gonzalez because of your policy I am going to protect my kids. The three of you have put our kids in danger we have to protect our kids from you and your supporters that stand behind you. We will protect our kids, you leave our kids alone."

sa- "Okay, so I'm here for a health check. I wanted to see how you're all doing. You know I heard great stories about Steve and back to school, and it seems like you're doing okay, and it seems like your daughter making cheer captain. We'll see you, uh, see you at the stadium. Seems you just exude leadership wherever you go. The rest of you don't seem to be doing so well. I don't want to have had some issues with your laundry as you were seen for quite a few days in a row wearing the same clothes. I want to suggest YouTube. It's really good for DIY repairs. It was your first day of school of all days when you chose to violate Board governance by representing TVUSD at a non-approved rally in Sacramento. I don't remember seeing that on any of your social media. I don't remember your job, I wonder how that was funded. Joe, you really seem to hate women. At first, I thought it was just Allison or maybe trans women, but it seems like it's all women, ex-wife, and you seem to remove swaths of majority women audience members, and now you have both a cease and desist that includes your red card, yellow card thing and, in addition to that, you've been fined with a few months ago, so your brown act violations just keep adding up especially now that you're back on Instagram and violating the brown act by not unblocking me. Now I'm seeing you on lawyers so much. It must be second nature to you. Danny, you seem to have had a rough couple of weeks too, and I predicted exactly what you would do. So the videos on you, um you seem to be not paying into their pension, and that's for the second time, and then you, these this is all public records, it's public comments. Then you missed your Board meeting on the same day as the meeting for it. Now I don't know. Some people would call it karma, so you're complaining about not getting paid for the meeting you missed, and I don't know some would call it karma if you don't get paid. So I just want to let you know that there's some really good mental health services available out there. If you need them, I'd encourage you to seek them out. You're a good people, and you all seem very hurt, so please seek help. Thank you."

son- "My name is Eric Tomlinson and I simply have questions and a few observations. Can you hear me, okay? Thank you, thank you as a teacher or an administrator. When did it become necessary to create a policy that says kids that we as parents are not to be trusted? Who decided that we as parents are to remain uninformed when our child clearly needs us? When did it become necessary to create a policy that says my child's progress and mental state, not to mention behavior? This has always been a foregone conclusion and yet, for the last 12 years, some teachers and administrators have been acting as if they deem who is or is not worthy as a parent of being informed regarding their child to their son or daughter. It is absolutely unacceptable that we have to be here tonight to propose a policy that says we as a parent regarding my child's behavior. Why are teachers behaving like they're a student's best friend? Why are teachers continuing this best friend status outside of school? Why are you under the guise of compassion undermining parents behind their back to our children while we as parents are and have been supporting you in your position of authority? Why are you doing, if this is what you were doing you're taking advantage of children and adolescents at a time in their lives when they are uncertain, insecure, hormonal, excited, depressed, and struggling with odds with their parents. Quit taking advantage of the authority position and trust you have been given when you became a teacher or an administrator of students in our community. Please be sure they know how very much you love them every day. If you do not listen to them, someone else will."

son- "Hello I'd like to start by saying that I'm a senior at Temecula Valley High School and I've been enrolled in TVUSD since my first day of kindergarten at Paloma Elementary down the road. I've been through a lot of changes to the school district. When I was in elementary school, we had maybe two computer cards. No one had a phone and if we were going to watch a movie in our living room we had a big boxy TV with a VHS port. I think we can all agree that there's been some progress made in the technology department. We've also made progress through expansion and renovation. Some of the things are examples of things that haven't really affected me as a student. I'm sure I wouldn't know what I was missing if we didn't, if we didn't have Smart Boards or a five-star app. It's not that I'm happy if my campus had one less building, but this past year a few things have been happening that make me fear for my education and the education of students in this district who've been marginalized. I'm worried about the curriculum that teaches kids the importance of diversity and acceptance is something that I never thought would happen in my school district. When teachers that helped raise me are being marginalized, it's hard to think that there's nothing wrong with who they are and how they were born. It's hard to think of school all the same way it used to. It's hard to walk up and see someone that doesn't

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out- "Good evening Board staff, fellow parents, my name is Christopher Bout, local parent. I'm in full support of the parental notification policy but I just also want to commend your hard job. I support you I appreciate you you don't hear it enough. God bless you keep doing the good work. In the current education climate Democrats and LGBT crowd are emulating Sacramento from unions from media to indoctrinate kids and their perverse sexual ideology. They place doubt in the kids minds by stating their pronouns. Discussing perverse ideology pride propaganda. This is pure evil and Sacramento is trying to codify this into law as we speak. These are schools not social petri dishes. We have a couple of Trustees who support you too have lost your moral compass. You will not see anything that is righteous. You oppose everything that is decent. You oppose everything that is just good common sense you do the way of your indoctrination agenda and label them Christian nationalists. I rebuke you, I can't wait for the 24 election so we can vote you two out and replace you with normal people. Mark chapter nine if you want to know what happens with groomers. But whoever causes one of these little ones who believes in me to stumble it would be better if a millstone were put around their neck and they be cast into the sea God bless you I love you keep doing it."

ef- "Alrighty if that's normal, I'm scared. All right, first I am so proud of all the students who've spoken up here tonight and I am so sorry you have to. I am also so inspired by most of you here tonight standing up for their students and their own children. Until you three, I never knew how much I loved this community, never knew how fiercely I was willing to fight for our kids to the Bastion of love and acceptance from which we came. Not only did the recession stop us, but a long-time resident told me that Temecula needed people like me. People who love equality, diversity and, most importantly, students. My husband and I debated what to do, particularly because we wanted to raise our young children in a place that would be safe for them they turned out to be, no matter their gender, no matter their sexuality. Ultimately, clearly we stayed. We stayed and we found a community in which most residents shared our values. Most actual residents of Temecula Valley love their neighbors for who they are mind their own business and want to live in peace. They love this community luckily my family and I find people who are willing to stand on the right side of his side of history who are willing to fight the damage that you three insist on perpetually doing in this district and community we love them. The fight may put kids on the street will put kids in harm's way and caring teachers could be put on leave because they refuse to out a student no matter what this community loses as it does."

val- "Hi my name is Upneet and I am a parent in Temecula. I moved here last year for the schools and affordable housing, or what we call affordable. I tried, uh writing, putting facts out there what is going on with the board. I'm going to go back to my English teacher. I have a poem I'm going to read it out. In Temecula, a tale unfolds of a school board's majority choking the air. Ignoring laws leading us astray. Whilst wasting money, they smirk with glee. Stealing students' rights to privacy. Exposed to abuse, their rights are denied. Under false pretenses, they stir the pot. Causing chaos, yet they claim applaud. Under the guise of parental rights they waste money for learning on legal fights, patriotism and rights the claim to defend, they depend. Creating a divide, sowing seeds of scorn, leaving the good people here for loan. But in Temecula we stand together strong united against this dark throng. For equality and justice, we'll fight through the night. Their hateful words we won't condone in our diverse community where we have grown. For love and respect, we'll raise our voice, unraveling their web of lies. With our voices, justice and ignorance will dismiss. In the name of progress, we will prevail in Temecula. The ship won't fail. For love and acceptance shall always prevail, transcending the storm howling through our understanding. Thank you."

ez- "I want to thank our newly elected board members and no thank you Schwartz and Barkley. There is an intentional demoralization of our children and the public education. I read the bylaws of our schools with plexiglasses letting you know that in the future there would be a carnival, a book fair or something to look forward to. Instead, at the middle school Garden Grove I don't know if the board members know this but there's a Tutti Frutti fist pumps across that plexiglas. What do middle schoolers have? Why are middle schoolers exposed to this type of behavior. Why can't they just be innocent and go to school and learn the ABCs and math? Why do they have to learn about people who are gender confused and the his and the hers and the it's. We had Saturday Night Fever, we had all of that stuff. It was never shoved down our throats. In schools we did love each other. There was never a problem. The problem is when we have schools that do not belong in the classroom and that teacher, that drama teacher should not only be terminated but he should also serve a prison sentence for voyeurism. I'm going to go to work at 10:00 is, check-in time, then let that be the check-in time, not three o'clock not 3:15. Okay, On my pass it was 122 at 4:10. So somebody these blue shirts are getting their shirts early."

Good evening last week my daughter started her first day of third grade. I got a homework list with a vocabulary list I've got a list as well I've been going to try to organize my curriculum. We're seeing it you guys have already mastered that concept and are carrying it out into independent practice. Please stop. Second is legacy and I'm asking you to reflect that you are not the negative headlines that are going to live on forever on the internet and follow you all of your days and be seen by your children and your grandchildren your neighbors the people who are viewed well in the inclusive society that we are already in and moving towards and even more expression. I just I really do implore you to think about that. The third term is a sunk cost fallacy. Rhetoric perhaps you can help expand on that idea later but there's an idea that once you're in a hole you should stop digging and you are not. Please stop digging because a sunk cost fallacy leads them down a path which is worse than it could have been and we will give you grace and respect if you come into alignment with values of our community. The third the next time this is when hate speech is spread and the listeners are therefore more statistically likely to commit violence it's unpredictable sometimes it's the lone wolf attack. Recently a woman was outed because somebody tried to tear down her pride flag if I had another minute I would try to observe a minute of silence for her. I ask you to reflect on that. There's selfishness and greed that needs to stop. For my daughter I implore you."

bach - "Fools find no pleasure in understanding but delight in airing their own opinions. That's Proverbs 18 2 of which I'm sure you're familiar Joe, Danny, and Jen. I am truly hoping that as it is clear to me they are not words you choose to live by in most meetings. The way you three have behaved makes you look like children. Your actions and your words have led to the care about the lives of children. I feel that way because to vote tonight even on forcing teachers to out students tonight is wicked, violent, and reprehensibly irresponsible and I'm sure you're in the heels of a Southern California man murdering in cold blood a straight cisgender woman simply for supporting the LGBT plus community would be beyond negligent of your duty as a school-aged child and your little resolution caused that child to be outed to him. Take a second to think about the horrors that would await that child at home. Children will be beaten and they will want and may pursue suicide over this resolution blood will be on your hands. A yes vote on this will show beyond shadow of a doubt that you do not give a damn about children. The lack of that day as Board members it should be all your duty to seek to understand before making decisions that will affect the lives and the education of our children. My worry is that if you do not seek to understand or think critically before acting as empty vessels for politically driven religious groups like the 412 Church or Moms for Liberty. Think for yourself and for the safety of our children. Listen to the opposition of this resolution tonight hear there please I implore you to listen. Vote impersonally and in accordance with the fact that you represent the people. If you do not listen to his brother will soon be no longer listening to God either. He'll be doing nothing but prattle in the presence of God too. This is the big. Thank you."

- "Good evening. My name is Ted Rivenbark. I'm the father of two boys. One who just graduated TVHS this past June and my other is attending 11th grade. So I really don't want to be outed. I would like to be able to support the three newest board members. I strongly believe they have the majority of support in this community. I believe this because I've talked to so many parents in this community. I work with and we all agree that CRT and sexually inappropriate materials do not have a place in our classrooms. Unfortunately they're not as vocal or nearly as loud and they're interesting about the CRT discussions is that I've heard so many people in these board meetings saying it does not exist in our schools, but the moment this board bans CRT there's a problem. Why is that? It's because we know it's coming this way. It's like a huge movie premiere coming to a theater near you but instead it's a college curriculum coming to a grade school. We've seen the trailers we've all heard the reviews and we should all realize this type and not this type of nonsense does not belong in our schools. Thank you."

o- "So last week Governor Newsom stated that there is no state in America that supports local control and parental engagement like the state of California. Well, if that was true, I would like to bring before you some things that are going on not just in California but across our great state of America. If there's not an issue with parental rights and a parental rights bill in the past year and a half has Alabama passed a parental rights bill that was signed into law. In Alaska they signed a parental rights bill that expanded to require parents okay that the governor signed a parental rights bill. In Arkansas the Senate passed sweeping education Reform Bill promoting parental rights. In Georgia it made it easier for parents to challenge school board members. Lawmakers passed bill giving parents to write the challenge of seeing content in schools. I could go on and on New Jersey, Wyoming, and then recently yesterday in California there was a meeting of parents up in Sacramento that sat there and fought for parental rights and then today in L.A there was a bunch of individuals that were down there fighting for parental rights and I was sent a letter today and I want to read it to you. It's from two individual Mama bears that are up in Sacramento on a daily basis fighting for parental rights and it means all parents are asking you to the Temecula board for listening to the parents and passing this parental notification policy and helping set the example and model for other school boards to do so. There should be no children from their parents or for schools to lie and hide information about their children's health, education, and mental well-being. The same parents who are bringing this parental notification bill are in the middle of a battle against Bill's ab1078, ab957, and ab665. We applaud the parents and the board members of your actions today and stand with you as together we show the nation that we are the real California."

- "Good evening. I'm a father of three in our district. When I watched the coverage about our school board about what's going on in our school board, this land of information is obviously an anti-board member propaganda or if it's our governor who claims that 98.8 percent of the 1300 families that were piloted approve the curriculum. We all know that is a lie, but I'm asking you or you Allison, or even you Dr. Velez attempted to clarify that misinformation with our community. 400 surveys are not anywhere near 50 percent of the parents that were participating. I'm asking you that leaders on this board sit back and allow our community to be misled. As I decided to push back on the lies and provide clarification, the divide in our community found me. I decided to use the PBT podcast medium. My wife and I had tried Facebook and next door app. On the next door app everything we posted got flagged and pulled. On Facebook my entire podcast was removed. We simply posted three things the podcast episode, the CRT resolution as a community resource, and the no recall signs which we were giving away for free. The next day we were very clear and didn't get carried from the three board members in question. There is nothing more dangerous than forcing our neighbors to live in an echo chamber of information. We are the real California."

G BOARD MINUTES OF JUNE 27, 2023

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approve the Governing Board Minutes of June 27, 2023.

made by: Allison Barclay
seconded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Nzalez - Yes
- Tomrosky - Yes
- Wiersma - Yes

passed

G BOARD MINUTES OF JULY 18, 2023 SPECIAL BOARD WORKSHOP

approve the Governing Board Minutes of July 18, 2023.

made by: Allison Barclay
seconded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Nzalez - Yes
- Tomrosky - Yes
- Wiersma - Yes

passed

G BOARD MINUTES OF JULY 18, 2023

approve the Governing Board Minutes of July 18, 2023.

made by: Allison Barclay
seconded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Nzalez - Yes
- Tomrosky - Yes
- Wiersma - Yes

passed

G BOARD MINUTES OF JULY 21, 2023 SPECIAL BOARD MEETING

comment:

comment: "Mary Davis here, so uh this is regarding item M4, the minutes from 7:21. I am a government Watchdog and I was concerned about some of the things I saw both the process and the content. While public comments are documented well and that's a great thing, it is far more detailed than most board Chambers do. Your board members comments aren't detailed and I'm concerned that occurred up on the dis uh this is audio that occurred at that meeting about hour mark 3:03:41 let me make sure my volume's up. "So I don't think that it's necessary okay so I don't think it's necessary I don't think it's necessary I think he's waiting in fact I know that they're watching the meeting tonight and so I feel like join us join us we don't need it we don't need to we don't need to reject them. So I think we're okay. I think we're fine. I think so, I'm getting the text now." Okay, so my concern is what she meant under her breath and I think it feels like there were some machinations going on. I did put in a public records request to try to find out what the content of that text was and uh I was told by your District. "That's all I referred with Ms. Barclay regarding your request and have been informed that any text message she appeared to receive at that time did not relate to District business. As a result, it is not a California public records act. If you can, if you need any help further please reach out. So I am asking you, as a matter of integrity and transparency to publicly, disclose out even if it's not a governing body. If you don't want to do it with all of us, then at least share it with the Board president, because I do feel like I go to several."

approve the Governing Board Minutes of July 21, 2023.

made by: Allison Barclay
seconded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Nzalez - Yes
- Tomrosky - Yes
- Wiersma - Yes

passed



G BOARD MINUTES OF AUGUST 9, 2023 SPECIAL BOARD MEETING

approve the Governing Board Minutes of August 9, 2023.

made by: Allison Barclay
seconded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Nzalez - Yes
- Tomrosky - Yes
- Wiersma - Yes

passed

AGENDA ITEMS LISTING 8/22/2023

Wiersma - Yes
ssed

PERB Received
10/05/23 15:29 PM

OL FIELD TRIPS

approve the field trips.

made by: Allison Barclay
conded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Komrosky - Yes
Wiersma - Yes

ssed

NCE TRAVEL REQUEST (SSS)

approve the travel requests.

made by: Allison Barclay
conded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Komrosky - Yes
Wiersma - Yes

ssed

NCE TRAVEL REQUEST (BOE)

omment:

Bock- "I'm just going to summarize these. I won't need the full two minutes. I wrote a speech, but it's not necessary. The concern really is for this trip, um, going to the CUBE conference targeted towards urban populations where they have a very diverse and low socioeconomic status. As well as having, um, a targeted population that's in crime-ridden streets considering that the point and purpose of this attendance on its applicability to Tula and if this is the best use of funds or if this is even the best conference we can attend. I'm all for district conferences, but I'm hoping that we can align with conferences that align with Temecula and their applicability here. Just asking that uh we use our funds responsibly, given that we have a lot of money. There's the Tilford conference, the NSBA annual conference, and there's other conferences that can be literally targeted towards problems that we are bringing up month after month. We can all learn how to communicate better and we can target the direct problems of communication and understanding and bridging the gaps that we have, and I just ask to to use our money more responsibly. Thank you."

and discussed this consent item.

approve the conference.

made by: Joseph Komrosky
conded by: Danny Gonzalez

Barclay - No
Schwartz - No
Gonzalez - Yes
Komrosky - Yes
Wiersma - Yes

ssed

T: BIGGEST FAN

ratify the agreement with the Biggest Fan for services with Chaparral High School.

made by: Allison Barclay
conded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Komrosky - Yes
Wiersma - Yes



ssed

T: SOS ENTERTAINMENT, LLC TEMECULA VALLEY HIGH SCHOOL LUAU

ratify the contract with SOS Entertainment, LLC.

made by: Allison Barclay
conded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Komrosky - Yes
Wiersma - Yes

ssed

T: SOS ENTERTAINMENT TEMECULA VALLEY HIGH SCHOOL HOMECOMING

AGREEMENT TYLER TECHNOLOGIES (TRAVERSA)

PERB Received
10/03/23 10:29 PM

approve Software as a Service Agreement with Tyler Technologies.

made by: Allison Barclay
conded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Gonzalez - Yes
- Mrosky - Yes
- Wiersma - Yes

ssed

T: ROSSIRENE LI, SLP

ratify the contract services of Rossirene Li, Speech and Language Pathologist, from July 1, 2023 through June 30, 2024.

made by: Allison Barclay
conded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Gonzalez - Yes
- Mrosky - Yes
- Wiersma - Yes

ssed

T: LEADERSHIP ASSOCIATES AGREEMENT

ratify the agreement with Leadership Associates.

and Cabinet discussed this item.

made by: Danny Gonzalez
conded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Gonzalez - Yes
- Mrosky - No
- Wiersma - No

ssed

T: ELISABETH SNIDER

ratify the contracted services of Elisabeth Snider from July 1, 2023, through June 30, 2024.

made by: Allison Barclay
conded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Gonzalez - Yes
- Mrosky - Yes
- Wiersma - Yes

ssed

T: SPECIAL DISTRICT FINANCING AND ADMINISTRATION (SDFA) AGREEMENT TO PREPARE THE BIENNIAL RESIDENTIAL AND NONRESIDENTIAL FEE JUSTIFICATION STUDY

approve the agreement with SDFA to provide the Biennial Residential and Nonresidential Fee Justification Study.

made by: Allison Barclay
conded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Gonzalez - Yes
- Mrosky - Yes
- Wiersma - Yes



ssed

T: PARENT INSTITUTE FOR QUALITY EDUCATION (PIQE)

approve the contract with PIQE.

made by: Allison Barclay
conded by: Steven Schwartz

- Barclay - Yes
- Schwartz - Yes
- Gonzalez - Yes
- Mrosky - Yes
- Wiersma - Yes

omrosky - Yes
Wiersma - Yes

PERB Received
10/05/23 15:29 PM

ssed

T: KID TALK CALI SPEECH PATHOLOGY COMPANY

approve the contract services of Kid Talk Cali Speech Pathology Company for speech and language therapy, contract service providers and independent education evaluations A

ade by: Allison Barclay
conded by: Steven Schwartz

rcly - Yes
hwartz - Yes
nzalez - Yes
omrosky - Yes
Wiersma - Yes

ssed

T: THERAPY TRAVELERS, LLC DBA EPIC SPECIAL EDUCATION STAFFING

ratify the contract services of Therapy Travelers LLC dba Epic Special Education Staffing for contracted services to school districts from July 1, 2023 to June 30, 2024.

ade by: Allison Barclay
conded by: Steven Schwartz

rcly - Yes
hwartz - Yes
nzalez - Yes
omrosky - Yes
Wiersma - Yes

ssed

T: NEW DIRECTION SOLUTIONS, LLC DBA PROCARE THERAPY

ratify the contract services of New Direction Solutions, LLC dba Procure Therapy for contracted speech and language, school psychologist, occupational therapy services, phy
ker, sign language interpreters, AAC/AT, and Education Diagnosticians to school districts as a managed service provider, from July 1, 2023 to June 30, 2024.

ade by: Allison Barclay
conded by: Steven Schwartz

rcly - Yes
hwartz - Yes
nzalez - Yes
omrosky - Yes
Wiersma - Yes

ssed

T: VOCONVISION INC., DBA BLAZERWORKS

ratify the contract services of VocoVision Inc., dba Blazerworks for contracted speech and language, school psychologist, occupational therapy services, physical therapy, LVNs
interpreters, AAC/AT, and Education Diagnosticians to school districts as a managed service provider, from July 1, 2023 to June 30, 2024.

ade by: Allison Barclay
conded by: Steven Schwartz

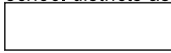
rcly - Yes
hwartz - Yes
nzalez - Yes
omrosky - Yes
Wiersma - Yes

ssed

T: AMN HEALTHCARE, INC.

ratify the contract services of AMN Healthcare for contracted speech and language, school psychologist, occupational therapy services, physical therapy, LVNs, RNs, soc
rs, AAC/AT, and Education Diagnosticians to school districts as a managed service provider, from July 1, 2023 to June 30, 2024.

ade by: Allison Barclay
conded by: Steven Schwartz



rcly - Yes
hwartz - Yes
nzalez - Yes
omrosky - Yes
Wiersma - Yes

ssed

T: SOLIANT HEALTH, LLC

ratify the contract services of Soliant Health, LLC for contracted speech and language, school psychologist, occupational therapy services, physical therapy, LVNs, RNs, soci
rs, AAC/AT, and Education Diagnosticians to school districts as a managed service provider, from July 1, 2023 to June 30, 2024.

ade by: Allison Barclay
conded by: Steven Schwartz

PERB RECEIVED

PERB Received

10/05/23 15:29 PM

ratify the contract services of Sunbelt Staffing for contracted speech and language, school psychologist, occupational therapy services, physical therapy, LVNs, RNs, social workers, AAC/AT, and Education Diagnostician to school districts as a managed service provider, from July 1, 2023 to June 30, 2024.

made by: Allison Barclay
condensed by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

T: THERAPEUTIC APPROACH TO GROWTH (TAG)

ratify the services of Therapeutic Approach to Growth (TAG) from July 1, 2023 through June 30, 2024.

made by: Allison Barclay
condensed by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

T EXTENSION: FOR STUDENT CHARTER BUS TRANSPORTATION SERVICES

approve the fourth extension of the student charter transportation services contract with Certified Transportation Services, Inc through June 2024.

made by: Allison Barclay
condensed by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

AL HIGH SCHOOL MODERNIZATION - PHASE 1 BID NO. 2020-21-103 REED FAMILY ENTERPRISES, INC. - CHANGE ORDER 30B-001

approve the following change order for the Chaparral High School Modernization Phase 1, with Reed Family Enterprises, Inc.

made by: Allison Barclay
condensed by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

AL HIGH SCHOOL MODERNIZATION - PHASE 2 BID NO. 2022-23-115 JB BOSTICK COMPANY, INC. - CHANGE ORDER 3-01R REED FAMILY ENTERPRISES, INC. - CHANGE ORDER 1001 DRIS, INC. - CHANGE ORDER 30-01

approve the following change orders for the Chaparral High School Modernization Phase 2 with JB Bostick Company, Inc, Reed Family Enterprises, Inc., and RVH Constructors, Inc.

made by: Allison Barclay
condensed by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes



passed

F COMPLETION FOR MARQUEE REPLACEMENT INSTALLATION AT EIGHT SCHOOL SITES - AES, ARES, CHES, FVES, PES, PVES, TLES & TTES - BID NO. 2022-23-113 BY CHAMPION ELECTRIC, INC.

authorize district staff to file the Notice of Completion with the County for Champion Electric, Inc. for Bid No. 2022-23-113.

made by: Allison Barclay
condensed by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

ssed

PEBB Received
10/05/23 15:29 PM

IN INK DIETETIC INTERNSHIP PROGRAM AFFILIATION AGREEMENT

approve the Dietetic Internship Program Affiliation Agreement between Nutrition Ink and Temecula Valley Unified School District, beginning August 22, 2023.

made by: Allison Barclay
seconded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

ssed

EDMONTUM ONLINE PROGRAM - HOME INSTEAD INNOVATION ACADEMY CURRICULUM

approve the Edmentum Courseware for the Home INstead Innovation Academy.

made by: Allison Barclay
seconded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

ssed

DISPOSAL OF OBSOLETE INSTRUCTIONAL MATERIALS 2022-2023

Comments:

Block- "Hi again, on a lighter note, this one is M45, and it's just, um, talking about, obsolete of instructional materials, um, which would be the normal boring school board stuff, so v
uff for a minute. I won't read my speech. I just asked that instead of only resorting to dumping all these hundreds of textbooks that you have listed and instructional materials, may
sider donating them to less fortunate schools, libraries, or even prisons. There's a lot of organizations out there that could benefit from us disposing of these rather than us just fill
so I just ask you, consider that."

approve of disposal of obsolete instructional materials.

made by: Allison Barclay
seconded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

ssed

MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN TEMECULA VALLEY UNIFIED SCHOOL DISTRICT AND RANCHO CHRISTIAN SCHOOL, A NON-PROFIT PRIVATE SCHOOL, FOR 2023-2024

approve the Memorandum of Understanding between Temecula Valley Unified School District and Rancho Christian, for 2023-2024.

made by: Allison Barclay
seconded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

ssed

APPROVAL OF THE SCHOOL PLANS FOR TITLE I PARENT FAMILY ENGAGEMENT POLICIES AND SCHOOL-PARENT COMPACTS FOR 2023-2024

approve the Parent/Family Engagement Policies and School-Parent Compacts.

made by: Allison Barclay
seconded by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

ssed

APPROVAL OF APPLICATION FOR FUNDING CONSOLIDATED AND REPORTING SYSTEM (CARS) 2023-24

approve the submission of the 2023-2024 Application for Funding Consolidated Application and Reporting System (CARS).

made by: Allison Barclay
seconded by: Steven Schwartz

approve services of Grace Mucci PhD, MS. ABPdN, Inc from August 23, 2023, through June 30, 2024.

made by: Allison Barclay
condoned by: Steven Schwartz

PERB Received
10/05/23 15:29 PM

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

WARRANT: ACCOUNTABLE HEALTHCARE STAFFING, INC

ratify consultant services of Accountable Healthcare Staffing, Inc for contracted speech and language, school psychologist, occupational therapy services and physical therapy through June 30, 2024.

made by: Allison Barclay
condoned by: Steven Schwartz

Barclay - Yes
Schwartz - Yes
Gonzalez - Yes
Tomrosky - Yes
Wiersma - Yes

passed

WARRANT: MELENDEZ CONSULTING, INC.

Comments:

Massa- "This is regarding m53. I'd like to get clarification as to why the district needs to hire a communication firm and, if so, why Melendez Consulting. The district has an amazing parent in the district for 15 years, and I've never felt uninformed except by this particular board, but you know as to what's going on in my child's classroom. Is it safe to go to school? What is his response? I can always find an answer. I'm also really impressed with the quality of the district emails and videos and, yes, I do watch them. There's no reason you need to add a crisis manager or be worried about crisis management. I suggest a much cheaper and more responsible alternative, stop creating crises. I do a lot of research in my job, including researching vendors and contracts, and the first thing I noticed about the Melendez's contract is the monthly retainer of \$2,500, so they will make 30k off the district even if they do nothing. I'm pretty sure I can do a better show job. So, if you'd like to pay someone \$30,000 and there's no required deliverables, I can be available. I just wrote a really large tuition check to ASU, and I have another one coming. So you know also they can subcontract the work to Lord knows who I'm available. So then, why Melendez's Consulting? They've got no website or public presence. There's no public information I can do in this space, with the exception of seven words on Nico Melendez's LinkedIn profile and even that's overshadowed by his ownership of a portrait studio in Nebraska. Their 15 years of work has no calls, no sample deliverables, and no references. If I tried to pass a contract like that at my work, well, there's no sense in going there because I'd never submit a contract like that. I would like the link to Melendez have anything to do with the fact that she endorsed the three board majority members? I mean it sounds like she's a principal on the firm. It sounds like she's a principal on there, just like with the lawsuit that you the law firm you hired for the."

Mpos- "So a couple things I just want to state really quick before I start because I forgot to do it the first time, but I do not attend 412 church but I will say this Tim is a friend and a pastor. I mention a couple things. I am not behind any we the teachers, parents TVUSD whatever website that's out there Instagram. I'm pretty much technically, like illiterate, but I just want to say that's important down the road. Number one. I'm speaking to support the consultation of Nico Melendez and I'll tell you why. Well, let me give you a little history in the past. In the past, I know that we've had wasteful spending in the past. We've had actually we right now. We have two former board members on the payroll. We also have had the former mayor on the payroll for three years. We've had a former superintendent fill in as an AP at his old salary. We've also had an assistant superintendent of HRD who was a principal at a recent high school. So when we talk about money, we should have younger people administrators who out there who are less cost effective or more cost effective, I should say. Now I will say this in hiring Nico Melendez is here's what we're going to do. We're going to avoid paying a full salary and him having to be here every day. The good news is he's going to be able to work with our current staff to teach the students. We have cases. Ever since a lot of these things have been going on nobody has said anything. We've been silent, at least when Laura Boss was here she had the courage to go out and make a difference. So now we're we're we're able to get someone who knows, has a military background, understands the media how to do it and how to train personnel to handle the media. I think we should pay every penny. Not only that again, we don't have to worry about retirement, we're not paying a full salary, we'll use him for the services that he has and I do hope that you do select him. Thank you."

Clure- "This is on item M5 53 the Melendez's Consulting consultant. TVUSD has a public relations Communications Department and according to the website, you've got two FT employees. We've heard on numerous occasions the compliments and accolades and how well they do their jobs. Most recently The Summit Academy launch and all the marketing and PR related to it. I don't want to waste another \$30,000 of TVUSD money on external consultants, not even a local business but out of towners? Especially since the warrant list in this meeting's agenda already shows that we've spent one month on Mr. Brenner, the special attorney that you've hired to further your agenda, I think we should rethink more wasteful unnecessary spending. It seems like the need for a public relations the negative press and public relations and nightmare that you three have created as a board majority. Passing resolutions that are controversial against the law and viewed negatively. I don't know a better and cheaper way to fix your PR problems, just do your jobs. Just learn the rules that govern you as public School Board and pass resolutions that help students and staff. I don't want to be spending more money than any board has spent before you. Learn the rules and laws that govern you and actually listen to all the parents and families of TVUSD and community members. We need things that improve things for students. I don't think this consultant or any amount of money is going to fix the PR problems until you address the root cause. We get it you three are united. I don't want to go to court to change state law and hopefully take it all the way to the Supreme Court, but how about you stop doing it on our dime and at the expense of our kids. Please don't sign this contract. I don't want to be wastefully and unnecessarily. Use your own money to clean up your own messes and further your political agenda. Leave our kids alone."

Reley- "So my first week back opening a new school has been extremely rewarding and exciting. It was a refreshing reminder of how much teachers love their job and truly focus on their students. I see the positive parents who appreciate the teacher parent relationship, but then Friday came and we saw the agenda and we were reminded that three members of our board actively discouraged parents and teachers claiming that they need more communication. We do not need to give away any more money to your associates for a job that is already filled and do they're doing a good job. I don't see the need to pay attention to it. You need to work with the community to make sure that they're reading and paying attention to the communication. The only other thing about communication is to focus on something Jen I would appreciate it if you would tell your friends to stay off of my classroom pictures and stop writing derogatory things on my celebration of my hard work."

Bock- "Okay, now back to real stuff. M53 Melendez consults um today I address a matter of fiscal responsibility and effective resource utilization as stewards of both education and public funds. I think that we critically examine the potential consequences of this decision, especially considering the estimated cost of \$30,000 including hourly charges, approximately 3 times the normal cost of a full-time employee. While I recognize the importance of effective communication, it's vital to consider whether this such a substantial expense is justified, especially since we already have that existing in the district that is trained and equipped to handle communication needs. Additionally, it's worth considering that the potential implications of hiring a consultant firm that leans toward a more aggressive and less inclusive. These decisions to hire groups are polarizing to our community, detracting from shared goals of fostering unity and open disclosure. We should avoid actions that are marginalizing and staff members. This consulting firm would be another cost incurred by the district that is unnecessary and maybe for the specific benefit of furthering positions of specific members. I don't want to be in the spirit of responsible government governance, I encourage us to explore more cost-effective and inclusive solutions by leveraging the capabilities of our existing media specialists. We need communication strategies that embrace diverse viewpoints and we can create a more inclusive, unified and financially prudent approach to our communication."

to approve Melendez Consulting, Inc. contract.

PERB Received
10/05/23 13:29 PM

Block- "As highlighted in Jen's campaign pamphlet distributed at parents night results speak loudly. It is crucial that we scrutinize this current state of affairs, particularly in light of ratings, dissatisfaction due to discriminatory actions, and ongoing divisiveness but within both the school board and our community. Despite these glaring concerns, there appears to be no real change in the board's modus operandi or its allocation of time. The absence of tangible improvements and outcomes is a cause for significant apprehension. Our District's mission is to be the guiding forces, yet they seem to be overshadowed by disproportionate emphasis on reducing student exposure to the LGBTQ population. Promises were made by school board members to advocate for academic excellence, and strengthen parents-school partnerships, promote age-appropriate curriculum and to help uphold truth and transparency. Regrettably, there has been no progress in these areas. Parental rights are stagnant, K-5 do not have a social studies curriculum in their classrooms, discussions on improving academic excellence are absent. The board's trust in the board's ability is eroding. Additionally, it's disheartening to note that the board's actions appear to contradict the proclaimed commitment to truth and transparency. External groups amplify certain agendas through external groups and associations undermine the genuine collaboration between parents, teachers, and the board. The message is clear, results speak for themselves. Redirect its focus towards the outcomes of our students within our schools instead of being consumed by individual agendas. As board members, you hold vital responsibilities to our community at large. I implore you to embrace your role wholeheartedly and prioritize the betterment of our education system. Thank you."

Reley- "I'm making up for lost time sorry alright. I want to thank you for being honest in your self-evaluations. I compared your self-evaluations for this board to the boards. I went to other boards, you're really good at looking at data and it was super easy because all you had to do was look at the colors. If you look in at the colors in the past, mostly green, green is great. You guys are wasting our time. At the rate this board is wasting our money, time and resources, our test scores will soon look similar to the drastic decline in performance that your scores in 2019 reflects your poor governance, incompetence, and fiscal irresponsibility. You're not here to serve our students or parents, you're here to force your beliefs on others and harass people. Thank you."

discuss the results of the Board self-evaluation and the next steps in efforts to continually improve Board performance.

discussed the results of the self - evaluation and highlighted the areas that needed improvement and ones where there was progress.

GOVERNANCE AND PLANNING CALENDAR

discuss and review the 2023/2024 Board Governance and Planning Calendar.

discussed which Information & Report topics they would like to see in the future. The Board asked that it be brought back as an action item on September 12th.

POLICY 6000 COMMITTEE UPDATE

discuss updates related to the Board Policy 6000 Committee.

Member Wiersma and Interim Assistant Superintendent of Educational Support Services, Nicole Dayus, presented Board Policy 6000 Committee Updates.

POLICY 6144: TEACHING CONTROVERSIAL ISSUES

Comments:

Massa- "Jen, you're gonna miss it. I read through your proposed policy on teaching controversial issues, and all in all, it's not a bad document, although it's wholly unnecessary. Teachers are professionals, and they don't need you to tell them. They're mature adults credentialed and have way more experience this at this than any of you, with the exception of Mr. Schwartz, he's the only one. The fact that you need you feel you need to document this is insulting to the experiences of our educators. But it's insulting for another reason which you likely haven't even considered. It's your CRT resolution. It's hypocritical. For example, you state that TVUSD also requires teachers to ensure that all sides of a controversial issue are impartially presented with accurate information. Yet you adopted an earlier policy that doesn't let teachers talk about oppressors and oppressed or transgressions of the past. You contradict yourselves. You want teachers to draw conclusions from insufficient data, yet you do this all the time. You hired a firm without looking at any quals or sample deliverables. You just did that tonight. You want teachers to not use their position or influence on students to forward their own religious, political, economic, or social views. That's exactly what your disastrous CRT Workshop was in March. You define a controversial issue with something that's debatable now. I remember having a personal conversation with Mrs. Wiersma years ago, and I learned that she considered that a controversial issue, or at least that's what she said then, so who defines what's debatable? Then, in item C, you talk about a student's right to these things: the right to have free access to all relevant information in an atmosphere free from bias and prejudice. Yet, in the agenda item right before this, you're talking about removing these materials from schools, and you've already caused an atmosphere of fear in not contradicting yourselves and not insulting our staff."

Reley- "Good evening. I love that this is here for discussion. This is how you use board policy to focus on creating an environment of learning, supporting student perspectives, creating a safe space for discussion while not endangering an employee's career. This policy, that was created with teacher and admin collaboration, provides structure. I sure hope that this is a sign of things to come."

Block- "All right, so I know this board and their political following don't represent the parents that I've interacted with over the past 23 years. We're dealing with a small radical group of parents telling teachers that we are sexualizing their children. Even though we do not dress them, we don't let them wear makeup. We don't let them have their own YouTube channels. We don't give them a video game diet. We don't allow them to watch shows like squid games and play Call of Duty and GTA at young ages. We don't control their screen time at home. We don't control their TikTok and YouTube videos. If you ask a teacher where most kids are getting influenced negatively, they will say social media and YouTube at home. With this board's hateful policies, teachers are now responsible for the behavior and decisions of children while simultaneously having to leave them alone. Please stop blaming teachers for individual apathy and unwillingness to control their own human beings. Children are not possessions, they're not targets for your harassment, and they are not political pawns. Let's get back to the basics, letting parents parent, teachers teach, and students learn. This is ridiculous."

Block- "Today, I stand before you to address the policy proposal that seeks to outline specific rules for teaching controversial topics. While the intention behind such a policy might be to critically examine its potential impacts and unintended consequences. Education should be a realm of intellectual exploration and critical thinking. It's within this space that students learn to grapple with complex ideas, engage in respectful discourse, and form their own informed opinions. Introducing a policy that elaborates on specific rules for discussing controversial topics is not only unnecessary but also introduces an unnecessary layer of censorship. More concerning is the potential for such a policy to become an intimidation tactic limiting the range of subjects that can be explored. I believe that education is not about conforming to our particular ideology but about equipping students with the skills they need to navigate a diverse and rapidly changing world. If the school board might not agree with depriving them with the opportunities to develop critical thinking skills and learn how to engage in constructive, evidence-based discussions, then the focus should be on equipping teachers and students with rigid guidelines, her focus should be on equipping them with the tools they need to navigate controversial subjects. Effective education empowers students to explore different viewpoints, evaluate evidence, and form their own conclusions. It is the role of educators to foster an environment where students feel safe to express their thoughts, challenge authority, and engage in meaningful conversations. If there are concerns about the teaching of controversial topics, let's address those concerns through proactive measures. Instead of limiting the discussion, let's provide support for our teachers, providing them with the training and resources necessary to navigate these complex conversations. Let's encourage the use of evidence-based teaching methods, foster open dialogue and critical thinking. Thank you."

receive information for review and discussion for draft Board Policy 6144 regarding controversial issues.

Assistant Superintendent, of Educational Support Services, Nicole Dayus, presented information on the Committee's work in collaborating on the new Board Policy 6144.

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relationship with their parents or guardians, where they don't feel comfortable sharing everything this is true in healthy families I'm not just talking families where there is abuse if a teacher to use good judgement and provide guidance and help very likely they will help the child find a way to share with their parents in their own time and in their own wa kids, they won't suddenly go to other kids or less trustworthy adults. The ability for a person to confide in a trusted adult outside their friends and n or their confidence being violated has been a core concept in our society for years. It's an essential component of the priest parishioner relationship. Would you propose this po ut of this policy for my children? You claim to stand for parental involvement. Where's that right now with this one?"

nelton - "If a student isn't comfortable enough to open up about their identity at home, then it's the responsibility of an institution such as a school to give support to that student t, if you not only take away this basic support but make an unhealthy untrustworthy parent aware of that student's identity that they might not support then you put that student seen what for myself what happens when a parent isn't supportive of their child's identity. I've seen the complete collapse of the relationship between that student and their pare e board. Yeah I'm done"

anza - "Good evening. I am a retired high school teacher of the Temecula Valley High School District. I taught here for 18 years. One of the pleasures of working here was a great rsonnel had with parents. We all worked together for the good of the students. We were encouraged to contact parents if there were any problem or change with a student. For th contacted were grateful for the communication. I cannot believe that things have changed so much. I can't believe that I'm here advocating for parents to be notified if their child i hat something that parents would want to know? Children are a gift from God to their parents? Parents have a god-given right to take care of their kids with rare exceptions. Ther ent. Do you think that the school personnel can make better decisions than you about your child? Can teachers? Teachers unions? Governor Newsome? Many adults who have tra oning. Out of 237 detransitioners, only 18% said they were fully informed about serious side effects and these were adults relying on a child to make this decision without parent ts should be notified if their child is headed down this road. They can either support or not support the child, but at least they have been given the choice. Thank you for your time"

wn - "It was a year and a week, September 11th 2001, when I was hired to work at Chaparral as an instructor assistant in special ed, and my children both attended there too. It w nited against a common enemy. It is time to come together and to work together with a teacher and parents. At that time, they wanted me to begin working earlier as soon as I cor ry. Please it helped unite us. We need to realize that it is so valuable to work together at teacher staff meetings we would talk about how to get parents more involved in their stud this Chaparral motto was character counts and academic excellence was desired for each student. There were rules of respect enforced in the classrooms and on campus, and lev so that our children can live in this world respecting one another and all authority over them, including their parents, so it will go well with them. I ask you tonight how far we have eater than the advocate of a parent. Please let's work together. I know I have grandchildren now in the district. Please vote yes tonight for parental notification. Thank you."

pia - "Good evening members of the board we're here tonight to debate what we already know is a fact, which is that children are the domain of their parents and that does not ch ough an identity crisis period. So I stand before you tonight as a real life example of what can happen if and when parental notification policy is not put in place. Long story short, w to parents I was fired because my school district could not accommodate my religious beliefs so much for inclusivity and, on that note, you can't truly claim inclusion when you fo ou see when something horrific happens to you like it's happened to me as a wrongfully fired teacher, it lights a fire underneath you to not only seek justice for how you were wro that no one else is wrong the way you were. This policy is the very change that needs to be put in place so that parents are not wronged by lies and teachers are no longer compel d convictions to save their salary. I speak confidently when I say that I believe the majority of teachers want to stand for what's right and not lie to their students parents, but the c ing info from parents has teachers around the country scared for their career. Teachers are quitting in droves and many that are currently in a credential program are highly consid ate. I know this for a fact because I've received hundreds of messages from teachers and future teachers who are horrified by what's happening tonight. You have the power to no ts of parents but teachers on the front lines who are prepared to die on the hill of truth praying you choose wisely."

nn - "There are problems with the often quoted high suicide rates for Trans teens. The claim of 40 to 50% of the teens attempting suicide at least once stating discrimination as the d claim of discrimination was taken as fact without scrutiny. That was why the Obama Medicare in 2016 rejected funding, because they found numerous faults with the studies. T n Sweden, the country that is considered the most accepting of transgenders in the world, still has the highest suicide rate for them. Second, worse, those that did go through tra es have a 19 times higher suicide rate. You are not saving the child by hiding their mental struggles from their parents nor are you saving them from suicide, you are leading them t ansgenders can never know a state of peace and acceptance in themselves because it's biologically impossible to transition. There are no successful sex change procedures ever. T willing to tell these truths to the children? A parent will. It cannot be that teen is right and the parents are wrong, as the standard the parents are the greatest advocate. If teache d make it a point to notify the parent. You'd make it a point to help the child accept who they are and not affirm that which will ultimately bring them to ruin save our schools save"

ock - "Speech has been covered quite often today, so I'm just really going to talk about some of the misinformation that I'm hearing about the transgender community, as well as on both sides of the table and finding trying to bridge the gap so we can find ways to really address the concerns because there's valid concerns on both sides. so as part of the mi n main concerns that I see cited in the agenda item and cited in this new policy is that the one of the goals is to prevent this long term self harm of preventing this irreversible u n most practices and in most cases um the evidence-based practices do not allow permanent procedures to happen at a young age. those are advocating by law to be older and ol out parental consent period so I just encourage the continued information. additionally I think we should be talking about um notifying parents. It's important that we are notifie ern is that, for the very small few kids who do not have a supportive environment, this is the policy that's threatening their well-being, and so, that's our focus is what are we doing t that those kids are taken care of if this is imposing a threat into their well-being. you're going to see higher dropout rates you're going to see attendance go down you're going to d wellness and what are we doing about that to prevent the harm."

Langworthy - "Well, almost good morning, um I really appreciate that, since you've had your little self-evaluation, you've, you know, kind of gelled together a little bit more and ar you sure are getting a lot of emotional blackmail on both sides, out here um but what I would like to say is that adults need to talk to each other to dispel fears and to work throu n and that's what you guys are called to do and that's what you're still sitting here at almost midnight to do and um I appreciate that the trustees have the opportunity to further cation with all parents and guardians um without discriminating between those perceived as chosen or excluded by someone's bias and so knowing that we all all parents have the re stakeholders just as you were stakeholders we have a lot of stakeholders in our community. They should should not be excluded. It's part of accreditation that stakeholders are rir child, the one that after they graduate, they'll go back home, they'll be there family will be there. I don't see you know I've seen my kids' teachers occasionally about the commu er to our house and sitting with our kids as adults with the grandkids, so um you know, yes, teachers have an important role, but that role includes the parents and this policy."

ez - "Good evening just as a point of reference no relation to Dr. Velez just we all clear it's not a common name here in Temecula, so um so it I've thought a lot about this and I've re to what people are saying tonight so I don't have a big impassion speech I have some questions I want to know how we're reconciling some things earlier tonight this board said w ee environment for all students how are you going to provide that for the trans students based on this protocol I I don't know how you do that. In this bill or in this proposal it says he other things that the teachers are going to be required to tell us about seems pretty other things mean what um we there's a lot of talk about parental rights and I agree I'm all I think parental rights come. With obligations. Lots of people want to talk about well my rights, my rights, my rights. What about your obligations to our children? We keep talking a n exacting keeping things from us. Well, not your child's keeping it from you that's the difference. This isn't a problem in our classrooms, this is a problem in our homes. My home included c-old son won't tell me that he will tell his mother, and that's a bummer for me and we work through that, but that happens in my home. This proposal is dangerous for a lot of reaso ong."

ttice - "Can you hear me okay? Hi, my name is Jenna Lettice. I am a parent of a student at Summit Academy and my pronouns are she her and hers. I had a whole speech written out lot of um a lot of teens and young adults were up here saying what I wanted to say um, so I'm going to skip down and say um if this board chooses to adopt this parental notificatio Ed code we are undermining the human dignity of our students. We are preventing them from exploring who they are and how they fit into our community and we are robbing th is in a safe environment. Not all homes are safe. Public school is a place that should be. Please do not vote on this action item. Take your time to listen to how your community fee n. This board has discussed parental involvement at previous meetings. Do your due diligence as you did with the TCI social studies program, talk to TV USD parents like me send particularly the ones tonight, and others who have viewpoints that might conflict with your own. Thank what they say and consider what our world is like for them have empathy should find that it does more harm than good. Thank you."

Neil - "Good evening thanks for having me here I'm a former California Congressional candidate, uh longtime police officer, deputy sheriff, and I served at uh the state department of State. I want to just point out that, uh well, for one, I want to thank you for continuing to fight because you're duly elected to do exactly this and regardless of a fringe group th exactly what you were elected to do and that's how a republic works a republic that myself and many others like me fought and unfortunately many died for was exactly this exam"

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am - "Hi folks. This is a. This is a whirlwind here. I uh first of all this policy deals with gender dysphoria, which the American Psychiatric association classifies as a mental medical condition, when kids get hurt physically, to notify the parents at the same time, since this is a medical condition. I see it as the schools have an obligation to inform the parents of this situation is any any any school official has they are not qualified to assess what this condition is. That is there's no teacher that there is no teacher that is qualified medically to assess this condition is qualified to assess this and maybe even a psychologist maybe might be able to help a little bit I do think it's real I think that parents need to be notified and I want to say something is up close and personal okay this is not CRT this is not social studies curriculum this is a losing issue for you because it's let me it's SE."

ompson - "Hello. Okay it's Noella thank you and I am a parent here. In TVUSD, um one in 1500 human beings is born visually, intersect or non-binary, one in 500 are born not visually. If students that we have in our district, that means that over 52 students could possibly be transgender. 52 students are you willing to lose their lives if they are not talking to their parents? I trust their parents, people keep talking about family bonds, but if a child doesn't trust a parent, this is why they don't speak. People are talking about family rights or parents' rights. A child cannot legally or medically go get any type of surgery or medical care without their parents. Furthermore, those surgeries are not covered by insurance. They must be paid for by the parent. Something that a parent has to agree to and sign off on, so passing this is only going to be causing harm, it's not going to be protecting anyone. So all of these false equivalencies are lying to you. I did your research on the Travis project as well as inter. to know the truth."

discussed this action item.
Motion: Motion to use the supporting document either Chino, or Murrieta. They are going to strip the language from it and add Temecula, and that is it. And part of that motion is to

made by: Joseph Komrosky
seconded by: Jennifer Wiersma

- Clark - No
- Howard - No
- Sanzalez - Yes
- Komrosky - Yes
- Wiersma - Yes

passed

RESOLUTION 2023-24/02 ON BOARD COMPENSATION FOR MISSED MEETINGS

approve Resolution 2023-24/02.

are no questions or additional discussion about this action item.

made by: Allison Barclay
seconded by: Steven Schwartz

- Clark - Yes
- Howard - Yes
- Sanzalez - Abstain
- Komrosky - Yes
- Wiersma - Yes

passed

CSEA SCHOOL EMPLOYEES ASSOCIATION AND ITS TEMECULA CHAPTER 538 AND TEMECULA VALLEY UNIFIED SCHOOL DISTRICT MEMORANDUM OF UNDERSTANDING - SETTLEMENT AGREEMENT - CLERK III ESS TO SECRETARY III DIRECTOR

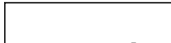
approve the CSEA/TVUSD Memorandum of Understanding - Settlement Agreement - Reclassification - Clerk III ESS to Secretary III Director.

are no questions or additional discussion about this action item.

made by: Steven Schwartz
seconded by: Danny Gonzalez

- Clark - Yes
- Howard - Yes
- Sanzalez - Yes
- Komrosky - Yes
- Wiersma - Yes

passed



TEMECULA VALLEY EDUCATORS ASSOCIATION CTA/NEA AND TEMECULA VALLEY UNIFIED SCHOOL DISTRICT MEMORANDUM OF UNDERSTANDING RVHS QUARTERLY SCHEDULE

approve the TVEA-TVUSD Memorandum of Understanding RVHS Quarterly Schedule.

is no discussion or additional questions on this action item.

made by: Steven Schwartz
seconded by: Allison Barclay

- Clark - Yes
- Howard - Yes
- Sanzalez - Yes
- Komrosky - Yes
- Wiersma - Yes

passed

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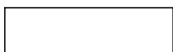


EXHIBIT C



September 7th, 2023

Via Email To: Allison Barclay - abarclay@tvusd.us
Danny Gonzalez - dgonzalez@tvusd.us
Joseph Komrosky - jkomrosky@tvusd.us
Steven Schwartz - sschwartz@tvusd.us
Jennifer Wiersma - jwiersma@tvusd.us

Board of Education
Temecula Valley Unified School District
31350 Rancho Vista Road
Temecula, CA 91710

Re: August 22, 2023, Regular Meeting – Agenda Item O.1 Proposed Board Policy – Parental Notification – 5020.1

Dear Board Members:

The Temecula Valley Educators Association (TVEA) is aware that the Board of Education of the Temecula Valley Unified School District (District) adopted new board policy no. 5020.1 (BP 5020.1), Parental Notification. I write to bring to your attention TVEA's concern that adoption of BP 5020.1 runs afoul of California law, particularly the School Success and Opportunity Act (Assembly Bill 1266) and student privacy rights grounded in the California Constitution. Also, the failure to provide TVEA notice and an opportunity to bargain over the impacts and effects of these policies could be deemed an improper unilateral change and bad faith bargaining.

The Adoption of BP 5020.1

Citing Education Code section 48980, the District adopted BP 5020.1, which mandates that school employees notify the parents of any student who wishes to be identified by a name other than their legal name; who wishes to be identified using pronouns that do not align with the biological sex or gender listed on their birth certificate or official records; who wish to access sex-segregated school programs that do not align with their biological sex; or who wish to change any information in their official or unofficial records. While we agree that parents and guardians have a right to participate in the education of their children in the manner set forth in various sections of the Education Code, the notification requirements proposed in BP 5020.1 are not mandated by law and, in fact, violate state and federal antidiscrimination and privacy laws.

As made clear by the California Department of Education (CDE) in its advisory on the School Success and Opportunity Act (AB 1266), students are entitled to privacy in their gender identity and gender expression, and “schools must consult with transgender students to determine who can or will be informed of the student’s transgender status, if anyone, including the student’s family.” (See CDE FAQs on AB 1266, at n. 7 - <https://www.cde.ca.gov/re/di/eo/faqs.asp>). Disclosure of a transgender or gender nonconforming student’s gender identity to parents without the student’s consent could expose the District to liability under state and federal privacy laws and California’s anti discrimination laws:

A transgender or gender nonconforming student may not express their gender identity openly in all contexts, including at home. Revealing a student’s gender identity or expression to others may compromise the student’s safety. Thus, preserving a student’s privacy is of the utmost importance. The right of transgender students to keep their transgender status private is grounded in California’s anti-discrimination laws as well as federal and state laws. Disclosing that a student is transgender without the student’s permission may violate California’s anti-discrimination law by increasing the student’s vulnerability to harassment and may violate the student’s right to privacy.

(See CDE FAQs re AB 1266, at no. 6 - <https://www.cde.ca.gov/re/di/eo/faqs.asp>).

The bargaining process is particularly important here, as the policy’s wording is unclear and the TVEA bargaining unit members would likely be left uncertain about how it would be applied and what their professional obligations would be if the policy were adopted. Staff would also likely be unclear as to how this policy would interact with other obligations to follow privacy and anti-discrimination law. This is especially troubling as yesterday a California judge issued a temporary restraining order blocking the implementation of a similar policy in Chino Valley Unified School District.

In addition to conflicting with the law, the policy is not clear about what it is requiring of educators, as it lays out multiple options for the form of the notice. It also does not specify who must make the contemplated disclosures, as it lays out multiple options from a principal, a certificated staff member, a counselor, or an unspecified “designee” of the principal. There is no accompanying guidance or regulation that specifies the correct approach for staff, and other parts of the policy are unclear. For example, in paragraph 4, the policy requires a parent/guardian to receive notice of “any incident . . . of a verbal . . . altercation involving their child.” The policy does not establish what would constitute a verbal altercation triggering this requirement. The disciplinary consequences or potential impacts on teacher’s evaluations are also unclear and any changes to TVEA’s contract with respect to those issues must be appropriately bargained. These issues deserve careful consideration and should not be rushed through just as the school year begins.

In addition to the legal issues, this policy requires certificated employees to have the appropriate knowledge, training, and time to have communication with students and guardians about sensitive and confidential issues. With the number of requirements and expectations already placed on certificated staff, this is an unreasonable and highly concerning expectation.

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The policy also puts school psychologists in a difficult position, as various professional organizations' ethical standards include that this information about students be kept private. For example, the Professional Standards of the National Association of School Psychologists, include:

Standard 1.2.5 Privacy Related to Sexual Orientation and Gender Identity and Expression

School psychologists respect the right of privacy of students, parents, and colleagues with regard to sexual orientation, gender identity, or transgender status. They do not share information about the sexual orientation, gender identity, or transgender status of a student (including minors), parent, or school employee with anyone without that individual's permission.

The District's adoption of this revised policy could also expose it to liability under the EERA for failure to give TVEA notice and an opportunity to bargain over the policy as it is applied to bargaining unit members. Due to the fact that BP 5020.1 falls squarely in the Board's Human Resources policies and sets out both prohibitions on conduct and new mandates in the workplace, violation of which could lead to discipline, the policy affects the terms and conditions of employment. Additionally, Board Policy 5020.1 impacts matters within the scope of representation, including but not limited to the impacts and effects on employee evaluations, employee discipline, and on matters encompassed within Article 3.11 (Consultation), Article 4 (Rights Retained by District), Article 9 (Personnel File Contents and Inspection), Article 8 (Evaluation), Article 10 (Public Charges), Article 12.18 (Working Conditions), and Article 20 (Miscellaneous). TVEA demands that the District withhold implementation of Board Policy 5020.1 until the parties have completed bargaining.

Finally, BP 5020.1 will have a detrimental impact on students and staff. These types of policies hurt all students because they fail to promote equity and inclusion in the school community as a whole. The policy, as adopted, will subject the District to legal liability, create ambiguity between staff on how to implement the policy, and works against supporting the Temecula Valley community, making it difficult (or near impossible) to live by the stated ideals of the District to provide and promote safe schools, a positive school climate, humility, civility, and service.

Sincerely,

Edgar Diaz
TVEA President

cc. (by email only): Superintendent Kimberly Velez, Ed.D
Anthony Saavedra, CTA UniServ Staff

EXHIBIT D

by 9:30 p.m., the Governing Board will determine which of the remaining agenda items can be considered and acted upon prior to 10:00 p.m., and may continue all other items on v

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required until a future meeting. All meetings are scheduled to end at 10:00 p.m.
on the consent calendar are considered to be routine and all will be enacted with one vote. There is no discussion of consent calendar items unless members of the Governing Bo
specific items be removed from the Consent Calendar for separate action.

ORDER

AL OF AGENDA

ANCEMENT OF CLOSED SESSION ITEMS

COMMENTS ON CLOSED SESSION ITEMS

SESSION

ENT DISCIPLINARY ACTIONS

ERENCE WITH LABOR NEGOTIATOR, AGENCY REPRESENTATIVE FRANCISCO ARCE/DESIGNEE (GOVERNMENT CODE SECTION 54957.6)

EMPLOYEE ORGANIZATION: TEMECULA VALLEY EDUCATORS ASSOCIATION (TVEA)

EMPLOYEE ORGANIZATION: CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA)

ERENCE WITH LEGAL COUNSEL- ANTICIPATED LITIGATION (GOVERNMENT CODE SECTION 54956.9(d)(2) (1 CASE)

COMPROMISE AND RELEASE AGREEMENT - CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION - (GOVERNMENT CODE SECTION 54956.9(d)(1)) (

SSION - RECOGNITIONS

SSION - BUSINESS MEETING

ANCE

OF ALLEGIANCE

T OF ACTION TAKEN IN CLOSED SESSION

ITIONS/ ANNOUNCEMENTS/ SCHOOL RELATED ORGANIZATIONS

COMMENTS

NT CALENDAR

NNEL ITEMS LISTING 9/12/2023

TIONS

SCHOOL FIELD TRIPS

RACT: GRANICUS



RACT: COPPER HILLS YOUTH CENTER (NPS) WEST JORDAN, UT

RACT: PORT VIEW PREPARATORY ONTARIO, CA

RACT: ELEVATION RTC/VIEWPOINT

RACT: BRIDGE THE GAP SPED

RACT: THE INSTITUTE FOR EFFECTIVE EDUCATION (T.I.E.E.) MISSION VALLEY, CA

RTRACT: TURNITIN BY IPARADIGMS, LLC

REMOVAL OF MULTIPLE CONTRACTS FOR SERVICE AGREEMENTS THROUGHOUT THE DISTRICT 2023-2024

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IMPROVE FACILITIES USE AGREEMENT AMENDMENT TO TEMECULA PREPARATORY SCHOOL

IMPROVE FACILITIES USE AGREEMENT AMENDMENT TO TEMECULA VALLEY CHARTER SCHOOL

ARCHITECTURAL & DESIGN SERVICES FOR MODERNIZATION PROJECT AT CHAPARRAL HIGH SCHOOL - PHASE 2 - DLR GROUP INC. AMENDMENT 1 TO MASTER

LAKE HILLS ELEMENTARY SCHOOL MODERNIZATION BID NO. 2021-22-100 CORE CONTRACTING INC. - FINAL CHANGE ORDER 04-01 LETNER ROOFING CO
05-01 RANCHO PACIFIC ELECTRIC CONSTRUCTION, INC. - FINAL CHANGE

CONSULTANT: INDIVIDUALIZED EDUCATIONAL PSYCHOLOGY, INC

INSTALLATION OF SHADE STRUCTURES AT JES, NVES, PES, PVES, RES, RHES & VHES - PROJECT NO. 2022-23-13062 DAVE BANG ASSOCIATES, INC. - FINAL CHANGE

INSTALLATION OF PLAYGROUND SHADE STRUCTURES AT NINE SCHOOL SITES - AES, ARES, BES, FVES, LES, TES, TLES, TTES & VES BID NO. 2022-23-114 ULTIMATE
FINAL CHANGE ORDER 1

CONSTRUCTION OF RECLAIMED WATER SYSTEMS AT FOUR SITES PROJECT NO. 2022-23-13100 SUPERB ENGINEERING - CHANGE ORDER 1 & FINAL CHANGE ORDER

ORTHWEST RIVERSIDE ADULT EDUCATION CALIFORNIA ADULT EDUCATION PROGRAM (CAEP) GRANT

STATE TEACH PROGRAM - MEMORANDUM OF UNDERSTANDING AND AGREEMENT TO PROVIDE STUDENT TEACHER PLACEMENTS TO UNIVERSITY STUDENTS

REMONT GRADUATE UNIVERSITY AFFILIATION AGREEMENT

ROSS GLOBAL SUPERVISED PRACTICUM AGREEMENT

SAN BERNARDINO LEARNING SITE AGREEMENT

STATE TEACH PROGRAM - MEMORANDUM OF UNDERSTANDING AND AGREEMENT FOR THE EMPLOYMENT OF UNIVERSITY STUDENTS WHO HAVE AN INTENTION

ITEMS

PROBATIONED JOB DESCRIPTION: SUPERINTENDENT

PROBATIONED ADMINISTRATIVE REGULATION 6115: CEREMONIES AND OBSERVANCES

RESOLUTION 2023-24/03 PROTECTION OF STUDENT AND EMPLOYEE RIGHTS

PROBATIONED POLICY 6144: TEACHING CONTROVERSIAL ISSUES

PROBATIONED GOVERNANCE AND PLANNING CALENDARS

MINUTES OF PUBLIC HEARING RE: RESOLUTION NO. 2023-24/06 SUFFICIENCY OF TEXTBOOKS AND INSTRUCTIONAL MATERIALS COMPLIANCE FOR FISCAL YEAR

RESOLUTION NO. 2023-24/04 WIRE TRANSFER PAYMENTS

RESOLUTION NO. 2023-24-05 FOR ADOPTING THE "GANN" LIMIT

PROBATIONED AUDITED ACTUALS FINANCIAL REPORT 2022-23

PROBATIONED ADMINISTRATIVE JOB DESCRIPTION - COORDINATOR - ENGLISH LANGUAGE LEARNER PROGRAM

PROBATIONED JOB ASSIGNMENT FOR THE 2023-2024 SCHOOL YEAR

PROBATIONED STATEMENT AND REPORTS

PROBATIONED STATEMENT FOR ADVOCATES FOR FAITH AND FREEDOM

PROBATIONED STATEMENTS UPDATE

PROBATIONED COMMENTS

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10/05/23 15:29 PM



EXHIBIT E



Wednesday 20, 2023

Via Email To: Allison Barclay - abarclay@tvusd.us
Danny Gonzalez - dgonzalez@tvusd.us
Joseph Komrosky - jkomrosky@tvusd.us
Steven Schwartz - sschwartz@tvusd.us
Jennifer Wiersma - jwiersma@tvusd.us

Board of Education
Temecula Valley Unified School District
31350 Rancho Vista Road
Temecula, CA 91710

Re: September 12, 2023, Regular Meeting – Agenda Item N.2 Revised Administrative Regulation 6115: Ceremonies and Observances

Dear Board Members:

The Temecula Valley Educators Association (TVEA) is aware that the Board of Education of the Temecula Valley Unified School District (District) revised administrative regulation no. 6115 (AR 6115), Ceremonies and Observances. I write to bring to your attention the Union's concern that AR 6115 would likely be deemed an improper infringement on important rights under the Educational Employment Relations Act (EERA) and the U.S. Constitution.

Additionally, the failure to give the Union prior notice and an opportunity to bargain over the decision and/or impacts and effects of these policies could be deemed an improper unilateral change and bad faith bargaining.

The Public Employment Relations Board ("PERB") has long supported the right to display union insignia and messages regarding working conditions in the workplace. The proposed changes to AR 6115 could reasonably be interpreted by District employees to prohibit speech that is protected under the EERA because it restricts the right of the Union and its bargaining unit members to express support for an employee organization in a manner that does not interfere with the District's educational programs.

Moreover, the District's adoption of this revised policy could expose it to liability under the EERA for failing to give the Union prior notice and an opportunity to bargain over the policy as it is applied to bargaining unit members. Because AR 6115 falls squarely in the Board's Human Resources policies and sets out a prohibition on conduct in the workplace, violation of which could lead to discipline, the policy affects the terms and conditions of employment. It is

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thus a change in policy on a mandatory subject of bargaining that the District cannot unilaterally implement without first properly engaging in the meet and confer process with the Union.

The language could also be interpreted as violating the First Amendment of the U.S. Constitution. The policy provides that it is not intended to “deprive any person of his or her right to freedom of expression” but, contrary to that stated intent, it effectively bans the display of all “flags” except for the United States of America and California flags while failing to define what a “flag” is. Because this policy is so broad and vague, it can be reasonably interpreted to categorically prohibit any kind of speech within the confines of one’s workplace. While displaying a message in an employee’s workspace would clearly be a matter of personal expression rather than one of district expression, the District’s absolute prohibition of any such displays improperly restricts employees from being able to engage in free expression of any kind and is not supported by a compelling District need.

According to the Board agenda, AR 6115 is being revised to “*maintain a safe and orderly workplace for teachers, students, administrators, staff, parents/guardians and other members of the community.*” However, “[i]n order for ... school officials to justify prohibition of a particular expression of opinion, it must be able to show that its action was caused by something more than a mere desire to avoid the discomfort and unpleasantness that always accompany an unpopular viewpoint.” *Adcock v. Board of Education*, 10 Cal.3d 60, 67-68 (1973) (quoting *Tinker v. Des Moines School Dist.*, 393 U.S. 503, 508-509). *See also Los Angeles Teachers Union, etc., v. Los Angeles City Bd. Of Ed.*, 71 Cal.2d 551, 560 (rejecting the district’s stated interest in prohibiting on-campus political speech in order to promote harmony and avoid division amongst teachers). The Board’s revised policy, which can reasonably be interpreted to apply to most displays in the workplace, is unlikely to meet this justification.

Because of the Union’s serious concern that the revised version of AR 6115 will expose the District to liability, we urge you to rescind AR 6115 in the manner proposed and to pause consideration of any such amendments until the Union and the District have had a full and fair opportunity to negotiate without an improper, unlawful, and unilateral change to policy.

You have three business days to respond, close of business on Monday, with notification of intent to rescind this policy.

Sincerely,

Edgar Díaz
TVEA President

cc. (by email only): Superintendent Kimberly Velez, Ed.D
Anthony Saavedra, CTA UniServ Staff

EXHIBIT F

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TEMECULA VALLEY
UNIFIED SCHOOL DISTRICT

INTERIM SUPERINTENDENT

Kimberly Velez, Ed.D.

BOARD OF EDUCATION

Allison Barclay
Danny Gonzalez
Dr. Joseph Komrosky
Steve Schwartz
Jennifer Wiersma

September 22, 2023

Via Email Only: tveapresident@gmail.com

Edgar Diaz
TVEA President
29377 Rancho California Road, Suite 206
Temecula, CA 92591

Re: AR 6115: Ceremonies and Observations

Dear Mr. Diaz:

I write in response to your September 20, 2023 correspondence related to the Board's action concerning Administrative Regulation ("AR") 6115 related to ceremonies and observations. We appreciate your taking the time to contact us with your concerns.

In your letter, you stated that the District's implementation of AR 6115 could expose it to certain legal liabilities. Based on those potential liabilities, you encourage the District to pause consideration of any amendments to AR 6115 until the District and TVEA negotiate regarding that administrative regulation. Your letter concludes by stating, "You have three business days to respond, close of business on Monday, with notification of intent to rescind this policy."

As you know, on September 12, 2023, the Board of Education approved revisions to AR 6115. The District has implemented that revised administrative regulation. Of course, we would be happy to meet and bargain related to any negotiable impacts and effects associated with the revisions to AR 6115. At your earliest convenience, please let us know which impacts and effects TVEA wishes to negotiate and provide potential dates when TVEA will be available to negotiate.

Thank you in advance for your attention to this important matter. As always, if you have questions, please do not hesitate to contact my office.

Sincerely,

Francisco Arce
Assistant Superintendent
Human Resources Development

PROOF OF SERVICE

I declare that I am a resident of or employed in the County of Los Angeles,
State of California. I am over the age of 18 years. The name and address of my
Residence or business is CTA-Legal Department, 11745 E. Telegraph Road, Santa Fe Springs,
CA 90670.

On 10/05/2023, I served the Unfair Practice Charge
(Date) (Description of document(s))
_____ in Case No. TBD
(Description of document(s) continued) (PERB Case No.)

on the parties listed below by (check the applicable method(s)):

placing a true copy thereof enclosed in a sealed envelope for collection and delivery by
the United States Postal Service or private delivery service following ordinary business
practices with postage or other costs prepaid;

personal delivery;

facsimile transmission in accordance with the requirements of PERB Regulations 32090
and 32135(d).

electronic service (e-mail) - I served a copy of the above-listed document(s) by
transmitting via electronic mail (e-mail) to the electronic service address(es) listed below
on the date indicated. (May be used only if the party being served has filed and served a
notice consenting to electronic service or has electronically filed a document with the Board. See
PERB Regulation 32140(b).)

(Include here the name, address, e-mail address and/or fax number of the Respondent and/or any other parties served.)

Dr. Kimberly Velez, Interim Superintendent
Temecula Valley Unified School District
31350 Rancho Vista Road
Temecula, CA 92592
Email: kvelez@tvusd.us

I declare under penalty of perjury under the laws of the State of California that the
foregoing is true and correct and that this declaration was executed on 10/05/2023, at
(Date)

Santa Fe Springs CA
(City) (State)

Nelia C. Lara

(Type or print name)



(Signature)