

Prepared Remarks - Item 2.A

September 24, 2026 Special Meeting - 5:00 PM PT

Michael Allman, Trustee

I have a prepared statement that I would like to read into the record.

This Board is a deliberative body of a public school district. Democracy depends on open meetings. The Ralph M. Brown Act exists so that the public can see how a majority hears, discusses, and decides the public's business, not so a majority of the board members can gather at a private event and talk about how it will control the agenda.

On August 30, three of the five Trustees (President Smith, Vice President Viskanta, and Clerk Williams) attended a private, RSVP-only meet-and-greet at a private residence. I did not attend. Trustee Anderson did not attend either. We were not invited. While that majority was present, Vice President Viskanta spoke about the majority's ability to control which items are placed on the agenda. She said, quote: "And the things that have been brought forward, wanting to be put on the agenda and voted on, and they haven't been - it's only because we have a majority." End quote. She also said, quote: "I guarantee you, if that side gets in charge again, it is gonna go. It's gonna go wrong." End quote.

That was a gathering of a majority of this Board. They heard and discussed Board business. Under Government Code sections 54952.2 and 54953, that constitutes a meeting. Because the gathering was neither noticed nor open to the public, it violated the Brown Act.

There is a deeper disrespect here, and it is not personal. It is disrespect to the public. Open meetings exist so the public can watch this Board consider real items, engage in real debate, and take recorded votes that give staff clear direction. The pattern instead is present-tense agenda blocking. Items are purposefully kept off the agenda or delayed by months. When something finally appears, it is parked where the Board cannot give clear direction. And when a Trustee asks for an up-or-down vote, that effort is resisted instead of being decided in public. That is what the Trustee Viskanta's quote "they haven't been, only because we have a majority" means in practice.

President Smith's draft unconditional commitment letter refuses to acknowledge what happened at that meet and greet on August 30.

First, it calls the remarks about agenda blocking "historical" and points to Board Bylaw 9322. Present-tense agenda blocking is not history.

Second, it says there was "no prejudice" because "no decisions were made, no consensus was reached, and no Board action was taken." A vote is not required for a gathering to qualify as a meeting under the Brown Act. The violation is conducting that meeting without the required notice and public access.

Third, this draft unconditional commitment letter says the commitment is "not an admission that a Brown Act violation occurred" and that the allegations lack merit. The governing statute permits the District to make an unconditional commitment without admitting a violation. But it does not require the

2.A. Supplemental Document - Created and Submitted by Trustee Allman

District to deny what the recording and transcript show. Transparency requires a straightforward description of the conduct and an unequivocal commitment not to repeat it. Spending district resources on our legal counsel to deny a recorded majority meeting is not stewardship.

Here is the pattern. President Smith, Vice President Viskanta, and Clerk Williams (the same three who constituted the majority at that private RSVP gathering) continue tying themselves in knots. They have not acknowledged what the transcript shows, so the public is given a non-admission letter that invokes transparency while denying that a meeting occurred.

Trustees are being asked tonight to vote on the District's Unconditional Commitment Letter. The legal analysis that informed that letter has not been provided to every Trustee. Trustee Anderson was given that analysis. The three trustees who attended the private event have been given that analysis. I have not, even though I asked to review it. That is the opposite of transparency. Each problem has the same source: a refusal to state plainly what happened, followed by a meeting spent defending that refusal.

This Board has been here before. In December 2022, District counsel concluded that the Board had violated the Brown Act by holding its officer election before allowing public comment, ignoring the advice provided by our legal counsel during the meeting. The Board cured that violation by taking a new vote in January 2023. On January 31, 2023, the Board also approved two unconditional commitments under section 54960.2, neither of which admitted a violation. Tonight, the Board can choose a more straightforward account of what occurred.

My separate September 15 Brown Act Violation notice on Item 11.B (bringing back SDUHSD schools as SAT test sites) remains open. Tonight's letter does not dispose of it or even address it. The San Diego County District Attorney or any interested person may still seek relief regarding this separate ongoing Brown Act violation.

I am insisting on an open process. I object to Board President Smith's letter claiming that these allegations lack merit. I ask this Board to reject that non-admission letter and approve my alternate unconditional commitment. That alternate acknowledges the August 30 violation, commits the Board to cease and desist, and preserves the District's protections under section 54960.2. I personally commit to placing future action items on properly noticed agendas so the public can hear the discussion and see the Board vote. After the three new Board members are sworn in this December, I will ask every Trustee to make that same commitment.