

Chris Meyer

From: Jenna Marlow Monday, August 17, 2026 5:15 PM
Sent: Suezana Davis; Andrew Long; Rob Jones; Chris Meyer
To: Public Comment - August 17, 2026 Board Meeting
Subject:

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Good afternoon,

Because the hearing is scheduled for this evening, I am bringing the following issues to the District's and Board's attention before the proceedings occur.

1. The District has provided conflicting meeting locations

- a. The August 4 schedule-change announcement states that both the August 17 and August 18 meetings will take place in Room 2. The published August 6 Notice of Hearing likewise directs members of the public to Room 2.
- b. The August 17 and August 18 agendas instead identify Room 4.

2. The published notice does not identify actual budget-inspection dates.

- a. The August 6 notice states:
 - i. "Copies of the LCAP and budget may be inspected at the district office during normal business hours 72 hours prior to the hearing."
- b. That wording does not identify the date or dates on which the proposed budget was available. It also appears to substitute a 72-hour formulation for the separate statutory requirement that the budget hearing occur not less than three working days following public availability of the proposed budget.
- c. For a Monday hearing at 5:30 p.m., the literal point 72 hours before the hearing is Friday at 5:30 p.m., which does not meet the requirements set forth in Education Code section 42103(a).

3. The August 17 hearing agenda omits the required inspection locations.

- a. Education Code sections 42127(a)(1) and 52062(b)(1) require the respective budget and LCAP hearing agendas to identify where those documents are available for public inspection.
- b. The August 17 agenda describes both hearings but does not state where either the proposed budget or the LCAP may be inspected.

c. The fact that a separate notice refers generally to the District office does not address the specific statutory requirement that the inspection location appear on the hearing agenda.

4. The posted materials do not provide usable written-comment instructions.

- a. The August 17 agenda states that the District will notify the public of the opportunity to submit written comments regarding the LCAP. It does not identify:
- b. An email address or physical delivery address;
- c. The person to whom comments should be submitted;
- d. A submission deadline;
- e. Whether comments submitted before the August 18 vote will be provided to every Board member; or
- f. Whether the District will respond in writing to comments from an applicable parent advisory committee.

5. Neither agenda contains the required disability-accommodation notice.

- a. Government Code section 54954.2(a)(1)(C)(ii) requires a regular-meeting agenda to explain how, to whom, and when a person with a disability may request a disability-related modification, accommodation, auxiliary aid, or service.
- b. Neither the August 17 nor August 18 agenda contains that information.

6. The District homepage does not appear to provide a prominent direct link to the current agendas.

- a. The District homepage provides the ordinary navigation path through "School Board" and "Agendas," but does not provide a prominent direct homepage link to the current August 17 and 18 agendas.
- b. Government Code section 54954.2(a)(2) requires the current agenda to be accessible through a prominent direct link on the primary homepage and specifically states that the required link may not merely be located in a contextual menu.

7. The public-comment paragraph is internally contradictory and inconsistent with the Board's adopted rule.

- a. Both agendas state that:

- i. Each individual speaker is allowed two minutes; and
- ii. Total public input on each item is limited to two minutes.

- b. Those provisions cannot both operate as written when more than one person wishes to speak.
- c. The Board's February 26 action concerning Bylaw 9323 was described in the minutes as establishing two minutes per speaker and no more than 30 minutes per topic.
- d. The agendas also say only that time "will be extended" for a speaker using an interpreter. Government Code section 54954.3 requires at least twice the allotted time unless simultaneous translation equipment is being used.

8. The closed-session descriptions and citations are defective or incomplete.

a. The August 17 agenda contains the following issues:

- i. It cites "Gov. Code #53956," rather than an applicable Brown Act section;
- ii. It cites "Government Code Section 5496.9(d)(2)," rather than section 54956.9(d)(2);
- iii. It does not identify the number of potential cases;
- iv. It says "See Attached," but no corresponding attachment appears in the posted agenda; and
- v. It does not clearly state the existing facts and circumstances supporting the anticipated-litigation item, to the extent disclosure is required.
- vi. The August 18 agenda merely lists several generic possibilities—personnel, negotiations, pending litigation, or student concerns—without identifying which actual item of business will be discussed.

1. If no closed session is planned on August 18, the generic item should be removed. If one is planned, the actual subject and statutory basis should be properly described before the Board enters closed session.

- vii. The August 17 agenda also places "Reporting Out of Any Closed Session Action" before "Recall to Order." The Board would ordinarily return to open session before reporting any action taken in closed session.

9. The notices and agendas contain numerous factual and proofreading errors.

a. These include:

- i. The August 17 agenda states that the challenged hearing occurred on June 23, 2025. The relevant hearing occurred on June 23, 2026.
- ii. The August 18 agenda identifies August 18, 2026, as a Thursday. It is a Tuesday.

iii. The published notice calls the document the “Local Control Accountability (LCAP),” omitting both “and” and “Plan.”

iv. The August 18 agenda calls it the “LOCAL ACCOUNTABILITY PLAN,” omitting “Control.”

v. The August 17 agenda contains missing spaces in “6.The,” “7.New,” and “10.Consideration.”

vi. “Resolution N0.” appears to use a zero rather than the letter “o.”

vii. The August 18 agenda uses “INFOMATION.”

viii. The public-comment paragraph includes the sentence fragment, “Also, to remind the public...”

ix. The August 17 agenda does not contain an adjournment item.

These errors are not all independently consequential. Collectively, however, they reduce the clarity and reliability of documents being used for proceedings specifically intended to correct an earlier disputed public process.

10. The cure description is unnecessarily editorialized.

a. The August 17 agenda says the Board is acting to avoid the “expense and uncertainty of unnecessary litigation” and to “instead devote the district’s limited resources to our pupils’ education.”

b. The District is entitled to dispute whether the prior actions violated the Brown Act. It is not necessary to characterize a statutory cure-and-correct process as “unnecessary litigation” or imply that public oversight competes with educational services.

c. Similarly, the published notice states in advance that the LCAP and budget “will be re-adopted.” The more appropriate formulation would be that the Board “will consider re-adoption.” The present wording creates an avoidable appearance that the result has already been determined before the public hearing.

This correspondence does not waive my request for the District’s direct written response identifying the actions taken in response to the July 23 cure-and-correct demand. Following the August proceedings, please provide that response within the applicable statutory period.

Sincerely,

Jenna Marlow