



**PUBLIC REQUEST TO ADDRESS
THE BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES, CALIFORNIA**

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
LINDSEY P. HORVATH
JANICE HAHN
KATHRYN BARGER

Correspondence Received

Agenda #	Relate To	Position	The following individuals submitted comments on agenda item:	
			Name	Comments
1.		Favor	Andrew Roble	I am here in support of Christine Salazar for appointment of social services commission. Christine has the leadership skills needed to get the job done. The work she does in several communities just shows that she is the most qualified person for this role. I ask the BOS to please vote in favor of Christine Salazar. Thank you
			Jenny Liu	I support appointment of Christine Salazar as LA County Commission for Public Social Service Her record of decisive leadership as Board President speaks for itself: she's more than qualified for this new appointment.
			Mahdi A Manji	I am writing to support the appointment of Christine Salazar to the Commission for Public Social Services. She has a history of public service in the San Gabriel Valley and throughout Los Angeles County and I know that she will be an asset to the commission providing valuable insight on the provision of social services in the county. Thank you for your consideration.
			Stephanie M Terrazas	This is a letter of gratitude for the consideration of Christine Salazar to Commission for Public Services. I have been collaborating with Christine Salazar as a fellow advocate in our community for the past five years and I can think of no one better than her to serve this position. Her courage to advocate for the underserved community is inspiring. I have worked with her as an activist bringing to light issues that affect our community, issues ranging from healthcare to human rights. She does her best to communicate and promote transparency within our various working groups. I look forward to seeing Christine in position as it will better serve our community to have her represent us.
			Virginia D Hernandez	I AM IN FAVOR OF SUPERVISOR HILDA SOLIS' RECOMMENDATION OF CHRISTINE SALAZAR TO THE LA COUNTY COMMISSION FOR PUBLIC SOCIAL SERVICES. HER RECORD OF THE DISTRICT EARNING NOTE-WORTHY AWARDS DURING HER TENURE AND EXPANDING ON HIGH-IMPACT PROGRAMS IN ADDITION TO SUPPORTING THE NEED FOR LANGUAGE ACCESS BY THE ATTENDING CHILDREN AND FAMILIES IS JUST THE TIP OF THE ICEBERG. PLEASE DO NOT PLACE SO MUCH WEIGHT ON JUST ONE DISGRUNTLED PERSON.
		Oppose	America Rios	I oppose item 1 due to community concerns regarding the appointment of Christine Salazar and respectfully request the Board of Supervisors deny or delay this appointment.
			Ana Escalante	I oppose item #1 as I have concerns with this appointment of Christine Salazar as she has shown to have bad character while serving the community that elected her in her past public position. I ask the Board of supervisors to do their due diligence first by fully looking into her behavior during school board meetings and I respectfully ask to deny this appointment of Christine Salazar.



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1.		Oppose	Ana Richardson	
			Andrea Nunez	As a concerned resident, I don't feel confident supporting this appointment because I'm not convinced the appointee has demonstrated the kind of leadership this role requires
			aracely lopez	I Aracely Lopez Agenda Item 4-D - OPPOSE Surplus Designation of 842 & 848 S 3rd. Ave. These parcels have a clear public purpose. They must remain in public hands for community agriculture, open space, climate resilience, and cultural preservation- just as the community was originally told they would.
			Aurora Carlos	As a concerned resident, I don't feel confident supporting this appointment because I'm not convinced the appointee has demonstrated the kind of leadership this role requires
			Azucena Aguilar	
			Beatriz Mendoza	I respectfully request that the Board of Supervisors vote against Agenda Item 1. The Commission's effectiveness depends on public confidence, and unfortunately, Ms. Salazar's prior service at HLPUSD was marked by community concerns about public access, open meeting practices, and equitable treatment of families. The County should prioritize individuals with strong, unambiguous reputations for fairness and community accountability. This appointment does not reflect those values.
			Betty Rivera	I am writing to oppose Item 1 on the December 2 agenda: the appointment of Christine Salazar to the Commission for Public Social Services. ?Ms. Salazar's tenure on the HLPUSD board demonstrated a complete disregard for the communities this Commission is meant to protect. She voted for school closures and reconfigurations despite urgent warnings that these actions would harm Latino, low-income, and special education students, which they ultimately did. ?While stripping resources from vulnerable students, she abused her position by spending \$15,953 in a single year on conferences. Furthermore, she silenced the resulting outcry by allowing barriers to Spanish interpretation, shutting parents out of key meetings, and weaponizing the police against the community she served. ?We need a Commissioner with a record of protection and service, not harm and intimidation. I urge you to vote NO on Item 1.
			Brisa Lopez	As a concerned resident, I don't feel confident supporting this appointment because I'm not convinced the appointee has demonstrated the kind of leadership this role requires



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1.		Oppose	Cecilia Rivers	I oppose the appointment of Christine Salazar because the Commission for Public Social Services must remain free from any appearance of conflict or controversy. Questions raised by community members about property decisions, contract transparency, and compliance with equity requirements under state law call for caution. A candidate for this Commission should have an uncontested record of ethical stewardship. This appointment does not meet that threshold at this time.
			Clara Solis	I oppose item 1 due to community concerns regarding this appointment. I respectfully request that the Board of Supervisors deny the appointment of Christine Salazar. I am very concerned that parents were not allowed to give public comment when their children's schools were being closed including as reported by KTLA, on November 10th, 2023. Parents should be given every opportunity to speak in such situations. It appears that Ms. Salazar has repeatedly denied parents the ability to participate. Additionally, it appears that the school closures disproportionately impacted communities of color. From the community comments, it does not appear that Ms. Salazar is a good fit for the position of Commissioner for Public Social Services.
			Cynthia Quinonez	
			Cynthia Talmich	<p>OPPOSITION LETTER TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS</p> <p>Re: Opposition to Agenda Item 1 – Appointment of Christine Salazar to the Commission for Public Social Services</p> <p>December 2025 Los Angeles County Board of Supervisors 500 W. Temple St. Los Angeles, CA 90012</p> <p>To Chair Lindsey Horvath, Supervisor Hilda Solis, and Members of the Board:</p> <p>I am writing to formally oppose the appointment of Christine Salazar to the Los Angeles County Commission for Public Social Services. This Commission oversees programs serving the most vulnerable residents in our County, and any appointee must demonstrate an unwavering record of transparency, sound judgment, and equitable governance. The publicly documented actions associated with Ms. Salazar's tenure on the Hacienda La Puente Unified School District (HLPUSD) Board of Education raise substantive concerns that directly implicate the responsibilities of this Commission.</p>



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This opposition is not personal. It is based strictly on public data, public board actions, FPPC enforcement records, and community-documented impacts. These matters speak to governance, oversight, and the public trust.

1. School Closure Decisions That Disproportionately Impacted Latino Families

District enrollment records and closure-impact maps indicate that approximately:

- 1,602 K–8 students were affected by HLPUSD school closures or grade-level reorganizations.
- Over 70 percent of impacted students lived in La Puente and Valinda, the district's highest-need Latino communities.

Closures affecting Los Robles, Sunset, La Salle, California, Nelson, Sparks, Del Valle, Grandview, Baldwin, Workman 6th Grade, and the reconfiguration of Valinda MS were approved during Ms. Salazar's period in office. Regardless of intent, the disparate impact on Latino students and families is a matter of public fact and has resulted in lasting community distrust.

2. Concerns Regarding Compliance With AB 1912 and Equity Analysis Requirements

Assembly Bill 1912 requires school districts in fiscal distress to conduct comprehensive equity impact analyses prior to school closures.

The 2024–2025 FCMAT (Fiscal Crisis & Management Assistance Team) reports, presented publicly, identified significant fiscal concerns within HLPUSD. Community members, educators, and parents repeatedly testified that they believed the equity analyses required under AB 1912 were incomplete, insufficient, or unduly bypassed. These concerns remain unresolved and part of the public record.

3. Public Meeting Conduct, Access Barriers, and Community Exclusion

During the closure process, multiple parents and community members publicly testified that they experienced:

- Removal or attempted removal from meetings
- Barriers to interpretation services
- Limited opportunities for meaningful public comment

These public statements — made on the record — are part of the district's documented history. Complaints were also submitted directly to Supervisor Hilda Solis's staff during the period when residents sought help.

Additionally, long-time Solis staff member Ryan Serrano was reportedly present during several meetings where parents described civil-rights or access concerns. Community members have questioned whether this appointment represents merit-based selection or political patronage. These



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questions are part of the public discourse and should be addressed before any appointment is finalized.

4. Property Disposition Decisions Raising Community Transparency Concerns

During Ms. Salazar's tenure, HLPUSD advanced multiple actions involving the potential disposition or redevelopment of former school properties. Community concerns publicly raised at board meetings included:

- Transparency of negotiations
- Compliance with the Naylor Act
- Long-term affordability commitments
- Adequacy of public engagement

These concerns were voiced by residents directly affected by school closures and appear throughout district recordings and meeting minutes.

5. Contracts With Outside Organizations and the Appearance of Conflicts of Interest

During Ms. Salazar's tenure, she cast votes on contracts involving outside vendors or nonprofit partners with whom she had professional relationships.

No regulatory agency has found wrongdoing, and this letter does not allege unlawful conduct.

However, the appearance of a conflict of interest alone is disqualifying for an appointment to a County commission tasked with safeguarding vulnerable communities.

Additionally, Ms. Salazar initiated a GoFundMe campaign for school-related expenditures while serving as a governing board member. No agency has determined this to be unlawful, but many residents publicly questioned whether it was appropriate for an elected official to solicit donations for district expenses. These concerns reflect governance-related judgment that is directly relevant to this appointment.

6. FPPC Enforcement Action: Public Record of Compliance Issues

According to the Fair Political Practices Commission (FPPC) publicly available stipulation (FPPC Case No. 2020-00959), Ms. Salazar and her 2020 campaign committee were fined \$1,692 for late filing of campaign statements and a required 24-hour contribution report.

While the FPPC did not find concealment, the enforcement action is a matter of public record and reflects lapses in procedural compliance. For a Commission overseeing public benefits and safety-net services, even minor compliance issues deserve close scrutiny.

Conclusion: Public Trust and the Integrity of the Commission Must Be Prioritized



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	<p>The Commission for Public Social Services oversees programs affecting:</p> <ul style="list-style-type: none">• Seniors• People with disabilities• Low-income families• Children and youth in crisis• Immigrant communities• Residents navigating homelessness, hunger, and safety-net systems <p>Given the pattern of public concern linked to Ms. Salazar's governance record — from school closures in high-need Latino neighborhoods, to unresolved AB 1912 questions, to public-meeting access barriers, to transparency issues in property decisions, to FPPC enforcement actions — this appointment is not appropriate for a Commission entrusted with serving the most vulnerable residents of Los Angeles County.</p> <p>I respectfully urge Supervisor Solis to withdraw this recommendation, and I urge the Board of Supervisors to vote NO on Agenda Item 1.</p> <p>Los Angeles County residents deserve a commissioner whose record enhances public confidence, not erodes it.</p> <p>Sincerely,</p> <p>Cynthia Talmich Whittier</p>
Edlin Simental	<p>I respectfully request the Board of Supervisors to reconsider the appointment of Christine Salazar to the Commission for Public Social Services. There are concerning reports that community members were not given adequate opportunity to be heard in decision-making processes during her previous leadership roles. The Commission for Public Social Services advises on critical welfare programs that directly impact vulnerable populations. This appointment raises questions about whether community voices will be genuinely heard and valued.</p> <p>Thank you.</p>
Erica Estrada	<p>Oppose Working with Christine Salazar.</p>
Isabel Cordoba	<p>My name is Isabel, and I am a Hacienda La Puente Unified School District parent. My child attended Valinda School of Academics before the middle school was closed and my child with disability, Was displaced to another school. I am submitting this comment in strong opposition to the appointment of Christine Salazar.</p> <p>I attended the HLPUSD board meetings on October 12 and 26, and November 9, 2023. I am a direct witness to and affected by what occurred during those meetings while Christine Salazar was a board member and president of the Hacienda de La Puente Unified School District.</p>



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On October 12 and 26, I personally observed parents, especially Spanish-speaking families like myself, repeatedly requesting translation services to understand the meeting. No interpreter was provided on either night. When parents attempted to object, the situation quickly escalated. I witnessed the intervention of the school police, and both meetings were declared "unlawful assemblies," even though many parents were simply trying to defend their children. The forced removal of the room, ordered by Ms. Salazar, the HLPUSD president, caused fear, tears, and confusion, especially among the children present.

The worst incident occurred on November 9, 2023. When Spanish-speaking parents told they would have to speak last, which many families experienced as a form of segregation. That night was extremely cold—around forty degrees—and I witnessed parents, along with two students in wheelchairs, forced to wait outside. When those students asked to use the restroom, they were not allowed inside. One of the students, a child with cerebral palsy, could not wait any longer and urinated on herself. I saw this happen.

I also witnessed the moment police pushed the crowd back after tensions rose. Children were caught in the movement. Some were shoved, stepped on, and nearly trampled as officers cleared the area. Parents were yelling for officials to stop, but there was no intervention from district leadership, including Ms. Salazar, (President).

What I witnessed across these three meetings was a pattern of disregard for:

- language access,
- disability rights,
- student safety,
- and the basic dignity of families.

And there is even evidence of what happened those days, I was there, and I saw it myself.

Someone connected to nights where children were placed in danger, disabled students were denied basic accommodations, and Latino parents were treated unequally should not be appointed to a Commission responsible for public social services and vulnerable residents.

For these reasons, I urge the Board of Supervisors to reject this appointment.

Thank you for the attention this comment deserves.

Signed,
Isabel, HLPUSD Parent and Percipient Witness

Isabel Cordoba

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Signed,
Isabel, HLPUSD Parent and Percipient Witness

Jacquie Marin



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	<p>I am writing to oppose Item 1. The period in which Ms. Salazar served on the school board coincided with school closures and reconfigurations that many parents, students and community members publicly argued would disproportionately impact Latino students, Title I schools, and students with disabilities and she still voted in favor of it affecting hundreds of families. These decisions left lasting distrust in the District. Appointing someone with this history to a Commission serving the County's most vulnerable residents sends the wrong message. Please reject this appointment.</p>
Jaime M Vega	<p>I opposed the placement of Ms Christine Salazar for the position on the LA County Commission for Public Social Services.</p> <p>One concern was the approval of contracts involving non-profit or private vendors, which some community members perceived as potential conflicts of interest based on publicly known professional affiliations. No regulatory agency has issued a finding of wrongdoing.</p> <p>A GoFundMe campaign was created and later paused. While no illegality has been proven, community members expressed concern about whether it is appropriate for an elected official, Ms Salazar, to initiate a fundraiser related to the district's needs.</p>
Jesus Romo	<p>I am submitting this comment to strongly and unequivocally oppose Item 1, the proposed appointment of former Hacienda La Puente Unified School District board member Christine Salazar to the Los Angeles County Commission for Public Social Services.</p> <p>This appointment is not just misguided. It is a serious lapse in judgment.</p> <p>Placing Ms. Salazar in a position of authority over services for low-income families, immigrant communities, seniors, and people with disabilities directly contradicts her record in public office. Her tenure on the HLPUSD board was defined by closed-door decision-making, community distrust, and a persistent pattern of shutting out the very people she was supposed to represent.</p> <p>She backed school closures and reconfigurations that parents, educators, and community groups repeatedly warned would devastate Latino, special education, and low-income students. Families begged the board to slow down, to consider impacts, to provide real engagement—yet Ms. Salazar consistently supported decisions that moved forward without transparency, without accountability, and without community consent.</p> <p>Parents publicly testified that they felt ignored, dismissed, or outright pushed out of board meetings. Spanish-speaking families frequently reported that interpretation was inadequate or unavailable, leaving them excluded from decisions that directly impacted their children. These are not the actions of</p>



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		<p>someone committed to public service. These are the actions of someone who made community input an obstacle, not a priority.</p> <p>There were ongoing and very public concerns about the district's handling of contracts, property decisions, and equity obligations during the period she served. Even if these matters never resulted in litigation, the community's loss of confidence was unmistakable. Trust eroded because of how decisions were made—not in daylight, not with community partnership, but through processes that felt opaque, rushed, and dismissive of residents' rights to be heard.</p> <p>Elevating Christine Salazar to a County Commission that exists to protect vulnerable populations is not only inappropriate—it is an insult to the communities who already endured the consequences of her leadership. It tells parents, immigrants, and working-class families that their experiences do not matter. It suggests that the County is willing to overlook a documented history of public frustration and community harm in order to hand out a political appointment.</p> <p>This nomination is a disservice to public trust, and approving it would only deepen the belief that County leadership is disconnected from the people it claims to serve.</p> <p>For these reasons, I urge the Board to vote NO on Item 1. Reject this appointment. The residents of Los Angeles County deserve leaders who build trust—not ones who have already broken it.</p>
	Jimmy Rivera	<p>I oppose the appointment of Ms Christine Salazar to the Los Angeles County Commission for Public Social Services.</p> <p>The Board of Supervisors should refrain from elevating individuals whose recent actions in public service have caused considerable distrust among the communities this Commission is intended to serve. The decision to close schools in a Latino district, coupled with the vote to construct a \$75 million school in an affluent area, has had a devastating impact on Latino families and resulted in a loss of trust in the school system. In the Latino community, parents have had to adjust their schedules and pay others to drop off their children at school, while the affluent community has received state-of-the-art technology and a new school. Ms Salazar cannot justify her vote, which has harmed and insulted the Latino low-income community.</p>
	Joe Escalante	<p>I oppose item # 1 I respectfully ask the Board of Supervisors to do their due diligence and take into account the past public position that Christine Salazar was elected to and how she was very unprofessional while addressing parents and community members</p> <p>. I oppose and respectfully ask to deny her appointment</p>



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John Kawakami	I oppose Ms Christine Salazar to the LA County Commission for Public Social Services. I attended a school board meeting and was astonished to see Ms. Salazar on a hungry power trip. When people questioned her decisions or opposed her votes, they were sent out of the building, and the police officers were told to enforce her rules. Ms Salazar did not handle opposing viewpoints during the meeting in a professional manner. Tax-paying citizens who opposed school closings were not listened to during their time at the podium. Ms Salazar would speak to other board members and ignore speakers unless the speaker supported her viewpoint. It was appalling to see the lack of respect she displayed towards parents and even students. If she lacked professionalism as a board member, how would she behave if she were appointed to the LA Commission for Public Social Services?
Jose De leon	
Jose Lopez	
Jose Villegas	I oppose the appointment of Christine Salazar based on concerns frequently raised by community members and district employees regarding the financial instability that followed her tenure on the HLPUSD Board. Critics have pointed to costly programs approved during that period, combined with school closures and new construction projects, as contributing factors to the district's current fiscal challenges. Entrusting someone connected to these decisions with oversight or advisory influence over social services funding is not in the best interest of the County.
Juan Sandoval	I am opposed to the the recommendation of Christine Salazar for the Department of Public Social Services. She is not a good representative of the community and she cannot lead or govern responsibly. I don't know how many other parents have had to deal with the utter lack of respect that we dealt with--but Christine did nothing to support my child when they closed the only school in the school district that had an orthopedic playground and the accommodations to support her and her friends. After multiple attempts to speak during the school board meeting, only to have Christine declare an unlawful assembly--it is clear that she has no values, no principles and no consciousness of the pain and harm she permanently caused me and my family.
Judy J Fox	I strongly oppose the appointment of Christine Salazar to the LA County Commission for Public Services. Ms. Salazar is a former HLPUSD Board Member. I, as an HLPUSD resident was very unhappy with her service during her one term at HLPUSD. Ms. Salazar's management style tended to be dictatorial. She made unilateral decisions and did not listen to the opinions of her HLPUSD constituents. She was unwilling to entertain opposing points of view. I have witnessed her cutting people off during public comments, and on several occasions she had people who disagreed with her removed from meetings. These are not the actions of a person who truly has the best interests of the citizens of LA County; many of whom are low income, immigrants, or persons with disabilities--the same people that Ms. Salazar treated with disdain. There



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	<p>is little reason to believe that she would show more respect and compassion towards the entirety of residents within LA County than she displayed as HLPUSD Board President.</p> <p>I respectfully urge you to vote NO on Item 1. Please do not approve Christine Salazar to the Commission for Public Services. She is not qualified.</p>
Korina Maldonado	<p>I am opposed to the nomination of Christine Salazar because of the way she conducted herself during her tenure as a board member of Hacienda La Puente Unified School District.</p>
Laysa M Rodriguez	<p>Not fit for the position</p>
Lourdes Lopez	
lucia cruz	<p>Supervisor Hilda Solis has placed former board member Christine Salazar on the December 2, 2025, agenda for appointment to the LA County Commission for Public Social Services. This commission oversees programs for the most vulnerable communities, and this appointment has raised significant concern across La Puente, Valinda and Hacienda Heights.</p> <p>During her tenure, district actions corresponded with the closure and reconfiguration of schools that disproportionately impacted Latino, low-income, and Title 1 students. Parents reported being excluded from meetings, facing barriers to interpretation, and being denied participation during key decisions. Concerns were raised about the lack of transparency (AB 1912) in school property decisions. Anyone serving on this committee must have a track record of transparency, accountability, and community trust. Unfortunately, Ms Salazar's public record on the HLPUSD board raises serious concerns.</p>
Luz Sandoval	<p>I am writing to express my strong opposition to the appointment of Christine Salazar to the Los Angeles County Commission for Public Social Services. Based on my personal experiences and observations during her leadership within the La Puente Unified School District, I do not believe she is an appropriate candidate for this important role.</p> <p>In my experience, Ms. Salazar's leadership approach has not supported open communication with students, parents, or community members. Many individuals, including parents of children with special needs, have felt discouraged or unheard when attempting to voice concerns. Additionally, some parents have felt intimidated after speaking up on behalf of their children, which raises serious concerns for those who rely on compassionate and transparent public service.</p> <p>Given these experiences, I do not feel confident that Ms. Salazar would uphold the level of accountability, fairness, and community responsiveness that this commission requires.</p>
Manuel Maldonado	<p>I opposed Ms. Salazar for the Public Social Services. During a past school board meeting, a school employee reported that she was being bullied by a teacher to the board members to get much-needed support. After her statement, Mr Maldonado intervened and told the employee to come to him if</p>



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she needed any help. He expressed his intention to make the teacher's life "so miserable that she will quit." In response, board President Ms Salazar recommended that Mr Maldonado be sent a cease and desist letter, stating that his comments were a threat. Subsequently, she issued another letter through Officer John Babat prohibiting him from attending any school functions or meetings for six months. On March 24, 2024, she instructed the police to arrest him if he appeared before the expiration of that period.

When Mr Maldonado arrived at a board meeting, Officers Martinez and Wilkins informed him that he was forbidden from attending. The officers twisted his arms and pushed him against a fence. Two additional officers joined them and continued to restrain him. The Chief of Police eventually ordered them to let him go. Mr Maldonado then went to the City of Industry Sheriff Department to file charges of police abuse, but was told they could not help him. It was the school police who were supposed to file the report, but Mr. Maldonado told them it was a conflict of interest. The sheriff at the department admitted that they were supposed to file a police report. John Babbit accused Mr Maldonado of assaulting the officers, which led to the court appearance. However, evidence from the proceedings showed that the officers had assaulted him. Once the video evidence was presented, it proved his innocence, and his case was dismissed. At this time, Mr Maldonado was approaching 71 years of age. Officers admitted that they did not take into account his age when they manhandled him. Mr Maldonado had been removed from several meetings while supporting Spanish-speaking parents, who were required to wait until all other speakers had finished before they could address the board. This issue persisted until community members spoke out against the discrimination.

I had 10 children attend the HLPUSD, and I am an alumnus of the school district. I have been attending board meetings for over 50 years, advocating for mine and other children. I have never experienced such violations of stakeholders' civil rights.

Margarita Caldera

Opposition to the Appointment of Christine Salazar

To: Los Angeles County Board of Supervisors

Re: Appointment to the Commission of Public Social Services

I am writing to strongly oppose the appointment of Christine Salazar to the Los Angeles County Commission of Public Social Services. In my opinion, Ms. Salazar's past conduct as a member of the Hacienda La Puente Unified School District (HLPUSD) Board of Education reflects a troubling pattern of hostility toward community voices, disregard for transparency, and failures in labor oversight. These actions, in my view, make her unfit for a role that demands accountability and respect for the public.



PUBLIC REQUEST TO ADDRESS THE BOARD OF SUPERVISORS COUNTY OF LOS ANGELES, CALIFORNIA

MEMBERS OF THE BOARD

HILDA L. SOLIS
HOLLY J. MITCHELL
LINDSEY P. HORVATH
JANICE HAHN
KATHRYN BARGER

Correspondence Received

1. Suppression of Public Participation

In my view, Ms. Salazar's actions on the HLPUSD Board reflected a consistent effort to suppress community voices. I believe she relied on school police to remove community members from meetings, imposed unreasonable limits of only 30 seconds for parents, students, and residents to speak, and oversaw meetings where both the boardroom doors and the district office doors were locked, with the community told to remain outside. Families — including children with special needs — were left waiting in freezing temperatures. To me, these actions demonstrated a disregard for accessibility, democratic engagement, and basic human dignity.

2. Retaliation Against Dissent

In my opinion, Ms. Salazar's conduct revealed a troubling tendency to retaliate against those who disagreed with her. She pursued and obtained restraining orders against individuals in the Hacienda La Puente Unified School District community. Although these orders were granted, many community members perceived them as efforts to intimidate and silence critics. I experienced this pattern personally in my role as union chapter president, when her actions attempted to suppress my voice — actions the Public Employment Relations Board (PERB) later ruled constituted unlawful retaliation.

At a La Puente City public event, video evidence shows Ms. Salazar approaching a sheriff's deputy to request action against a resident whose only "offense" was publicly opposing her. No crime had occurred, yet she sought to criminalize dissent. To me, such actions reflect an alarming mindset: equating disagreement with wrongdoing, a perspective wholly incompatible with the responsibilities of public service.

3. Financial Mismanagement

In my view, Ms. Salazar's decisions left the district facing serious financial challenges. After she was voted out in November 2024, HLPUSD was left to deal with the impacts of what I believe were poor financial choices, resulting in an unstable position that will burden the district for at least the next three years. She supported some of the most expensive programs despite the district's inability to sustain them financially. She voted to close four existing schools, yet at the same time backed construction of a brand-new school — even though four schools were already available — further worsening the district's instability.

To me, entrusting her with oversight of social services funding risks repeating the same mistakes at the county level, where vulnerable populations depend on responsible stewardship.

4. Violations of Union and Employee Rights

Ms. Salazar's tenure was marked by a significant violation of employee rights under the Educational Employment Relations Act (EERA), with the Public Employment Relations Board (PERB) — Decision No. 2930E and Decision No. 2931E — ruling in my favor twice and finding the district's actions to be unlawful retaliation.

I personally experienced attempts to silence my union activities and silence my voice during her term. The Public Employment Relations Board (PERB) issued two separate rulings—both in my favor—stating that the district's treatment of me was so egregious that it constituted unlawful retaliation.



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		<p>These violations occurred under Ms. Salazar's leadership, reflecting her disregard for labor rights and her willingness to suppress lawful union activity.</p> <p>5. Pattern of Authoritarian Conduct</p> <p>Taken together, I believe Ms. Salazar's history reveals a consistent and troubling pattern:</p> <ul style="list-style-type: none">• Silencing public voices through police intervention and restrictive comment practices.• Excluding the community from meetings and subjecting families to unsafe conditions.• Using restraining orders and law enforcement actions that many community members perceived as retaliation against critics.• Supporting financial decisions that, in my view, mismanaged district resources.• Violating union rights so egregiously that the Public Employment Relations Board (PERB) issued repeated rulings against the district during her term in office. <p>To me, this is not the record of a leader who values transparency, accountability, or public trust. It is, instead, the record of someone who uses authority to suppress opposition and protect her own power.</p> <p>Conclusion</p> <p>In my opinion, the Commission of Public Social Services should be made up of people who embody fairness, openness, and respect for the public. I believe Christine Salazar's past actions raise serious concerns about her suitability. While the Commission does not directly control funding, its recommendations strongly influence how social services dollars are spent, which makes her potential appointment especially troubling. To me, her history suggests the opposite of what is needed. Appointing her would, in my view, jeopardize the Commission's integrity and undermine its mission to serve Los Angeles County's most vulnerable residents.</p> <p>For these reasons, I urge the Board of Supervisors to reject her appointment. The people of Los Angeles County deserve commissioners who will protect their rights, not silence them.</p> <p>Thank you for your consideration, Margaret Caldera, Chapter President, California School Employees Association (CSEA), Hacienda La Puente Chapter 115</p>
	Maria Deleon	
	Maribel Ramirez	<p>I am a proud parent of several children that all went to La Puente area schools and all of whom are college graduates. I have five grand kids that now attend these school and I am strongly opposed to the nomination of Christine Salazar for the commission that is currently being proposed. I am a stakeholder and taxpayer that believes people of utmost ethical respect should serve on this commission. Christine Salazar used the school district's lawyers to target and harass parents that raised their concerns at the corruption taking place inside Hacienda La Puente Unified School District. Christine Salazar used the school district police on several occasions to create fear in this school district. They used cease and desist letters to</p>



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	<p>intimidate the members of the community that merely wanted the best for our children and grandchildren. These escalations against concerned stakeholders have no place in our County's commissions. Christine Salazar sent the police to falsely arrest my husband and it resulted in charges being dismissed but imagine the agony this ordeal caused our family. The Christine Salazar we know has set the performance of our school children back by several years, she has approved contracts that are clearly a conflict of interest, she has used every tool available to silence critics when it was not warranted and she doubled down to harm members of the community so much that they no longer have their kids enrolled in the school district. She weaponized the school district in such a way that even students who were related to parent's advocating against the school closures suffered irreparable harm. She closed a school that had the only orthopedic playground for children with disabilities. She is callous and evil-pure evil. I hope the County does a much better job in doing their due diligence—to even have her name being proposed for this commission seat is an affront to the hardworking immigrants and residents of our community. Let's be clear, Christine Salazar has done more to disenfranchise Latino students in the city of La Puente than any other previous elected school board member. Please reconsider this appointment and stay as far away from Christine Salazar as possible.</p>
Mely A Rivera	<p>I am writing to oppose the appointment of Christine Salazar to the Commission for Public Social Services (Item 1). Ms. Salazar is unfit for this role. She voted for school closures that harmed Latino, low-income, and special education students while simultaneously spending \$15,953 in one year on conference travel for herself. When the community objected, she weaponized the police, created barriers to Spanish interpretation, and shut parents out of meetings. Her record is one of exclusion and fiscal waste, not public service. Please vote NO on Item 1.</p>
Nyssa Escalante	<p>I oppose item # 1 and respectfully as the Board of Supervisors to Deny this appointment as Christine Salazar has shown to have unprofessional character towards the community she was elected to serve in her past position. It would be irresponsible for the Board of Supervisors to appoint someone to this position without looking at her past behavior such as rolling her eyes during meetings or calling order in the "court" during a School Board meeting.</p>
Patrice Stanzione	<p>I oppose the appointment of Christine Salazar to anything based on her questionable behaviors and representation given to her area that she represented in her last position. While she did come out classier than her board opponent, they were two sides of the same coin.</p>
Raul Rivera	<p>I am writing in opposition to Item 1 on the December 2 agenda: the appointment of former Hacienda La Puente Unified School District board member Christine Salazar to the Los Angeles County Commission for Public Social Services.</p> <p>This Commission makes recommendations that directly affect low-income families, seniors, immigrants, and people with disabilities. Anyone who serves on it must have a clear track record of transparency, accountability, and</p>



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	<p>community trust. Unfortunately, Ms. Salazar's public record on the HLPUSD board raises serious concerns.</p> <p>During her tenure, she supported controversial school closures and reconfigurations that community members warned would harm Latino, low-income, and special education students. Parents repeatedly reported feeling excluded from decision-making, facing barriers to interpretation in Spanish, and in some cases being removed or shut out of key meetings and votes. These are not the practices we should reward with a County-level appointment, especially in a body tasked with protecting vulnerable populations.</p> <p>There have also been ongoing community questions about transparency, equity analysis, and potential conflicts of interest related to district contracts and property decisions during the period when she served. Even if these concerns do not rise to the level of legal violations, they clearly show a breakdown in public confidence.</p> <p>At a time when residents already feel that government too often ignores them, this appointment would send the wrong message. The Board of Supervisors should not elevate individuals whose recent public service has generated significant distrust among the very communities this Commission is supposed to serve.</p> <p>For these reasons, I respectfully urge you to vote NO on Item 1 and decline the appointment of Christine Salazar to the Commission for Public Social Services.</p>
Sam Brown	<p>I just want to reiterate that Christine Salazar is an irresponsible elected leader and that is why we as a community chose not to vote for her during her re-election for the school board. We saw firsthand the pain she caused our community when she accelerated school closures and lied about the school district's finances. She said the school district was not in financial distress, it is now clear, that the school district is on the verge of financial ruin. She impacted not only our students but the future students as well.</p>
Samuel Brown	<p>OPPOSITION LETTER TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS COMMISSION APPOINTEE RECOMMENDATION</p> <p>Re: Opposition to Agenda Item 1 – Appointment of Christine Salazar to the Commission for Public Social Services</p> <p>December 2025 Los Angeles County Board of Supervisors 500 W. Temple St. Los Angeles, CA 90012</p> <p>To Chair Lindsey Horvath, Supervisor Hilda Solis, and Members of the Board:</p> <p>I am writing to formally oppose the appointment of Christine Salazar to the</p>



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Los Angeles County Commission for Public Social Services. This Commission oversees programs serving the most vulnerable residents in our County, and any appointee must demonstrate an unwavering record of transparency, sound judgment, and equitable governance. The publicly documented actions associated with Ms. Salazar's tenure on the Hacienda La Puente Unified School District (HLPUSD) Board of Education raise substantive concerns that directly implicate the responsibilities of this Commission.

This opposition is not personal. It is based strictly on public data, public board actions, FPPC enforcement records, and community-documented impacts. These matters speak to governance, oversight, and the public trust.

School Closure Decisions That Disproportionately Impacted Latino Families

District enrollment records and closure-impact maps indicate that approximately:

- 1,602 K–8 students were affected by HLPUSD school closures or grade-level reorganizations.
- Over 70 percent of impacted students lived in La Puente and Valinda, the district's highest-need Latino communities.

Closures affecting Los Robles, Sunset, La Salle, California, Nelson, Sparks, Del Valle, Grandview, Baldwin, Workman 6th Grade, and the reconfiguration of Valinda MS were approved during Ms. Salazar's period in office. Regardless of intent, the disparate impact on Latino students and families is a matter of public fact and has resulted in lasting community distrust.

Concerns Regarding Compliance With AB 1912 and Equity Analysis Requirements

Assembly Bill 1912 requires school districts in fiscal distress to conduct comprehensive equity impact analyses prior to school closures.

The 2024–2025 FCMAT (Fiscal Crisis & Management Assistance Team) reports, presented publicly, identified significant fiscal concerns within HLPUSD. Community members, educators, and parents repeatedly testified that they believed the equity analyses required under AB 1912 were incomplete, insufficient, or unduly bypassed. These concerns remain unresolved and part of the public record.

Public Meeting Conduct, Access Barriers, and Community Exclusion

During the closure process, multiple parents and community members publicly testified that they experienced:



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- Removal or attempted removal from meetings
- Barriers to interpretation services
- Limited opportunities for meaningful public comment

These public statements — made on the record — are part of the district's documented history. Complaints were also submitted directly to Supervisor Hilda Solis's staff during the period when residents sought help.

Additionally, long-time Solis staff member Ryan Serrano was reportedly present during several meetings where parents described civil-rights or access concerns. Community members have questioned whether this appointment represents merit-based selection or political patronage. These questions are part of the public discourse and should be addressed before any appointment is finalized.

Property Disposition Decisions Raising Community Transparency Concerns

During Ms. Salazar's tenure, HLPUSD advanced multiple actions involving the potential disposition or redevelopment of former school properties. Community concerns publicly raised at board meetings included:

- Transparency of negotiations
- Compliance with the Naylor Act
- Long-term affordability commitments
- Adequacy of public engagement

These concerns were voiced by residents directly affected by school closures and appear throughout district recordings and meeting minutes.

Contracts With Outside Organizations and the Appearance of Conflicts of Interest

During Ms. Salazar's tenure, she cast votes on contracts involving outside vendors or nonprofit partners with whom she had professional relationships. No regulatory agency has found wrongdoing, and this letter does not allege unlawful conduct.

However, the appearance of a conflict of interest alone is disqualifying for an appointment to a County commission tasked with safeguarding vulnerable communities.

Additionally, Ms. Salazar initiated a GoFundMe campaign for school-related expenditures while serving as a governing board member. No agency has determined this to be unlawful, but many residents publicly questioned whether it was appropriate for an elected official to solicit donations for district expenses. These concerns reflect governance-related judgment that is



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directly relevant to this appointment.

FPPC Enforcement Action: Public Record of Compliance Issues

According to the Fair Political Practices Commission (FPPC) publicly available stipulation (FPPC Case No. 2020-00959), Ms. Salazar and her 2020 campaign committee were fined \$1,692 for late filing of campaign statements and a required 24-hour contribution report.

While the FPPC did not find concealment, the enforcement action is a matter of public record and reflects lapses in procedural compliance. For a Commission overseeing public benefits and safety-net services, even minor compliance issues deserve close scrutiny.

Conclusion: Public Trust and the Integrity of the Commission Must Be Prioritized

The Commission for Public Social Services oversees programs affecting:

- Seniors
- People with disabilities
- Low-income families
- Children and youth in crisis
- Immigrant communities
- Residents navigating homelessness, hunger, and safety-net systems

Given the pattern of public concern linked to Ms. Salazar's governance record — from school closures in high-need Latino neighborhoods, to unresolved AB 1912 questions, to public-meeting access barriers, to transparency issues in property decisions, to FPPC enforcement actions — this appointment is not appropriate for a Commission entrusted with serving the most vulnerable residents of Los Angeles County.

I respectfully urge Supervisor Solis to withdraw this recommendation, and I urge the Board of Supervisors to vote NO on Agenda Item 1.

Los Angeles County residents deserve a commissioner whose record enhances public confidence, not erodes it.

Sincerely,

Samuel Brown

Sandra Duran

I oppose the decision to elect Christine Salazar to the position of Commissioner for Public Social Services. She is not a suitable fit for this role due to her documented history of harming the integrity and safety of the school district she previously served.



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	<p>During her time as a board member and board president in HLPUSD, she repeatedly demonstrated a lack of concern for student safety, dismissed student voices, and ignored the concerns and complaints of parents and community members. Her behavior has shown that she is unwilling to accept criticism and has, on multiple occasions, threatened individuals who challenge her or hold different views.</p> <p>Ms. Salazar has a long record of unprofessional conduct, including violations of students' and community members' rights to freedom of speech during board meetings. These patterns of behavior are well known within our community, which is why many of us—including myself—did not reelect her in the most recent school board elections.</p> <p>Her past actions make her a dangerous choice for any political position, especially one that impacts public services, safety, and community well-being. There is substantial evidence supporting concerns about her conduct and her disregard for the rights of others.</p>
Sandra C Martinez	<p>Cristina Salazar me discriminó por mi idioma . Cuando era miembro de distrito y era el cierre de escuelas. Yo tenía al intérprete a lado , era mi turno y me dijo que ustedes asta el final y me sacó con la policía. Los habla de español teníamos que volver hacer minia asta el final. Es una líder del poder que tenga más dinero a su conveniencia. No es líder de la gente y sus nesecidades. Esposo nos demostró al cerrar 6 escuelas. A los niños los trato muy mal cuando ellos habitaban por sus escuelas . Es racista a mi comunidad de habla hispana</p>
Sonia Hernandez	<p>I ask the Supervisors to vote no. The Commission for Public Social Services needs leaders grounded in empathy, fairness, and respect for public participation. Yet community members have repeatedly stated that Ms. Salazar's leadership on the HLPUSD Board was associated with unequal treatment of parents, children, and staff. limited access to public comment, and decisions that disproportionately affecting No only Latino families. Appointing someone connected to those concerns would undermine the mission of the Commission. I ask the Supervisors to vote no. The Commission for Public Social Services needs leaders grounded in empathy, fairness, and respect for public participation. Yet community members have repeatedly stated that Ms. Salazar's leadership on the HLPUSD Board was associated with unequal treatment of parents, limited access to public comment, and decisions that disproportionately affected Latino families. Appointing someone connected to those concerns would undermine the mission of the Commission.</p>
Tily Carlos	<p>Oppose appointing Christine Salazar to the LA County commission for Public Social Services.</p>
Timothy C Fox	<p>I strongly urge our elected officials to not appoint Christine Salazar to any position. Ms. Salazar previously served as Board President of the HLPUSD School Board, and I believe her record as Board President shows that she is unfit to serve the people of LA County. Ms. Salazar was once a grass-roots organizer and a champion of transparency and accountability; however, as</p>

				soon as she was elected, she showed that she was not interested in helping or even listening to her constituents. On multiple occasions as Board President, Ms. Salazar ordered security to remove members of the public without cause. Rather than engage with the voters of her district, she shut down dialogue. In particularly egregious examples, Ms. Salazar did not allow a number of parents to argue against proposed school closures; many of these parents spoke limited English and had children with a variety of special needs. These parents took time out of their busy schedules, and came to the Board Meeting to plead their case, but Ms. Salazar interrupted them as soon as they began to refute her arguments. It was apparent to me and others that Ms. Salazar was not interested in helping the students and parents of HLPUSD, but that she was only interested in furthering her career in politics. This attitude is one that LA County cannot allow. Do not allow Ms. Salazar to make the same errors she did at HLPUSD.
		Item Total	54	
Grand Total			54	

Los Angeles County Board of Supervisors

I am writing in opposition to Item 1 on the December 2 agenda: the appointment of former Hacienda La Puente Unified School District board member Christine Salazar to the Los Angeles County Commission for Public Social Services.

This Commission makes recommendations that directly affect low-income families, seniors, immigrants, and people with disabilities. Anyone who serves on it must have a clear track record of transparency, accountability, and community trust. Unfortunately, Ms. Salazar's public record on the HLPUSD board raises serious concerns.

Ms. Salazar was defeated on her second attempt to get back on the Hacienda La Puente School Board. The community that once worked hard to support her first election united to support her opponent who successfully won the second election. Our community does not stand with Ms. Salazar. She wanted to be a public figure but only to her supporters. During the election Ms. Salazar's mother was caught on video yelling and using profanity at supporters of Salazar's opponent. Ms. Salazar cannot handle the stresses that come with public life and is using the legal system to file restraining orders on community members who once supported her. She also abused her authority and school police were viewed as her private protection service. For example, during the election they were parked down the street from her home instead of protecting the children in the school district.

During her tenure, she supported controversial school closures and reconfigurations that community members warned would harm Latino, low-income, and special education students. Parents repeatedly reported feeling excluded from decision-making, facing barriers to interpretation in Spanish, and in some cases being removed or shut out of key meetings and votes. These are not the practices we should reward with a County-level appointment, especially in a body tasked with protecting vulnerable populations.

There have also been ongoing community questions about transparency, equity analysis, and potential conflicts of interest related to district contracts and property decisions during the period when she served. Even if these concerns do not rise to the level of legal violations, they clearly show a breakdown in public confidence.

At a time when residents already feel that government too often ignores them, this appointment would send the wrong message. The Board of Supervisors should not elevate individuals whose recent public service has generated significant distrust among the very communities this Commission is supposed to serve.

For these reasons, I respectfully urge you to vote NO on Item 1 and decline the appointment of Christine Salazar to the Commission for Public Social Services.

Thank You

12/1/2025

To whom it may concern,

I am an educator of 28 years and a strong community advocate. I am writing this letter against any approval or connection to Christine Salazar. She has damaged the trust between her and the Hacienda La Puente Unified community.

Regards,

Ms. Estrada

OPPOSITION LETTER TO THE LOS ANGELES COUNTY BOARD OF SUPERVISORS COMMISSION APPOINTEE RECOMMENDATION

Re: Opposition to Agenda Item 1 – Appointment of Christine Salazar to the Commission for Public Social Services

December 2025
Los Angeles County Board of Supervisors
500 W. Temple St.
Los Angeles, CA 90012

To Chair Lindsey Horvath, Supervisor Hilda Solis, and Members of the Board:

I am writing to formally oppose the appointment of Christine Salazar to the Los Angeles County Commission for Public Social Services. This Commission oversees programs serving the most vulnerable residents in our County, and any appointee must demonstrate an unwavering record of transparency, sound judgment, and equitable governance. The publicly documented actions associated with Ms. Salazar's tenure on the Hacienda La Puente Unified School District (HLPUSD) Board of Education raise substantive concerns that directly implicate the responsibilities of this Commission.

This opposition is not personal. It is based strictly on public data, public board actions, FPPC enforcement records, and community-documented impacts. These matters speak to governance, oversight, and the public trust.

1. School Closure Decisions That Disproportionately Impacted Latino Families

District enrollment records and closure-impact maps indicate that approximately:

- 1,602 K–8 students were affected by HLPUSD school closures or grade-level reorganizations.
- Over 70 percent of impacted students lived in La Puente and Valinda, the district's highest-need Latino communities.

Closures affecting Los Robles, Sunset, La Salle, California, Nelson, Sparks, Del Valle, Grandview, Baldwin, Workman 6th Grade, and the reconfiguration of Valinda MS were approved during Ms. Salazar's period in office. Regardless of intent, the disparate impact on Latino students and families is a matter of public fact and has resulted in lasting community distrust.

2. Concerns Regarding Compliance With AB 1912 and Equity Analysis Requirements

Assembly Bill 1912 requires school districts in fiscal distress to conduct comprehensive

equity impact analyses prior to school closures.

The 2024–2025 FCMAT (Fiscal Crisis & Management Assistance Team) reports, presented publicly, identified significant fiscal concerns within HLPUSD. Community members, educators, and parents repeatedly testified that they believed the equity analyses required under AB 1912 were incomplete, insufficient, or unduly bypassed. These concerns remain unresolved and part of the public record.¹

3. Public Meeting Conduct, Access Barriers, and Community Exclusion

During the closure process, multiple parents and community members publicly testified that they experienced:

- Removal or attempted removal from meetings
- Barriers to interpretation services
- Limited opportunities for meaningful public comment

These public statements — made on the record — are part of the district’s documented history. Complaints were also submitted directly to Supervisor Hilda Solis’s staff during the period when residents sought help.

Additionally, long-time Solis staff member Ryan Serrano was reportedly present during several meetings where parents described civil-rights or access concerns. Community members have questioned whether this appointment represents merit-based selection or political patronage.² These questions are part of the public discourse and should be addressed before any appointment is finalized.³

4. Property Disposition Decisions Raising Community Transparency Concerns

During Ms. Salazar’s tenure, HLPUSD advanced multiple actions involving the potential disposition or redevelopment of former school properties. Community concerns publicly raised at board meetings included:

- Transparency of negotiations
- Compliance with the Naylor Act
- Long-term affordability commitments
- Adequacy of public engagement

¹ <https://www.fcmat.org/PublicationsReports/HaciendaLaPuenteUSD-final-report.pdf>

² <https://www.youtube.com/watch?v=pTXP0Oev6xl>

³

<https://www.dropbox.com/scl/fo/dup45kueucczf0lekyojm/h?rlkey=5x7y9mu17c2f9w4c41gsmxugb&st=dk4mtt3n&dl=0>

These concerns were voiced by residents directly affected by school closures and appear throughout district recordings and meeting minutes.

5. Contracts With Outside Organizations and the Appearance of Conflicts of Interest

During Ms. Salazar's tenure, she cast votes on contracts involving outside vendors or nonprofit partners with whom she had professional relationships.

No regulatory agency has found wrongdoing, and this letter does not allege unlawful conduct.

However, the appearance of a conflict of interest alone is disqualifying for an appointment to a County commission tasked with safeguarding vulnerable communities.

Additionally, Ms. Salazar initiated a GoFundMe campaign for school-related expenditures while serving as a governing board member.⁴ No agency has determined this to be unlawful, but many residents publicly questioned whether it was appropriate for an elected official to solicit donations for district expenses. These concerns reflect governance-related judgment that is directly relevant to this appointment.

6. FPPC Enforcement Action: Public Record of Compliance Issues

According to the Fair Political Practices Commission (FPPC) publicly available stipulation (FPPC Case No. 2020-00959), Ms. Salazar and her 2020 campaign committee were fined \$1,692 for late filing of campaign statements and a required 24-hour contribution report.⁵

While the FPPC did not find concealment, the enforcement action is a matter of public record and reflects lapses in procedural compliance. For a Commission overseeing public benefits and safety-net services, even minor compliance issues deserve close scrutiny.

Conclusion: Public Trust and the Integrity of the Commission Must Be Prioritized

The Commission for Public Social Services oversees programs affecting:

- Seniors
- People with disabilities
- Low-income families
- Children and youth in crisis
- Immigrant communities

⁴ <https://www.gofundme.com/f/defunded-but-not-defeated-help-lphs-band-rise-again>

⁵

<https://fppc.ca.gov/content/dam/fppc/documents/Stipulations/2023/october/Christine-Salazar-for-School-Board-2022-Stip.pdf>

- Residents navigating homelessness, hunger, and safety-net systems

Given the pattern of public concern linked to Ms. Salazar's governance record — from school closures in high-need Latino neighborhoods, to unresolved AB 1912 questions, to public-meeting access barriers, to transparency issues in property decisions, to FPPC enforcement actions — this appointment is not appropriate for a Commission entrusted with serving the most vulnerable residents of Los Angeles County.

I respectfully urge Supervisor Solis to withdraw this recommendation, and I urge the Board of Supervisors to vote NO on Agenda Item 1.

Los Angeles County residents deserve a commissioner whose record enhances public confidence, not erodes it.

Sincerely,

Samuel Brown

Kelly Aviles (State Bar No. 257168)
kaviles@opengovlaw.com
Shaila Nathu (State Bar No. 314203)
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Attorneys for Petitioner/Plaintiff
CALIFORNIANS AWARE

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David W. Slayton,
Executive Officer/Clerk of Court,
By Y. Marks, Deputy Clerk

**SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES**

CALIFORNIANS AWARE,

Petitioner/Plaintiff,

v.

HACIENDA LA PUENTE UNIFIED
SCHOOL DISTRICT,

Respondent/Defendant.

) Case No. 22STCP03870

)
) *Assigned for all purposes to the Hon.*
) *Mitchell Beckloff, 86*

)
) **PETITIONER'S OPENING BRIEF;**
) **DECLARATION OF SHAILA NATHU**
) **WITH EXHIBITS A THROUGH C;**
) **DECLARATION OF TROY HAYS WITH**
) **EXHIBITS A THROUGH B;**
) **DECLARATION OF LAURA FARLEY**
) **WITH EXHIBITS A THROUGH D;**
) **DECLARATION OF ANTHONY**
) **QUINTANA WITH EXHIBIT A;**
) **DECLARATION OF EMMA GARCIA**
) **WITH EXHIBIT A; AND DECLARATION**
) **OF JOSE GARCIA WITH EXHIBIT A**

)
)
)
) Date: August 30, 2023
) Time: 9:30 a.m.
) Dept.: 86

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) Action Filed: October 25, 2022

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1 **I. Introduction**

2 This lawsuit concerns the June 30, 2022 meeting of the Board of Education
3 (“Board”) of the Hacienda La Puente Unified School District (“District”). During
4 this meeting, a purported “widespread Internet outage” allegedly caused servers to
5 be down. (See Pet., Ex. A.) The Ralph M. Brown Act (“Brown Act”) mandates that,
6 when a meeting is being held remotely during a proclaimed state of emergency (as
7 this one was), the Board must stop the meeting during any such disruption. (Gov.
8 Code § 54953(e)(2)(D)¹ (now recodified as § 54953(e)(2)(B).) Yet, here, the Board
9 chose to go forward with the meeting, including holding a closed session
10 concerning the controversial sale of two former school site properties to a massive
11 national home construction company. This decision violated the Brown Act in a
12 number of ways, but the District vehemently denied that any violation occurred and
13 refused to agree to refrain from similar violations in the future. (See Pet., Ex. N.)
14 Therefore, Petitioner seeks a court order to ensure that the Board cannot repeat
15 these violations in the future.

16 In enacting the Brown Act, the Legislature declared a policy of openness “to
17 ensure the public’s right to attend the meetings of public agencies.” (*Freedom*
18 *Newspapers v. Orange County Employees Ret. Sys.* (1993) 6 Cal.4th 821, 825.)
19 (*See further* Section III, *infra*.)

20 The Board’s decision to continue the meeting in-person despite the Internet
21 disruption is an express violation of Section 54953(e)(2)(D) (now recodified as
22 54953(e)(2)(B)). This provision requires that, in the event of a disruption which
23 prevents broadcasting the meeting to members of the public remotely, the body
24 must refrain from taking action on any items until that public access is restored.
25 (*See further* Section IV, *infra*.)

26 Second, when using teleconferencing, the Brown Act requires that the public
27 be afforded an opportunity to “directly address” the body in real time. (See §§
28 54953(e)(2)(E) (now recodified as § 54953(e)(2)(C)) and 54954.3(a); *see also*

¹ All further statutory references are to the Brown Act and all emphasis is added, unless otherwise indicated.

1 Asimow et al., Cal. Practice Guide: Administrative Law (The Rutter Group
2 November 2022 Update) ¶ 28:203.) The Internet service disruption caused the loss
3 of opportunity for members of the public to remotely hear, visually observe, and
4 address the Board via Zoom teleconference or live broadcast to the Board’s
5 YouTube page, meaning these individuals had zero opportunity to “directly
6 address” the Board in real time. (*See further* Section V, *infra*.)

7 Third, the Board held a closed session with its real property negotiator
8 concerning the sale of the former school site properties. Closed sessions regarding
9 real estate transactions are limited to the “price and terms of payment” of the
10 transaction. (§ 54956.8.) Because these properties were sold back in 2018, and the
11 price and terms of payment had already been determined then, any topic that the
12 Board could have discussed in closed session, including amending the Agreements
13 of Purchase and Sale to extend the escrow periods as was voted on later in the
14 meeting, would be “far afield of a specific buying and selling decision” and exceed
15 the scope of price and terms of payment. (*Shapiro v. City Council of San Diego*
16 (2002) 96 Cal.App.4th 904, 924 (“*Shapiro*”); *see also* 94 Ops.Cal.Atty.Gen. 82
17 (2011).) (*See further* Section VI, *infra*.)

18 Fourth, a culmination of the Board’s violations was its narrow 3-2 vote to
19 extend the escrow periods for the sale of the former school site properties by the
20 District in open session, with terms improperly discussed, negotiated, and agreed
21 upon outside of public view. But an open session vote is merely a rubber-stamp to
22 superficially rectify the improper closed session regarding real property and does
23 nothing to cure the violations inherent to that closed session. (*See further* Section
24 VII, *infra*.)

24 **II. Statement of Facts**

25 The Board’s June 30, 2022 regular meeting did not proceed in a typical
26 fashion. The meeting was to be conducted both in-person at the District’s office
27 and, so that members of the public could remotely hear, visually observe, and
28 address the Board as required under the Brown Act’s teleconferencing
requirements, virtually via Zoom teleconference and a live broadcast to the Board’s
YouTube page. (Nathu Decl., ¶ 2.) However, despite the fact that the District “was

1 experiencing technical difficulties from a widespread Internet outage, and
2 therefore, was unable to stream the meeting via Zoom and YouTube at the start of
3 the meeting”, the meeting nevertheless was called to order in-person at the physical
4 location during the purported Internet disruption. (Pet., Ex. A.)

5 Somehow, the purported Internet disruption did not prohibit Board
6 President Jeffrey De La Torre from participating in the meeting remotely via
7 teleconference. (Pet., Ex. A [“Mr. Jeffrey De La Torre, President, was present via
8 teleconference”].) His location was not identified in the notice and agenda for the
9 meeting, and, therefore, not made accessible to the public. (See Pet., Ex. H.)

10 The Board proceeded to take action on a number of items appearing on the
11 meeting agenda without restoration of the opportunity for members of the public to
12 remotely hear, visually observe, and address the Board via Zoom teleconference or
13 live broadcast to the Board’s YouTube page. (Pet. Ex. A.) First, it adopted the
14 meeting agenda, including additions, deletions, corrections, and adjustments in
15 order of business. (*Id.*) Second, it heard public comment from members of the
16 public who had attended the meeting in-person. (*Id.*) Third, it adjourned to closed
17 session to discuss five items. One such item was described in the agenda as follows:

18 1.04.e – Closed Session – Conference with Real Property
19 Negotiator Dr. Alfonso Jiménez, Superintendent, regarding the
20 Student Services Center Property, located at 455 N. Glendora
21 Avenue, La Puente, California 91744; Glenelder Elementary School
22 Property, located at 16234 Folger, Hacienda Heights, California
23 91745; La Subida Property, located at 15444 Regalado Street,
24 Hacienda Heights, California 91745; and Lomitas Property,
located at 14162 East Lomitas Avenue, La Puente, California
91746; pursuant to Education Code, Section 17386, as permitted
by Government Code, Section 54956.8.

25 (*Id.*; see also Pet., Ex. H.)

26 The District had already agreed to sell the Glenelder Elementary School
27 Property and La Subida Property by way of Agreements of Purchase and Sale, each
28 with an effective date of August 23, 2018, to buyer Lennar Homes of California,
LLC (“Lennar”). (See Pet., Exs. I and J.)

1 The open session period of the meeting was reconvened at 8:03 p.m. and the
2 District “was able to stream the meeting via Zoom and Youtube at this point in the
3 meeting.” (Pet. Ex. A.) Up until this point, members of the public who joined
4 virtually were cut off from participating in and observing the meeting. Such
5 members of the public either did not have their opportunity for public comment
6 restored or were not notified of the proper channel by which to provide their virtual
7 public comment until after Internet service was restored. (See Hays Decl., ¶ 4;
8 Farley Decl., ¶ 4; Quintana Decl., ¶ 4; E. Garcia Decl., ¶ 6; J. Garcia Decl., ¶ 6.)

9 No action taken pursuant to the Conference with Real Property Negotiator
10 closed session item was reported publicly. (*Id.*) During its open session, the Board
11 approved a second amendment to each of the Agreements of Purchase and Sale for
12 the La Subida Property and the Glenelder Elementary School Property by a narrow
13 3-2 vote. (*Id.*) Lennar had not completed the Entitlements Condition of each
14 agreement. The Board agreed to extend the closing date for each sale for up to 90
15 days so that Lennar can have additional time to comply. (See Exs. A, K, and L.)
16 This has nothing to do with price or terms of payment.

17 In compliance with the Brown Act, Law Offices of Kelly Aviles, counsel for
18 Petitioner, sent a Brown Act demand on July 29, 2022 challenging the Board’s
19 failure to comply with the Brown Act’s teleconferencing requirements, including
20 conducting the meeting without remote participation for members of the public,
21 permitting De La Torre to remotely participate from an unidentified location not
22 made accessible to the public, and exceeding the narrow scope of the Brown Act’s
23 closed session exception for discussions concerning real property negotiations (the
24 “Demand”). (Pet., Ex. M.) The Demand called on the Board to:

25 cure and correct and cease and desist from its illegal actions by (1)
26 rescinding its vote to extend the escrow periods in the Agreements
27 to Purchase and Sale of the Glenelder and La Subida properties;
28 and (2) rescinding any “action taken” (meaning any “collective
decision made by a majority of the members of a legislative body,
a collective commitment or promise by a majority of the members
of a legislative body to make a positive or a negative decision, or an
actual vote by a majority of the members of a legislative body”) at
its June 30th meeting prior to public access to the meeting via the

1 call-in option or internet-based service option being restored,
2 outside of a noticed, public meeting.

3 Additionally, pursuant to Government Code sections 54960 and
4 and 54960.2, the School Board must agree to refrain from similar
violations in the future.

5 (*Id.*)

6 On behalf of the District, Olivarez Madruga Law Organization, LLP
7 responded to the Brown Act Demand on August 26, 2022, denying that any
8 violation occurred and refusing to comply with the Demand (the “Demand
9 Response”). (Pet., Ex. N.) The Demand Response admits that the Board took
10 action on a number of items appearing on the meeting agenda without restoration
11 of the opportunity for members of the public to remotely hear, visually observe, and
12 address the Board, but attempted to justify the decision based on the fact that the
13 “meeting fell on the last day of the fiscal year for the District” and “[h]ad the Board
14 waited to call the meeting to order when internet connectivity was restored at 8:03
15 p.m., the meeting would have continued well into the morning of July 1, 2022.”

16 (*Id.*) Neither of these are exceptions identified in the Brown Act.

17 As to De La Torre’s participation via teleconference, the Demand Response
18 claims, “Government Code 54953(e)(2)(B)² does not require individual Board
19 members to identify the physical location from which they attend a teleconferenced
20 meeting nor to allow the public to attend the meeting at the teleconference
21 location.” (*Id.*) The Demand Response provides no analysis justifying the
22 Conference with Real Property Negotiator closed session and instead focuses on the
23 fact that there was an opportunity for members of the public who were attending
in-person to provide public comment prior to the closed session. (*Id.*)

24 **III. The Brown Act**

25 The Brown Act is our state’s statutory scheme to ensure the public’s ability to
26 participate in the democratic process. “Openness in government is essential to the
27 functioning of a democracy.” (*Int’l Federation of Professional & Technical*
28 *Engineers, Local 21, AFL-CIO v. Sup. Ct.*, 42 Cal.4th 319, 328[.] In service of

² Section 54953(e)(2)(B) has been recodified as Sections 54953(e)(2)(A) and (e)(4).

1 “sunshine,” the Brown Act sets forth requirements applicable to legislative bodies of
2 local agencies, like the Board, to ensure that their business is conducted openly. Its
3 provisions are intended to empower the public to “retain control over the
4 instruments they have created” by “remaining informed.” (§ 54950.) “The people,
5 in delegating authority, do not give their public servants the right to decide what is
6 good for the people to know and what is not good for them to know.” (*Id.*)

7 The Brown Act’s starting premise is that “[a]ll meetings of the legislative
8 body of a local agency shall be open and public, and all persons shall be permitted
9 to attend any meeting of the legislative body of a local agency,” except under certain
10 narrow circumstances set forth in the statute. (§ 54953(a); *see also San Joaquin*
11 *Raptor Rescue Center v. County of Merced* (2013) 216 Cal.App.4th 1167, 1177 [the
12 Brown Act “seeks to facilitate” “members of the public to participate in the process
13 and have their voices heard”].) “It is the intent of the law that [the] actions [of local
14 public agencies] be taken openly and that their deliberations be conducted openly.”
(§ 54950.)

15 The California Constitution expands this premise by separately guaranteeing
16 the public’s right of access. (Cal. Const. Art. 1, § 3(b)(1) [“The people have the right
17 of access to information concerning the conduct of the people’s business, and,
18 therefore, the meetings of public bodies and the writings of public officials and
19 agencies shall be open to public scrutiny.”].) The California Constitution also
20 requires that Brown Act and the case law interpreting it be broadly construed in
21 favor of access and any exceptions to openness must be narrowly construed. (Cal.
22 Const. Art. 1, § 3(b)(2) [any “statute, court rule, or other authority...shall be broadly
23 construed if it furthers the people’s right of access, and narrowly construed if it
24 limits the right of access”].) This constitutional provision was added to “make clear
25 that the public has a right to witness government deliberations....” (*See Nathu*
26 *Decl.*, ¶ 3.) It was aimed at “improv[ing] public access” and making it easier for
27 citizens “to reverse decisions made during illegal meetings....” (*Id.*)
28

1 **IV. The Board Failed To Comply With The Brown Act's**
2 **Teleconferencing Schemes In Ordinary Circumstances Or During**
3 **A Proclaimed State of Emergency.**

4 Prior to the COVID-19 pandemic, the Brown Act had a single set of rules
5 governing the use of teleconferencing to conduct public meetings subject to the Act.
6 Under those rules, legislative bodies, like the Board, are permitted to “use
7 teleconferencing for the benefit of the public and the ... local agency in connection
8 with any meeting or proceeding,” provided that the “teleconferenced meeting or
9 proceeding shall comply with ***all requirements of this chapter [on***
10 ***meetings]*** and all otherwise applicable provisions of law relating to a specific type
11 of meeting or proceeding.” (§ 54953(b)(1) (emphasis added).) Section 54953(b)(3)
12 requires that a legislative body electing to use teleconferencing: (1) post agendas at
13 all teleconference locations, (2) identify each teleconference location in the notice
14 and agenda of the meeting, and (3) ensure each teleconference location is accessible
15 to the public. These requirements prevent members from taking part in a meeting
16 if they are in any location (such as their home, a car, or a hotel room) that is not
17 accessible to members of the public. (See California Attorney General's Office, A
18 Handy Guide to the Bagley-Keene Open Meeting Act 2004, 7, available on the Calif.
19 Attorney General's website (www.oag.ca.gov) [interpreting similar Bagley-Keene
20 Act language].) Because all other in-person requirements for a public meeting
21 remain under this scheme, teleconferencing was generally used for a meeting in
22 which a single member of the legislative body teleconferenced into the meeting to
23 participate remotely.

24 The COVID-19 pandemic necessitated a change to those rules to allow for
25 broader remote access. At the dawn of the crisis, on March 17, 2020, Governor
26 Gavin Newsom issued Executive Order N-29-20, which, in part, relaxed the
27 requirements for teleconferencing. (Nathu Decl., ¶ 4.) Executive Order N-29-20
28 authorized legislative bodies “to hold public meetings via teleconferencing and to
make public meetings accessible telephonically or otherwise electronically to all
members of the public seeking to observe and to address the” body and waived
“[a]ll requirements in...the Brown Act expressly or impliedly requiring the
physical presence of members, the clerk or other personnel of the body, or of the

1 public as a condition of participation in or quorum for a public meeting.” (*Id.*) It
2 further suspended the Brown Act provision requiring that members of the public
3 may address the body at each teleconference location and did not require bodies to
4 make available a physical location from which members of the public could observe
5 the meeting and offer public comment. Executive Order N-29-20’s provisions
6 concerning the conduct of public meetings expired on September 30, 2021.³

7 Despite the expiration date, the pandemic continued. Therefore, on
8 September 16, 2021, the Legislature adopted and the Governor approved Assembly
9 Bill 361 (“A.B. 361”), a limited urgency measure authorizing a body to use
10 teleconferencing with abbreviated procedural requirements if the meeting is held
11 during a proclaimed state of emergency. (§ 54953(e).) Unlike Executive Order N-
12 29-20, A.B. 361 (1) expressly prohibits legislative bodies from limiting public
13 comments to those submitted in advance (§ 54953(e)(2)(E) (now recodified as §
14 54953(e)(2)(C)), (2) requires that such bodies “provide an opportunity for the
15 public to ... offer comment in real time” (*id.*), and (3) if a technical issue arises that
16 results in a disruption to remote public access, the body may not “take further
17 action on items appearing on the agenda” until the disruption is corrected and
18 public access is restored. (§ 54953(e)(2)(D) (now recodified as § 54953(e)(2)(B).)

19 Thus, following the passage of A.B. 361 and during a proclaimed state of
20 emergency, the Brown Act provides two different avenues for compliant
21 teleconferencing that are relevant here: the traditional scheme under Section
22 54953(b), which envisions an in-person meeting, and the new scheme under
23 Section 54953(e), which allows for virtual meetings in the event of a proclaimed
24 state of emergency where physical attendance may pose a health or safety risk.
25 These schemes operate as alternatives: the Board cannot cherry-pick requirements
26 from both schemes and claim compliance with either one.

27 For its June 30th meeting, the Board did not meet or even allege that it met
28 any the requirements under Section 54953(b). De La Torre participated in the
meeting remotely via teleconference without his location being identified in the

³ <https://www.gov.ca.gov/wp-content/uploads/2021/06/6.11.21-EO-N-08-21-signed.pdf>

1 notice and agenda for the meeting nor made publicly accessible in violation of
2 Section 54953(b)(3). These failures foreclosed the possibility of compliance with
3 Section 54953(b)'s traditional teleconferencing procedures.

4 Instead, the District contends that it complied with A.B. 361's abbreviated
5 requirements and that there was "no violation of the Brown Act based on President
6 De La Torre's remote participation in the June 30th meeting" because Section
7 "54953(e)(2)(B)⁴ does not require individual Board members to identify the
8 physical location from which they attend a teleconferenced meeting nor to allow the
9 public to attend the meeting at the teleconference location." (Pet., Ex. N.)
10 Petitioner agrees that A.B. 361 does not impose the same three-part requirement
11 for teleconference locations when teleconferencing is used in ordinary
12 circumstances. However, A.B. 361 does impose a requirement applicable during an
13 Internet disruption:

14 In the event of a disruption which prevents the public agency from
15 broadcasting the meeting to members of the public using the call-
16 in option or internet-based service option, or in the event of a
17 disruption within the local agency's control which prevents
18 members of the public from offering public comments using the
19 call-in option or internet-based service option, the body shall take
no further action on items appearing on the meeting agenda until
public access to the meeting via the call-in option or internet-based
service option is restored.

20 (§ 54953(e)(2)(B) (previously codified as § 54953(e)(2)(D).) "Actions taken on
21 agenda items during a disruption which prevents the public agency from
22 broadcasting the meeting may be challenged pursuant to section 54960.1." (*Id.*) As
23 Best Best & Krieger LLP, a law firm representing public agencies in Brown Act
24 actions advised its clients: "push pause if there is a technical disruption: Don't hold
25 the vote until the public is back online."⁵

26 The District admits that, despite a purported Internet service disruption
27 which cut off virtual access to the meeting, the Board made the decision to continue
28

⁴ Section 54953(e)(2)(B) has been recodified as Sections 54953(e)(2)(A) and (e)(4).

⁵ <https://bbklaw.com/resources/update-gov-newsom-signs-ab-361-amending-the-brown-act>.

1 the meeting. This meant that members of the public who were participating
2 virtually were unable to provide public comment for the items discussed on the
3 Board's closed session agenda in explicit violation of Section 54953(e)(2)(B)
4 (previously codified as Section 54953(e)(2)(D).

5 Because the Board did not identify and make publicly accessible all
6 teleconferencing locations *and* continued the in-person meeting when remote
7 access for members of the public was unavailable, the Board's use of
8 teleconferencing did not comply with the requirements for use of teleconferencing
9 under ordinary circumstances or during a proclaimed state of emergency.

10 The District would not admit that its actions at the June 30th meeting
11 violated the Brown Act. Even worse, the District would not even commit to
12 refraining from similar actions in the future.

13 **V. Public Was Not Afforded Opportunity To Directly Address The**
14 **Board.**

15 When using teleconferencing, regardless of whether there is a publicly
16 declared emergency or not, the Brown Act requires that "[e]very agenda for regular
17 meetings shall provide an opportunity for members of the public to directly
18 address" the Board "on any item of interest to the public, before or during the
19 legislative body's consideration of the item, that is within the subject matter
20 jurisdiction of the legislative body, provided that no action shall be taken on any
21 item not appearing on the agenda. (§ 54954.3(a); *see also Galbiso v. Orosi Pub.*
22 *Util. Dist.* (2008) 167 Cal.App.4th 1063, 1080[.]) Under A.B. 361's abbreviated
23 teleconferencing requirements, "the legislative body shall not require public
24 comments to be submitted in advance of the meeting and must provide an
25 opportunity for the public to address the legislative body and offer comment ***in***
26 ***real time***. (§ 54953(e)(2)(C) (previously codified as § 54953(e)(2)(E) (emphasis
added).))

27 Where the Brown Act further expresses its intent as to "directly address," it
28 only contemplates a scenario in which members of the public are afforded the
opportunity to speak in real time directly to the body. (*See* § 54954.3(b)(1) ["The
legislative body of a local agency may adopt reasonable regulations to ensure that

1 the intent of [Section 54953.3(a)] is carried out, including, but not limited to,
2 regulations limiting the total amount of time allocated for public testimony on
3 particular issues and for each individual speaker”; *see also* Asimow et al., Cal.
4 Practice Guide: Administrative Law (The Rutter Group November 2022 Update) ¶
5 28:203.) Statutory language “must be construed in the context of the statutory
6 framework as a whole, keeping in mind the policies and purposes of the statute
7 [citation], and where possible the language should be read so as to conform to the
8 spirit of the enactment. [Citation.]” (*Rudd v. California Casualty Gen. Ins. Co.*
9 (1990) 219 Cal.App.3d 948, 952.)

10 The Demand Response indicates that, during the period of the Internet
11 service disruption which caused the loss of opportunity for members of the public
12 to remotely hear, visually observe, and address the Board via Zoom teleconference
13 or live broadcast to the Board’s YouTube page, the Board “heard public comment
14 from audience members who filed requests to speak regarding items listed on the
15 agenda for closed session. Specifically, the Board heard comments from eight
16 members of the public.” But these facts do nothing to prove that the Board
17 afforded the public to address the Board in real time as required under A.B. 361.
18 They merely prove, non-controversially, that members of the public who attended
19 in person had an opportunity to provide public comment. The correct factual
20 inquiry to determine compliance, however, is on the opportunity the Board
21 provided, not the effects of the opportunity the Board provided. The Brown Act is
22 not at all concerned with the latter.

23 Here, members of the public who intended to participate remotely could not
24 do so. Troy Hays, Laura Farley, Anthony Quintana, Emma Garcia, and Jose Garcia
25 registered for the meeting via the Zoom link provided by the District in the meeting
26 notice. (Hays Decl., ¶ 3; Farley Decl., ¶ 3; Quintana Decl., ¶ 3; E. Garcia Decl., ¶ 3;
27 J. Garcia Decl., ¶ 3.) When they clicked on the link to the virtual meeting provided
28 by Zoom upon their registration, Hays, Farley, and Quintana were directed to a
screen that instructed them to wait for the meeting host to be admitted into the
virtual meeting room. (Hays Decl., ¶ 4; Farley Decl., ¶ 4; Quintana Decl., ¶ 4.) The
Garcias were able to enter the virtual meeting room but were told by De La Torre

1 there that Zoom instructed the District to have all attendees log out of the Zoom
2 meeting and log back in to participate remotely. (E. Garcia Decl., ¶ 4; J. Garcia
3 Dec., ¶ 4.) Once they did so, the Garcias too were directed to a screen instructing
4 them to wait for the host to be admitted. (E. Garcia Decl., ¶ 6; J. Garcia Dec., ¶ 6.)
5 None of these declarants were able to provide public comment remotely at the June
6 30th meeting or view the meeting remotely until after closed session. (Hays Decl., ¶
7 4; Farley Decl., ¶ 4; Quintana Decl., ¶ 4; E. Garcia Decl., ¶ 6; J. Garcia Decl., ¶ 6.)

8 **VI. The Board's Closed Session Exceeded The Narrow Scope Of Price**
9 **And Terms of Payment.**

10 While the general rule is that all discussions by a legislative body must take
11 place in open and public meetings, the Brown Act does provide specific statutory
12 exceptions that permit an agency to hold a closed session. (§ 54953(a); *see also Los*
13 *Angeles Times Communications LLC v. Los Angeles County Board of Supervisors*
14 (2003) 112 Cal.App.4th 1313, 1317.) “Statutory exceptions authorizing closed
15 sessions of legislative bodies are construed narrowly and the Brown Act “sunshine
16 law” is construed liberally in favor of openness in conducting public business.”
17 (*Shapiro*, 96 Cal.App.4th at 917, *citing Bell v. Vista Unified School Dist.* (2000) 82
18 Cal.App.4th 672, 682; *see also* Cal. Const., Art. I, § 3(b)(2).)

19 Section 54956.8 provides one such exception. Under that provision, a
20 legislative body may “hold a closed session with its negotiator prior to the purchase,
21 sale, exchange, or lease of real property by or for the local agency to grant authority
22 to its negotiator regarding the price and terms of payment for the purchase, sale,
23 exchange, or lease.” (§ 54956.8; *see also Kleitman v. Superior Court* (1999) 74
24 Cal.App.4th 324, 331.)

25 Therefore, closed sessions regarding real estate transactions are limited to
26 the “price and terms of payment” of the transaction. (§ 54956.8.) Significantly, “the
27 word ‘terms’ is immediately modified by the words ‘of payment.’...[T]his
28 modification rules out any possibility that the statute is meant to authorize closed-
session discussions of any and all terms of the transaction as a whole.” (94 Cal. Op.
Att’y Gen. 82 (2011).)

1 Here, the District had already agreed to sell the Glenelder and La Subida
2 properties by way of Agreements of Purchase and Sale, each with an effective date
3 of August 23, 2018, now five years ago, and each property is currently in escrow.
4 (See Pet., Ex. I, Sections 1.1 and 1.2 and Ex. J, Sections 1.1 and 1.2.) Since the
5 decision to sell the properties had already been finalized, any topic that the Board
6 could have discussed in closed session, including amending the Agreements of
7 Purchase and Sale to extend the escrow periods as was voted on later in the
8 meeting, would exceed the narrow scope of price and terms of payment. (*Shapiro*,
9 96 Cal.App.4th at 924; see also 94 Ops.Cal.Atty.Gen. 82 (2011).)

10 In *Shapiro*, 96 Cal.App.4th at 921, the court rejected the city and its council's
11 argument that "a 'rule of reason' must be applied to enable it to discuss in closed
12 session any and all related topics that may arise in conjunction with a purchase or
13 sale decision, where that purchase or sale decision has only generally been
14 identified to the public through the agenda procedure." The court stated: "there is
15 nothing in the statutory scheme that grants an unlimited scope of authority to the
16 City Council, in conducting such business, to determine what discussions it may
17 deem to be related background information that is essential to the particular
18 transaction in real property, for purposes of giving instructions to a negotiator
19 about that transaction." (*Id.* at 923.)

20 Similarly, here, the Board "is attempting to use the Brown Act as a shield
21 against public disclosure of its consideration of important public policy issues, of
22 the type that are inevitably raised whenever such a large public redevelopment real
23 estate transaction is contemplated." (*Id.* at 924.)

24 **VII. Open Session Votes Do Not Cure Improper Closed Sessions.**

25 Evidently, the District believes that as long as the final vote on a particular
26 act is done in public, it can disregard the Brown Act's open meetings requirement
27 with respect to its deliberations. That is not the law.⁶ Compliance with the Brown
28 Act requires both public votes and public deliberations. (*Sacramento Newspaper*

⁶ By analogy, the District apparently would claim that court proceedings can be conducted behind closed doors, so long as the final ruling is read from the bench in open court.

1 *Guild v. Sacramento County Board of Supervisors* (1968) 263 Cal.App.2d 41, 47
2 ["Section 54950...declares the law's intent that deliberation as well as action occur
3 openly and publicly. Recognition of deliberation and action as dual components of
4 the collective decision-making process brings awareness that the meeting concept
5 cannot be split off and confined to one component only, but rather comprehends
6 both and either."]; *Page v. Mira Costa Comm. College Dist.* (2009) 180
7 Cal.App.4th 471,502 ["we are cognizant that Brown Act open meeting requirements
8 encompass not only actions taken, but also factfinding meetings and deliberations
9 leading up to those actions"].⁷

10 For example, in *Frazer v. Dixon Unified School Dist.*, 18 Cal.App.4th 781,
11 798, the court held that a school board violated the Brown Act by holding a closed
12 meeting to gather information and deliberate about a pending curriculum decision.
13 Subsequent to the closed meeting, the school board held an open session that "was
14 so well attended by members of the press and the public that it had to be moved to
15 a school gymnasium," at which "the Board heard from both supporters and
16 opponents" before taking its final vote. (*Id.* at 788.) Despite the fact that the
17 board's final action was taken in open session following public discussion, the court
18 held that the vote was subject to nullification under Section 54960.1 because of the
19 unlawful closed session leading up to the vote. (*Id.* at 798-99.) In remanding the
20 matter to the trial court for further proceedings, the court concluded that the focus
21 must be on whether the board took adequate steps to cure the violation. (*Id.*)⁸

22 _____
23 ⁷ See also *216 Sutter Bay Associates v. County of Sutter* (1997) 58 Cal.App.4th 860,
24 876 ["the Brown Act ... is not limited to gatherings at which action is taken by the
25 relevant legislative body; 'deliberative gatherings' are included as well"]; 63
26 Ops.Cal.Atty.Gen. 820, 825 (1980) ["intent of the Act was that deliberations as well
27 as actions be taken openly"]; § 54950 ["deliberations [must] be conducted openly"].

28 ⁸ Accord *Wolfe v. City of Fremont* (2006) 144 Cal.App.4th 533, 549, where the
Court of Appeal found that the plaintiff stated claim under Brown Act where
"allegations lead directly to the inference that the council members had reached
their consensus although the nonpublic discussions that occurred among them."
The Legislature later broadened the law to confirm that serial discussions
themselves violated the law; no collective concurrence is necessary. The Legislature
then passed Cal. Senate Bill No. 1732, 2007-08 Regular Session, clarifying its intent

1 Other courts have held that, unless a specific statutory exemption applies, the
2 Brown Act mandates public access to a body's deliberations, meaning "not only
3 collective decisionmaking, but also 'the collective acquisition and exchange of facts
4 preliminary to the ultimate decision.'" (*216 Sutter Bay Associates v. County of*
5 *Sutter* (1997) 58 Cal.App.4th 860, 877 (quotations omitted).) The reason for this
6 requirement is simple: the public's ability to scrutinize, evaluate, and even
7 influence the decision-making by its elected representatives would be effectively
8 nullified if the result was determined in advance in secret meetings held behind
9 closed doors, with only the final result announced to the public as a *fait accompli*.⁹

10 **VIII. Conclusion.**

11 As explained above, the District committed multiple violations of the Brown
12 Act at its June 30, 2022 meeting, which tainted all actions subsequently taken at
13 that meeting. The District has refused to acknowledge the violations or to
14 rescinded the actions taken, even after being put on notice by Petitioner of the
15 violations. Therefore, this Court should grant the Petition in its entirety and issue a
16 declaration that the Board violated the Brown Act by (a) failing to identify President
17 Jeffrey De La Torre's teleconference location in the notice and agenda for the June
18 30, 2022 meeting and make that location publicly accessible, in violation of Section
19 54953(b)(3) or taking further action on items appearing on the agenda for the June
20 30, 2022 meeting prior to public access to the meeting via the call-in option or
21 internet-based service option being restored in violation of Section 54953(e)(2)(B)

22
23 and expressly superseding the holding in *Wolfe* to ensure that even conduct which
24 does not result in "action taken" could violate the Brown Act.

25 ⁹ See *Frazer*, 18 Cal.App.4th at 795 ["[r]ecognition of deliberation and action as
26 dual components of the collective decision-making process brings awareness that
27 the meeting concept cannot be split off and confined to one component only, but
28 rather comprehends both and either"]; 63 Ops.Cal.Atty.Gen. at 624 [if agency "has
already had the opportunity to be informed and deliberate on the particular public
business" in a series of closed-door meetings, then "when the matter reaches the
stage for public discussion (if in fact it ever does) there may actually be no
deliberation at all, or the deliberation may be perfunctory because of the knowledge
already obtained" in the previous secret meetings; consequently, agency's attempt
to use seriatim meetings to avoid Brown Act requirements was improper].)

1 (previously codified as Section 54953(e)(2)(D)); (c) improperly limiting public
2 participation to in-person attendees prior to adjournment to closed session during
3 the June 30, 2022 meeting, in violation of Section 54954.3(a) or 54953(e)(2)(C)
4 (previously codified as 54953(e)(2)(E); and, (d) exceeding discussion of price and
5 terms of payment in its closed session for a conference with real property
6 negotiators with regard to the Glenelder Elementary School Property and the La
7 Subida Property in violation of Section 54956.8.

8
9 DATED: July 3, 2023

Respectfully submitted,
LAW OFFICES OF KELLY AVILES

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13 By: 

Shaila Nathu
Attorneys for Petitioner/Plaintiff
CALIFORNIANS AWARE
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Declaration of Shaila Nathu

I, Shaila Nathu, declare and state as follows:

1. I am an attorney duly licensed to practice law before all of the courts of the State of California, and I am a contract attorney for Law Offices of Kelly Aviles, counsel for Petitioner/Plaintiff CALIFORNIANS AWARE in the above-entitled action. The facts stated in this Declaration are true and correct of my own personal knowledge, except for those matters expressly stated on information and belief, which matters I believe to be true. If called as a witness, I could and would competently testify thereto.

2. A true and correct copy of the notice for the Board's June 30, 2022 regular meeting is attached hereto as **Exhibit A**.

3. A true and correct copy of the Senate Rules Committee, Senate Floor Analysis regarding Senate Constitutional Amendment 1 (Burton) (2003-04 Reg. Sess.) as amended on June 27, 2003 is attached hereto as **Exhibit B**.

4. A true and correct copy of Governor Gavin Newsom's Executive Order N-29-20 is attached hereto as **Exhibit C**.

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 July 3, 2023, at San Francisco, California.



Shaila Nathu

EXHIBIT A

12.16.21.pdf (PDF)

**HACIENDA LA PUENTE UNIFIED SCHOOL
DISTRICT**

PUBLIC MEETING NOTICE

**In-Person/Virtual Regular Board of
Education Meeting of June 30, 2022**

June 30, 2022 – 4:30 p.m. Closed Session;

6:30 p.m. Open Session

TO VIEW VIA ZOOM:

Please visit the following link to register
for Zoom:

[https://hlpusd-k12-
ca.zoom.us/webinar/register/WN_MyjLHO
0ORgaHjTITGbrjXA](https://hlpusd-k12-ca.zoom.us/webinar/register/WN_MyjLHO0ORgaHjTITGbrjXA)

TO VIEW ON YOUTUBE:

The Board meeting is now live streaming
at <https://youtu.be/SvjO2WCuhLg>.

TO ATTEND IN-PERSON:

The Board meeting will be held at the
District Office Board Room located at
15959 E. Gale Avenue, City of Industry, CA
91745.

**Please note that proof of vaccination is
required to attend in-person.**

EXHIBIT B

CA B. An., S.C.A. 1 Sen., 6/27/2003

California Bill Analysis, Senate Floor, 2003-2004
Regular Session, Senate Constitutional Amendment 1

June 27, 2003
California Senate
2003-2004 Regular Session

SENATE RULES COMMITTEE

Office of Senate Floor Analyses

THIRD READING

Bill No: SCA 1

Author: Burton (D) and McPherson (R), et al

Amended: 6/27/03

Vote: 27

SENATE GOVERNMENTAL ORG. COMMITTEE: 10-0, 5/13/03

AYES: Vincent, Johnson, Battin, Brulte, Cedillo, Chesbro, Karnette, Machado, Murray, Soto

ABSENT/ABSTAINING/NOT VOTING: Dunn, Margett, Morrow

SENATE CONST. AMENDMENTS COMMITTEE: 4-0, 5/21/03

AYES: Poochigian, Bowen, Burton, McClintock

ABSENT/ABSTAINING/NOT VOTING: Escutia

SENATE APPROPRIATIONS COMMITTEE: 11-0, 6/24/03

AYES: Alpert, Battin, Aanestad, Ashburn, Bowen, Burton, Johnson, Karnette, Machado, Murray, Poochigian

ABSENT/ABSTAINING/NOT VOTING: Escutia, Speier

SUBJECT: Access to government information

SOURCE: California Newspaper Publishers Association California First Amendment Coalition

DIGEST: This bill proposes to the people of the State of California that Article 1, Section 3 of the Constitution be amended to make access to records and public meetings of government officials and agencies a constitutional right of each citizen, as specified.

ANALYSIS: Existing law:

The California Constitution (Article 1, Section 3) provides that the people have the right to instruct their representatives, petition government for redress of grievances, and assemble freely to consult for the common good.

The following statutory provisions govern the public's access to government records and meetings of government bodies:

1. The Bagley-Keene Open Meeting Act ([Government Code Section 11120](#) et seq.) requires all meetings of a state body to be open and public and grants the right to attend such meetings to all persons, with certain exceptions. The Act requires these public meetings to be noticed with an agenda that contains the items of business that may be acted upon at the meeting. The Act defines a state body to mean every state board, commission, or similar multimember body of the state that is created by statute or required by law to conduct official meetings and every commission created by executive order. In addition, the Act excludes from that definition certain bodies of the Judiciary and Legislature, among other things.

2. The Ralph M. Brown Act ([Government Code Section 54950](#) et seq.) which governs meetings of legislative bodies of local agencies (e.g. boards of supervisors, city councils, school boards) is substantially similar to the Bagley-Keene Act and requires local legislative bodies to hold meetings in open forum after public notice of agenda items. The Brown Act also recognizes the need, under limited circumstances, for these bodies to meet in private in order to carry out their responsibilities in the best interests of the public and provides for specified exceptions. Both acts (Brown Act & Bagley-Keene Act) provide that the covered entities “exist to aid in the conduct of the people's business” and that their actions “be taken openly and that their deliberations be conducted openly.”

Both acts also provide that? “The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed so that they may retain control over the instruments they have created.” ([Sections 11120, 54950 of the Government Code](#))

3. The California Public Records Act ([Government Code Section 6250](#) et seq.) establishes the right of every person to inspect and obtain copies of all state and local government documents and records not exempt from disclosure. The Act requires specified state and local agencies to establish written guidelines for accessibility of records, to post these guidelines at their offices, and to make them available free of charge to any person requesting that agency's records.

4.The Legislative Open Records Act ([Government Code Section 9070](#) et seq.) provides that the public may inspect legislative records, as defined, and mandates that committee and floor analyses records be permanently preserved either in the appropriate committee office or with the State Archives. The Act declares that “access to information concerning the conduct of the people's business by the Legislature is a fundamental and necessary right of every citizen in this state.” The Act provides for “nondisclosure” of certain records, including, (1) records pertaining to pending litigation; (2) preliminary drafts, notes, or legislative memoranda, except as specified; (3) personnel, medical, or similar files; (4) communications from private citizens; (5) records in the custody of or maintained by the Legislative Counsel; (6) correspondence of and to individual Legislators and their staff; (7) records of complaints to or investigations conducted by, or records of security procedures of, the Legislature; and, (8) records maintained by the majority and minority caucuses.

5.The Grunsky-Burton Open Meeting Act (Article 2.2 of the [Government Code, Sections 9027-9032](#)) provides that meetings of a house of the Legislature or a committee shall be open and public and all persons shall be permitted to attend the meetings. The Act permits the Legislature or a committee thereof to hold closed meetings solely for any of the following purposes: (1) to consider certain personnel matters; (2) to consider matters affecting safety and security; (3) to confer with legal counsel regarding any litigation matter; and, (4) a caucus of the Members of the Senate, the Members of the Assembly, or the Members of both houses.

This bill:

1.Provides that the people have the right of access to information concerning the conduct of the people's business, and, hence, the meetings of public bodies and the writings of public officials and agencies shall be open to public scrutiny.

2.Requires that a statute, court rule, or other authority, including those in effect on the effective date of this measure, be “broadly” construed if it advances the people's right of access and “narrowly” construed if it limits the right of access.

3.Requires that a statute, court rule, or other authority adopted after the effective date of this measure that limits the right of access be adopted with findings clarifying their purpose and necessity.

4.Provides that nothing in this measure supersedes or modifies the right to privacy guaranteed by Article 1, Section 1 of the California Constitution or affects the construction of any statute, court rule, or other authority to the extent that it protects that right to privacy, including any statutory procedures governing discovery or disclosure of information concerning the official performance or professional qualifications of a peace officer.

5.Stipulates that this measure does not repeal or nullify, expressly or by implication, any statutory exceptions to the right of access to public records or meetings of public bodies that is in effect on the effective date of this measure, including any statute protecting the right of confidentiality of law enforcement and prosecution records.

6.Provides that its provisions do not repeal, nullify, supersede, or modify protections for the confidentiality of proceedings and records of the Legislature, the Members of the Legislature

and its employees, committees, and caucuses provided by certain provisions of the California Constitution, state law, or legislative rules adopted in furtherance of those provisions; nor do they affect the scope of permitted discovery in judicial or administrative proceedings regarding deliberations of the Legislature, the Members of the Legislature and its employees, committees, and caucuses.

Prior legislation

SCA 7 (Burton) 2001-02 Session, similar to this bill, would have amended the Declaration of Rights contained in Article 1 of the State Constitution to provide that the people of California have a fundamental right of access to government information subject to appropriate statutory limitations enacted by the Legislature. (Passed the Senate 32-0 on 6/28/02, but was held in the Assembly at author's request)

FISCAL EFFECT: Appropriation: No Fiscal Com.: Yes Local: No

SUPPORT: (Verified 6/25/03)

California Newspaper Publishers Association (co-source)

California First Amendment Coalition (co-source)

Attorney General Bill Lockyer

California Faculty Association

League of California Cities

League of Women Voters of California

Northern California Radio & Television News Directors Association

ARGUMENTS IN SUPPORT: Supporters contend that a fundamental tenant of democracy is that the government's business is the people's business; therefore, the public shouldn't have to prove that a record or proceeding should be open - rather the burden should be upon government to demonstrate why a record or proceeding should remain secret.

Supporters of this bill also contend that the whole purpose of this proposed constitutional amendment is to make clear that the public has a right to witness government deliberations and access public records. This bill seeks to enshrine the concept of transparency of government in the State Constitution.

TSM:nl 6/26/03 Senate Floor Analyses

SUPPORT/OPPOSITION: SEE ABOVE

CA B. An., S.C.A. 1 Sen., 6/27/2003

End of Document

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EXHIBIT C

**EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA**

EXECUTIVE ORDER N-29-20

WHEREAS on March 4, 2020, I proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19; and

WHEREAS despite sustained efforts, the virus continues to spread and is impacting nearly all sectors of California; and

WHEREAS the threat of COVID-19 has resulted in serious and ongoing economic harms, in particular to some of the most vulnerable Californians; and

WHEREAS time bound eligibility redeterminations are required for Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries to continue their benefits, in accordance with processes established by the Department of Social Services, the Department of Health Care Services, and the Federal Government; and

WHEREAS social distancing recommendations or Orders as well as a statewide imperative for critical employees to focus on health needs may prevent Medi-Cal, CalFresh, CalWORKs, Cash Assistance Program for Immigrants, California Food Assistance Program, and In Home Supportive Services beneficiaries from obtaining in-person eligibility redeterminations; and

WHEREAS under the provisions of Government Code section 8571, I find that strict compliance with various statutes and regulations specified in this order would prevent, hinder, or delay appropriate actions to prevent and mitigate the effects of the COVID-19 pandemic.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes of the State of California, and in particular, Government Code sections 8567 and 8571, do hereby issue the following order to become effective immediately:

IT IS HEREBY ORDERED THAT:

1. As to individuals currently eligible for benefits under Medi-Cal, CalFresh, CalWORKs, the Cash Assistance Program for Immigrants, the California Food Assistance Program, or In Home Supportive Services benefits, and to the extent necessary to allow such individuals to maintain eligibility for such benefits, any state law, including but not limited to California Code of Regulations, Title 22, section 50189(a) and Welfare and Institutions Code sections 18940 and 11265, that would require redetermination of such benefits is suspended for a period of 90 days from the date of this Order. This Order shall be construed to be consistent with applicable federal laws, including but not limited to Code of Federal Regulations, Title 42, section 435.912, subdivision (e), as interpreted by the Centers for Medicare and Medicaid Services (in guidance issued on January 30, 2018) to permit the extension of

otherwise-applicable Medicaid time limits in emergency situations.

2. Through June 17, 2020, any month or partial month in which California Work Opportunity and Responsibility to Kids (CalWORKs) aid or services are received pursuant to Welfare and Institutions Code Section 11200 et seq. shall not be counted for purposes of the 48-month time limit set forth in Welfare and Institutions Code Section 11454. Any waiver of this time limit shall not be applied if it will exceed the federal time limits set forth in Code of Federal Regulations, Title 45, section 264.1.
3. Paragraph 11 of Executive Order N-25-20 (March 12, 2020) is withdrawn and superseded by the following text:

Notwithstanding any other provision of state or local law (including, but not limited to, the Bagley-Keene Act or the Brown Act), and subject to the notice and accessibility requirements set forth below, a local legislative body or state body is authorized to hold public meetings via teleconferencing and to make public meetings accessible telephonically or otherwise electronically to all members of the public seeking to observe and to address the local legislative body or state body. All requirements in both the Bagley-Keene Act and the Brown Act expressly or impliedly requiring the physical presence of members, the clerk or other personnel of the body, or of the public as a condition of participation in or quorum for a public meeting are hereby waived.

In particular, any otherwise-applicable requirements that

- (i) state and local bodies notice each teleconference location from which a member will be participating in a public meeting;
- (ii) each teleconference location be accessible to the public;
- (iii) members of the public may address the body at each teleconference conference location;
- (iv) state and local bodies post agendas at all teleconference locations;
- (v) at least one member of the state body be physically present at the location specified in the notice of the meeting; and
- (vi) during teleconference meetings, at least a quorum of the members of the local body participate from locations within the boundaries of the territory over which the local body exercises jurisdiction

are hereby suspended.

A local legislative body or state body that holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, consistent with the notice and accessibility requirements set forth below, shall have satisfied any requirement that the body allow

members of the public to attend the meeting and offer public comment. Such a body need not make available any physical location from which members of the public may observe the meeting and offer public comment.

Accessibility Requirements: If a local legislative body or state body holds a meeting via teleconferencing and allows members of the public to observe and address the meeting telephonically or otherwise electronically, the body shall also:

- (i) Implement a procedure for receiving and swiftly resolving requests for reasonable modification or accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act and resolving any doubt whatsoever in favor of accessibility; and
- (ii) Advertise that procedure each time notice is given of the means by which members of the public may observe the meeting and offer public comment, pursuant to subparagraph (ii) of the Notice Requirements below.

Notice Requirements: Except to the extent this Order expressly provides otherwise, each local legislative body and state body shall:

- (i) Give advance notice of the time of, and post the agenda for, each public meeting according to the timeframes otherwise prescribed by the Bagley-Keene Act or the Brown Act, and using the means otherwise prescribed by the Bagley-Keene Act or the Brown Act, as applicable; and
- (ii) In each instance in which notice of the time of the meeting is otherwise given or the agenda for the meeting is otherwise posted, also give notice of the means by which members of the public may observe the meeting and offer public comment. As to any instance in which there is a change in such means of public observation and comment, or any instance prior to the issuance of this Order in which the time of the meeting has been noticed or the agenda for the meeting has been posted without also including notice of such means, a body may satisfy this requirement by advertising such means using "the most rapid means of communication available at the time" within the meaning of Government Code, section 54954, subdivision (e); this shall include, but need not be limited to, posting such means on the body's Internet website.

All of the foregoing provisions concerning the conduct of public meetings shall apply only during the period in which state or local public health officials have imposed or recommended social distancing measures.

All state and local bodies are urged to use sound discretion and to make reasonable efforts to adhere as closely as reasonably possible to the provisions of the Bagley-Keene Act and the Brown Act, and other applicable local laws regulating the conduct of public meetings, in order to maximize transparency and provide the public access to their meetings.

IT IS FURTHER ORDERED that as soon as hereafter possible, this Order be filed in the Office of the Secretary of State and that widespread publicity and notice be given of this Order.

This Order is not intended to, and does not, create any rights or benefits, substantive or procedural, enforceable at law or in equity, against the State of California, its agencies, departments, entities, officers, employees, or any other person.

IN WITNESS WHEREOF I have
hereunto set my hand and caused
the Great Seal of the State of
California to be affixed this 17th day
of March 2020.



GAVIN NEWSOM
Governor of California

ATTEST:

ALEX PADILLA
Secretary of State

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DECLARATION OF TROY HAYES TH

I, TROY HAYES, hereby declare as follows:

1. The facts stated in this Declaration are true and correct of my own personal knowledge, except for those matters expressly stated on information and belief, which matters I believe to be true. If called as a witness, I could and would competently testify thereto.

2. The notice for the June 30, 2022 meeting of the Hacienda La Puente Unified School District ("School District") Board of Education ("School Board") provided links to view and provide public comment at the meeting remotely via Zoom and view the meeting remotely via YouTube. A true and correct copy of the notice for the School Board's June 30, 2022 meeting is attached hereto as **Exhibit A**.

3. I planned to view and provide public comment at the June 30, 2022 meeting of the School Board remotely via Zoom. I registered for the meeting via the link to Zoom as required on the school district website which then sent me confirmation that I would be able to participate via zoom attached hereto as Exhibit B. At or around the start of the meeting, I clicked the Zoom link provided to me after I registered for the meeting but was unable to participate.

4. When clicking on the link it indicated that I had to wait for host. After waiting for a prolonged period of time, I was never admitted into the meeting in a way that would have allowed me view or provide public comment at the meeting remotely.

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 July 3, 2023, at

Hacienda Hgls, CALIFORNIA



TROY HAYES TH

EXHIBIT A

12.16.21.pdf (PDF)

**HACIENDA LA PUENTE UNIFIED SCHOOL
DISTRICT**

PUBLIC MEETING NOTICE

**In-Person/Virtual Regular Board of
Education Meeting of June 30, 2022**

June 30, 2022 – 4:30 p.m. Closed Session;

6:30 p.m. Open Session

TO VIEW VIA ZOOM:

Please visit the following link to register
for Zoom:

[https://hlpusd-k12-
ca.zoom.us/webinar/register/WN_MyjLHO
0ORgaHjTITGbrjXA](https://hlpusd-k12-ca.zoom.us/webinar/register/WN_MyjLHO0ORgaHjTITGbrjXA)

TO VIEW ON YOUTUBE:

The Board meeting is now live streaming
at <https://youtu.be/SvjO2WCuhLg>.

TO ATTEND IN-PERSON:

The Board meeting will be held at the
District Office Board Room located at
15959 E. Gale Avenue, City of Industry, CA
91745.

**Please note that proof of vaccination is
required to attend in-person.**

EXHIBIT B



Hello Troy,

Thank you for registering for In-Person/Virtual Regular Board Meeting - **June 30, 2022**. You can find information about this webinar below.

In-Person/Virtual Regular Board Meeting - **June 30, 2022**

Date & Time Jun **30, 2022** 04:**30** PM Pacific Time (US and Canada)

Webinar 953 8506 6471 ID

[Add to Calendar\(.ics\)_|_ Add to Google](#)

[Calendar_|_ Add to Yahoo Calendar](#)

DECLARATION OF LAURA FARLEY

I, LAURA FARLEY, hereby declare as follows:

1. The facts stated in this Declaration are true and correct of my own personal knowledge, except for those matters expressly stated on information and belief, which matters I believe to be true. If called as a witness, I could and would competently testify thereto.

2. The notice for the June 30, 2022 meeting of the Hacienda La Puente Unified School District ("School District") Board of Education ("School Board") provided links to view and provide public comment at the meeting remotely via Zoom and view the meeting remotely via YouTube. A true and correct copy of the notice for the School Board's June 30, 2022 meeting is attached hereto as **Exhibit A**.

3. I planned to view and provide public comment at the June 30, 2022 meeting of the School Board remotely via Zoom. I registered for the meeting via the link to Zoom as required on the school district website which then sent me confirmation that I would be able to participate via zoom attached hereto as **Exhibit B**. At or around the start of the meeting, I clicked the Zoom link provided to me after I registered for the meeting but was unable to participate.

4. When clicking on the link it indicated that I had to wait for host. I registered before 3 pm as instructed on the school district website. After waiting for a prolonged period of time, I was never admitted into the meeting in a way that would have allowed me view or provide public comment at the meeting remotely. I remember trying to communicate using a chat function in the zoom application, which I took a screenshot of and which has been attached hereto as **Exhibit C**. I also tried raising my hand and took a screenshot of what I saw on my computer screen but nobody responded to me or allowed me to submit my public comment. That screenshot is attached as **Exhibit D**.

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct and that this declaration was executed on July 3, 2023, at
3 HACIENDA HEIGHTS, CALIFORNIA.
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LAURA FARLEY

EXHIBIT A

12.16.21.pdf (PDF)

**HACIENDA LA PUENTE UNIFIED SCHOOL
DISTRICT**

PUBLIC MEETING NOTICE

**In-Person/Virtual Regular Board of
Education Meeting of June 30, 2022**

June 30, 2022 – 4:30 p.m. Closed Session;

6:30 p.m. Open Session

TO VIEW VIA ZOOM:

Please visit the following link to register
for Zoom:

[https://hlpusd-k12-
ca.zoom.us/webinar/register/WN_MyjLHO
0ORgaHjTITGbrjXA](https://hlpusd-k12-ca.zoom.us/webinar/register/WN_MyjLHO0ORgaHjTITGbrjXA)

TO VIEW ON YOUTUBE:

The Board meeting is now live streaming
at <https://youtu.be/SvjO2WCuhLg>.

TO ATTEND IN-PERSON:

The Board meeting will be held at the
District Office Board Room located at
15959 E. Gale Avenue, City of Industry, CA
91745.

**Please note that proof of vaccination is
required to attend in-person.**

EXHIBIT B

8:52



Close

Chat



Me to Hosts and Panelists

Laura D Farley and Anthony Quintana have both yielded our time to Fernando Solis



Me to Hosts and Panelists

We completed the online form before 3pm today to yield our time



Me to Hosts and Panelists

Hello?



Chat disabled

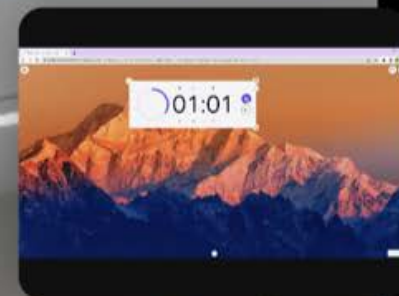
EXHIBIT C



Zoom ▾

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REC LIVE



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Chat



More

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DECLARATION OF ANTHONY QUINTANA

I, ANTHONY QUINTANA, hereby declare as follows:

1. The facts stated in this Declaration are true and correct of my own personal knowledge, except for those matters expressly stated on information and belief, which matters I believe to be true. If called as a witness, I could and would competently testify thereto.

2. The notice for the June 30, 2022 meeting of the Hacienda La Puente Unified School District ("School District") Board of Education ("School Board") provided links to view and provide public comment at the meeting remotely via Zoom and view the meeting remotely via YouTube. A true and correct copy of the notice for the School Board's June 30, 2022 meeting is attached hereto as **Exhibit A**.

3. I planned to view and provide public comment at the June 30, 2022 meeting of the School Board remotely via Zoom. I registered for the meeting via the link to Zoom as required on the school district website which then sent me confirmation that I would be able to participate via zoom. At or around the start of the meeting, I clicked the Zoom link provided to me after I registered for the meeting but was unable to participate.

4. When clicking on the link it indicated that I had to wait for host. After waiting for a prolonged period of time, I was never admitted into the meeting in a way that would have allowed me view or provide public comment at the meeting remotely.

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 July 3, 2023, at HACIENDA HEIGHTS, CA.



ANTHONY QUINTANA

EXHIBIT A

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**HACIENDA LA PUENTE UNIFIED SCHOOL
DISTRICT**

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DECLARATION OF EMMA GARCIA

I, EMMA GARCIA, hereby declare as follows:

1. The facts stated in this Declaration are true and correct of my own personal knowledge, except for those matters expressly stated on information and belief, which matters I believe to be true. If called as a witness, I could and would competently testify thereto.

2. The notice for the June 30, 2022 meeting of the Hacienda La Puente Unified School District ("School District") Board of Education ("School Board") provided links to view and provide public comment at the meeting remotely via Zoom and view the meeting remotely via YouTube. A true and correct copy of the notice for the School Board's June 30, 2022 meeting is attached hereto as **Exhibit A**.

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4. When clicking on the link I entered into a live zoom meeting and saw Board Chair Jeffrey De La Torre and a female speaking with one another. Both participants in the zoom were surprised that I was able to log into meeting using zoom. Jeffrey De La Torre spoke to the participants of the zoom meeting that the school district had received an email from Zoom that would require all attendees of the virtual meeting to log off and then log back on again.

5. This led me to believe that once we logged out and attempted to log back in we would be able to participate in the virtual meeting and submit public comment.

6. After clicking on the link, I saw the zoom application and it said "Waiting for host" and I stayed there for approximately an hour and was never admitted into the zoom meeting and therefore was unable to view or provide public comment at the meeting remotely.

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct and that this declaration was executed on July 3, 2023, at
3 Hacienda HTS, California
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EMMA GARCIA

EXHIBIT A

12.16.21.pdf (PDF)

**HACIENDA LA PUENTE UNIFIED SCHOOL
DISTRICT**

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DECLARATION OF JOSE GARCIA

I, JOSE GARCIA, hereby declare as follows:

1. The facts stated in this Declaration are true and correct of my own personal knowledge, except for those matters expressly stated on information and belief, which matters I believe to be true. If called as a witness, I could and would competently testify thereto.

2. The notice for the June 30, 2022 meeting of the Hacienda La Puente Unified School District ("School District") Board of Education ("School Board") provided links to view and provide public comment at the meeting remotely via Zoom and view the meeting remotely via YouTube. A true and correct copy of the notice for the School Board's June 30, 2022 meeting is attached hereto as **Exhibit A**.

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5. This led me to believe that once we logged out and attempted to log back in we would be able to participate in the virtual meeting and submit public comment.

6. After clicking on the link, I saw the zoom application and it said "Waiting for host" and I stayed there for approximately an hour and was never admitted into the zoom meeting and therefore was unable to view or provide public comment at the meeting remotely.

1 I declare under penalty of perjury under the laws of the State of California that the
2 foregoing is true and correct and that this declaration was executed on July 3, 2023, at

3 Encinitas Heights CA.

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5 JOSE GARCIA
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EXHIBIT A

12.16.21.pdf (PDF)

**HACIENDA LA PUENTE UNIFIED SCHOOL
DISTRICT**

PUBLIC MEETING NOTICE

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On **JULY 3, 2023** I served the foregoing documents described as **PETITIONER'S OPENING BRIEF; DECLARATION OF SHAILA NATHU WITH EXHIBITS A THROUGH C; DECLARATION OF TROY HAYS WITH EXHIBITS A THROUGH B; DECLARATION OF LAURA FARLEY WITH EXHIBITS A THROUGH D; DECLARATION OF ANTHONY QUINTANA WITH EXHIBIT A; DECLARATION OF EMMA GARCIA WITH EXHIBIT A; AND DECLARATION OF JOSE GARCIA WITH EXHIBIT A** on the parties in this action as listed in the attached service list by the following means:

Terence J. Gallagher
tgallagher@omlowlaw.com
Dana R. Cohn
dcohn@omlowlaw.com
OLIVAREZ MADRUGA LAW ORGANIZATION, LLP
500 South Grand Avenue – 12th Floor
Los Angeles, CA 90071

In accordance with Code of Civil Procedure sections 1010.6 and 1013, California Rules of Court, Rule 2.251, an order of the court, and/or an agreement of the parties, I caused the document to be sent to the person at the email address listed below via email or via an electronic filing provider. After transmission, I did not receive, within a reasonable period of time, any electronic message or other indication that the transmission was unsuccessful.

Date: July 3, 2023

/s/Kelly A. Aviles
Kelly A. Aviles

Alfonso Jimenez,

Before proceeding with the reconfiguration public hearing set for Thursday, November 9th, 2023. I am writing to inform you that the HLPUSD board and your administration have failed to comply with Education Code §41329 (FindLaw.com - California Code, Education Code - EDC § 41329 - last updated January 01, 2023 | <https://codes.findlaw.com/ca/education-code/edc-sect-41329/>).

I have just reviewed the code and found several glaring errors on the part of the district that beg to question why the most recent Agenda published for Thursday, November 9th, 2023, still has a public hearing agenda item listed for the reconfiguration.

I am putting you on advance notice that if you continue to entertain the notion that you can wrap up the statutorily mandated engagement on this issue as part of the decision-making authority of the board, then you would be in violation of the law.

I am also putting you on notice of a pending Federal Civil Rights Claim that the constituents of the Hacienda La Puente USD are preparing against the district due to the abysmal failure under your leadership to adhere to the requirements under Education Code § 41329.

Your failure to abide by state statutes in providing the required engagement of your constituents and in allowing them to review an equity impact statement prepared during the HLPPUSD reconfiguration process and to review the metrics used in developing a recommendation for consolidation or school closure is part of a systematic pattern in which students, their family, and residents continued to be denied fundamental constitutional rights.

The implication of this process cannot be overlooked. Most recently, the District underwent a fraudulent sale of two school properties designated as “surplus,” despite significant evidence submitted to the school district of an ongoing conflict of interest by Board members at the time of the purchase and sale agreement was brokered with the developer.¹ Despite mass protests, a compelling challenge to the entitlement process, your administration doubled down on the sale of these properties rather than investigate the issue of corruption and conflict of interest.

¹ <https://www.sgvtribune.com/2022/07/29/controversial-hacienda-heights-condo-project-at-glenelder-moves-forward-after-board-vote/>

You can see then, why we are upset at the egregious failure underway to shut down not one or two school properties, but four school closures, and three partial closures.

The majority of these school closures are being proposed in La Puente and Valinda, two areas of the district which until a recent community led effort (initiated by Juntos Podemos) to petition the district to create trustee areas for future elections under the California Voting Rights Act,² was largely neglected due to underinvestment when compared to the amount of resources that “flagship” schools concentrated within an affluent enclave in Hacienda Heights receive (largely due to ample conflict of interest coming from past board members—one of whom was recently elected back onto the board and who has exhibited a concerning pattern of harassment towards Board member Stephanie Serrano).

Conflict of interest and misappropriation of public resources is a crime, Mr. Jimenez, so please explain why you have failed to investigate how a small group of political operatives have engaged in a sustained effort to dismantle the duly elected board member representing her community who has been the subject of coordinated character assassination.

Ms. Serrano is a well-known advocate of foster youth within the district and the harassment from a fellow board member attacking Serrano is indicative of a larger corrosive culture at HLPUSD not just against Ms. Serrano, but the residents of the community and others who have never been systematically denied a right to fair and quality education and language accessibility to participate in the decision making issues concerning the education of our community’s youth. In spite of amazing teachers and committed parents involving themselves in the education of their children, the proposal to close these particular schools speaks volumes about the priority of the District the issues at stake here.

Since 2018, the school district has lost 2,200 Latino students as part of a general trend regionally with respect to declining enrollment.³ However, under further examination, the issue of declining enrollment in HLPUSD is something that only appears to affect one specific ethnic group within the district. While shifting demographics and population trends might explain some portion of this phenomena, my concern is that the rate at which the acute problem of declining

² <https://jdjoshsan.wordpress.com/2020/07/22/after-50-years-school-district-gets-election-maps/>

³ Data collected by the California Department of Education (CDE) through the California Longitudinal Pupil Achievement Data System (CALPADS). Aggregate data files are provided by the CDE – Data Reporting Office at <http://www.cde.ca.gov/ds/sd/sd/filesenr.asp>.

enrollment affecting Latino students within the district is an indication of a current and ongoing neglect from the district towards these communities resulting in a long term displacement of these same communities—a form of institutionalized racism which discriminates against these community members based on national origin and other factors such as disabilities and special needs, historical discrimination and inequities, and other failures by the District to honor these students with every accolade that *all children should have the opportunity to earn at some point in their educational upbringing.*

Parents remain concerned that another round of school closures might trigger another set of back room deals such as that which occurred with the developer Lennar the school properties of La Subida and Glenelder.

When the District initiated reconfiguration, Juntos Podemos, a collective of educational advocates authored a letter to your office detailing significant concerns at the pace by which the entire process had been scheduled, two or three months maximum, a limited number of meetings, and almost zero input from parents and community residents. Try contrasting that with the 7-11 committee that the District organized in 2009 prior to the closure of the school sites purchase by Lennar.

Subsequently, a petition was circulated which has received over 1,5000 signatures at the present moment. The fundamental issue our community raises and continues to raise is how is it possible to proceed with these school closures without first identifying and evaluating why declining enrollment disproportionately impacts a segment of the school district that no other constituency appears to suffer from. Parents of special needs children have also submitted impassioned pleas for more time and a better process by the District to consider the issues they have outlined with regards to the proposal to close Sunset Academy, a school that has been modified to accommodate our special needs community in a way that our other schools are not yet poised to serve our children, and not during this expedited reconfiguration farce that the District has opted to engage in.

You have listened to outrage at how a \$70 million dollar renovation of Wedgeworth, an elementary school approximately a mile away from Bixby Elementary, appears to be rife with money and investment, including loans secured by COPs, while Bixby Elementary with comparatively newer facilities gets slated for closure.

This raises the question of why even implement a bond renovation project on any of the schools considered for closure as part of reconfiguration when taxpayers

made extensive contributions as part of Measure BB, the 21st century school site improvements, renovations, and upgrades, if the District intended to close these schools anyways once some portion of the funds had already been spent?

The community is owed an explanation to these questions, and more. Instead, what we have observed is a campaign of disenfranchisement and retaliation for addressing our concerns at the climate of hostility within the district and the racial divisions promulgated by board member Gino Kwok who has gone on to recruit a group of individuals, who have dubbed themselves the “Gino Kwok Mafia,” to go on all social media sites defending his attacks against board member Serrano.⁴

Please explain why a school district with 74% Latino enrollment, many of whom come from households with limited English proficiency does not have a full-time interpreter at every single board meeting for the parents to engage in the decision-making affecting their children. Time and time again, residents have spoken in great disgust that the school district cannot provide an interpreter even when the request is being made in accordance with board bylaws.

Education Code § 41329 states, “The governing board of the school district shall develop a set of metrics for the development of the equity impact analysis and make those metrics public at a regularly scheduled meeting of the governing board of the school district so that the public can provide input regarding the metrics being used to conduct the analysis.”⁵

The important caveat is that members of the public can provide input. By failing to provide interpreters, by engaging in excess recesses during the board meetings, by relocating parents from the overflow pavilion of the district board meeting to the front lobby where not a single monitor or audio device exists to allow parents to listen to the proceedings of the board meeting and by failing to translate at least some portion of the material used for the reconfiguration, including the “metrics” that the code mandates the District make available for review, instead we see the continuation of the toxic culture present at the Board level, where a common feature at recent board meetings is to see residents being thrown for subjective rationales which appear to lack any basis whether in the education code or the bylaws of the board. There appears to be a campaign against members of our community and that has resulted in the district initiating two separate proceedings

⁴ <https://www.dropbox.com/scl/fi/e5cknp04kaq9mrj6jq6mu/Gino-Kwok-Mafia-attack-serrano.mov?rlkey=dbbjzbc2ftoe9o0x5kaxlmscx&dl=0>

⁵ FindLaw.com - California Code, Education Code - EDC § 41329 - last updated January 01, 2023 | <https://codes.findlaw.com/ca/education-code/edc-sect-41329/>

in the form of “Cease and Desist” letters against two, highly esteemed, community advocates who have developed a reputation within our local community as staunch defenders of educational equity, special needs advocates, and ardent defenders of our civil rights.

In one instance, the District severely curtailed the rights of Manuel Maldonado by banning him from entering the board district meetings in person until January 2024. Elke Tapia, similarly, was notified by her husband that school police officers arrived at her household with a similar “Cease and Desist” filled with factual inaccuracies. There are clear due process issues with how the District has gone about delivering these notices to civilians engaged with our school district, but the actions of the District can be scrutinized by a lack of action in front of a Judge through the proper channels of a Court authored restraining order where either Manuel Maldonado and Elke Tapia would have a chance to defend themselves. Rather than initiate a much more robust legal proceeding where the burden of proof is much higher, and the defendant would be able to cross examine and interrogate the claims of an accuser—we’re seeing a District that has opted to punish activists using an administrative process with the clear and specific goal of discouraging public and civic participation rather than the restrictions on free movement a restraining order might possibly afford. We see the District use our public resources as a personal legal lobbying firm to serve the interests of one or two board members and we see legal counsel weaponized during critical decision-making periods.

The same can be said of Mr. Fernando Solis before them, who regularly scrutinized the behavior of the Board for consistent Brown Act violations and who was also threatened in a way that would have denied his ability to participate in a public meeting as clearly outlined in the Brown Act.

With reconfiguration we see talking time at the meetings for public hearing items affecting a minimum of 7 school properties being reduced to 30 seconds. By failing to provide an interpreter, the District continues to ignore the concerns of a majority Latino electorate where the average median income can range from \$42,000.

So now we ask why the District has not chosen a better process to engage with members of the community? Reconfiguration should and can include a process that is compliant with CEQA. In this case, it appears that the District is going to argue an exemption on the environmental review process in spite of at least one of the schools slated for closure being close to lead battery smelter Ecobat (formerly

known as “Quemetco”), one of 12 lead battery smelters in the United States and the only one west of the Rockies.

The Department of Toxic Substances Control required the lead battery facility Ecobat to expand soil testing for potential lead and arsenic contamination due to the historical deposition of emissions which have yet to be remediated. A google map search shows the distance between Los Robles Academy and Quemetco is one mile away. The San Gabriel Valley Tribune wrote the following in 2016:

Since 2016, Quemetco has tested approximately a third of the 368 residences within a quarter-mile of its facility. The DTSC described the sample size as insufficient and stated it did not demonstrate a “lack of impact from Quemetco’s operations.” Quemetco produces about 120,000 tons of reclaimed lead a year from millions of car batteries and other lead scrap, according to its website. The plant — the largest west of the Rockies — operates on 15 acres at 720 S. Seventh Ave. It first opened in 1959.

The South Coast Air Quality Management District lists the primary “pollutants of concern” from the recycling process as lead, arsenic and benzene. Lead can damage a child’s nervous system, causing disabilities and behavioral problems. It also is listed as a probable carcinogen.

A new dispersion model used by DTSC suggests emissions “may have extended as far as 1.6 miles from the facility,” representing nearly a sixfold increase from the area that has been tested.⁶

By failing to consider the historical deposition of lead and volatile organic compounds emitted by the lead battery smelter the District has neglected to conduct a necessary environmental review that is very much warranted prior to consideration of what happens once the school gets closed. Any exemption from an environmental review will be grounds for an immediate challenge and an appeal. The District could avoid a protracted examination of whether an environmental

⁶ <https://www.sgvtribune.com/2016/04/28/hundreds-of-hacienda-heights-homes-near-industry-battery-plant-to-be-tested-for-lead-arsenic/>

review process is warranted at this school site had it followed the educational code governing reconfiguration. Instead, it has opted to avoid a robust and quality public review process.

This leads to my biggest source of contention. At the October 26th, 2023 board hearing, Elke Tapia arrived at the podium to deliver public comment and argued before the board that she had requested an interpreter and was once again denied language accessibility. There might be some disagreement about Elke's assertion that she would submit comment in four different languages at the board meeting, but the facts are irrefutable, given that she asked for an interpreter and that no interpreter was provided.

This caused other parents to express dismay and resulted in an outburst from board president Christine Salazar, who without any specialized linguistic background arrived at her own determination on Elke's language speaking capabilities. The issue here is not whether Elke would have exceeded her speaking time during public comment from the vastly reduced minute (later half minute) that parents were asked to accept, but why a board would vote in favor of dual immersion within the district, through increased language programs including many school resources available for Korean, Cantonese, Mandarin, and Spanish dual immersion, or private after school language schools such as the Hacienda Heights Area Chinese School where Gino Kwok's daughter attended for a number of years located at the Mesa Robles school site after school and on Saturday. Past board member Joseph Chang has shared proud Facebook posts at the Chinese School's annual celebrations and indicated that he served as the Principal of the Area Chinese School for many years. It's worth noting that neither Gino Kwok or past board member Joseph Chang have ever publicly disclosed any financial ties or business investment ties to the school. Gino Kwok does have 14 school properties within and around the region of Hacienda Heights, and it is worth probing whether like his predecessor before him, Norman Hsu, who profited off of students staying at residential properties he owned or had some investment in until the District Attorney Jackie Lacey initiated a probe of Mr. Kwok's and Mr. Hsu's potential conflict of interest.⁷

One can argue that the civil rights violations that have been documented within the past year show that the school district will not only suppress public comment, free

⁷ <https://www.sgvtribune.com/2013/09/25/district-attorney-investigating-two-hacienda-la-puente-board-members/>

speech, but will go to great lengths to disenfranchise any critical commentary of the actions of the district.

Of the four leading civilian activists at the board meetings, three of them have been served Cease and Desist letters, visited by school police and hand delivered intimidating legalese threatening and insinuating further repercussions. As if that were not enough, prior to the board meeting on October 26th, 2023, residents received text notifications indicating that if they were not vaccinated and could not provide proof of vaccination, they might be denied entry to the board meeting—this, in spite of both Federal and State vaccine mandates which have been lifted requiring any such proof of vaccine. And perhaps most disturbing is an alarming trend where seats in the board room are now completely reserved for school district staff and invitees of the board members in such a way that even with early arrival, a resident concerned about reconfiguration would be denied the opportunity to listen, hear and participate in a public meeting that was not mediated in some shape or form by having to rely on an external streaming software such as Zoom.

On October 26, 2023, we saw the Board declare an “unlawful assembly” while children, some as young as six, spoke into a microphone at the District office lobby while the Board was in recess. The Board had done everything possible to deny them the right to speak during the regularly scheduled portion of the board meeting and the young children speaking using a Bluetooth device initiated the arrival of 13 police officers, four school police and nine from the sheriff’s department to force the parents and residents of the district outside of our district office. When the Board declared an unlawful assembly, the meeting appeared to be cancelled entirely, and many parents left fearing arrest and for the safety of their children left.

Unlawful assembly, a proclamation more often associated with civil unrest and riots, is often used to inform a mass gathering that anyone in the area can be subject to arrest. For the Board to reconvene the meeting and resume the public hearing items after physically ensuring our removal from the school district board room and the lobby meant that no portion of the meeting afterwards allowed anyone present to sit in the board room and to observe the decision-making process.

Folks held their cell phones to listen to the YouTube livestream but those individuals who lacked a phone with the capacity to stream a multiple hour video on YouTube, or who were unable to access the language services on the livestream were either skipped when it came to public comment or were unable to hear their

name called from the police officer with the public comment registration speaker cards. Without a microphone to announce who was speaking next most, if not all the individuals that had signed up to speak were denied that opportunity.

This is clearly a Brown Act violation and will be challenged accordingly. For the Board to continue with a reconfiguration public hearing without first allowing the public to contest the Brown Act violations that occurred where we might be able to require the public hearing be repeated in compliance with the law, the Board has opted to ignore these violations. One can only ask if Latinos in the district have lost 2,200 students in the last five years, how many more will we lose in the future?

While the District has already indicated that the reconfiguration process does not stem from financial insolvency, the Attorney General has been very clear that the process outlined under Education Code § 41329 must be followed prior to any board decision to close, consolidate, or reconfigure a school within the district.

The HLPUSD school board and staff are clearly violating Federal laws that prohibit national origin discrimination in elementary schools, secondary schools (middle and high schools), and public colleges and universities.⁸

At the Public Hearing on October 26th, 2023, children enrolled in the Hacienda La Puente Unified School District were denied the right to speak during public comment when the District refused to provide Elke Tapia with language accessibility services she had requested in advance of the board meeting.

The failure to provide authentic access to language assistance services such as an interpreter has resulted in many families within the district being offered a patchwork of ad hoc options, which includes parents relying on volunteers from the district, in some cases, to help translate their public comment. On one occasion, I translated for a member of the public because I was so upset that none had been provided to the speaker.

⁸ The Educational Opportunities Section enforces the Equal Educational Opportunities Act of 1974, which requires state educational agencies and school districts to take appropriate action to overcome language barriers that impede English Language Learner (ELL) students from participating equally in educational programs. The Section also enforces federal laws that protect students from harassment or otherwise being treated differently and adversely based on their national origin.

Needless to say, the Justice Department is very clear about how violations of Federal Civil Rights statutes require Federal probes into potential abuse by public officials. The office of civil rights maintains guidelines which indicate that public schools must communicate information about enrollment, classes, and other educational programs and activities in a language that all parents, guardians, and sponsors can understand. Schools can accomplish this by translating information or providing qualified interpreters.

The Equal Protection Clause of the 14th Amendment requires that all people must be treated equally under the law, regardless of their sex. Title IV of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, sex, religion, or national origin by public elementary, secondary, and post-secondary schools. Executive Order 13160, signed in 2000, prohibits discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted educational and training programs.

As the Supreme Court recognized in the context of race, equal opportunity in education is needed in order to provide a visible path to leadership “so that all members of our heterogeneous society may participate in the educational institutions that provide the training and education necessary to succeed in America.”⁹

The U.S. Department of Education (ED) and the U.S. Department of Justice (DOJ) have issued joint guidance to remind state education agencies (SEAs), public school districts, and public schools of their legal obligation to ensure that EL students can participate meaningfully and equally in educational programs.

EL students are entitled to an equal opportunity to participate in all programs, including pre-kindergarten, magnet, gifted and talented, career and technical education, arts, and athletics programs; Advanced Placement (AP) and International Baccalaureate (IB) courses; clubs; and honor societies.

School districts generally may not segregate students on the basis of national origin or EL status. Although certain EL programs may be designed to require that EL students receive separate instruction for a limited portion of the day or period of time, school districts and states are expected to carry out their chosen program in

⁹ <https://www.law.cornell.edu/supct/html/02-241.ZO.ht>GRUTTER V. BOLLINGER (02-241) 539 U.S. 306 (2003) 288 F.3d 732, affirmed.ml

the least segregative manner consistent with achieving the program's stated educational goals.

EL students with disabilities must be provided both the language assistance and disability-related services to which they are entitled under Federal law.

EL students who may have a disability, like all other students who may have a disability and may require services under the Individuals with Disabilities Education Act (IDEA) or Section 504 of the Rehabilitation Act of 1973, must be located, identified, and evaluated for special education and disability-related services in a timely manner.

Ensuring Meaningful Communication with Limited English Proficient Parents LEP parents are entitled to meaningful communication in a language they can understand, such as through translated materials or a language interpreter, and to adequate notice of information about any program, service, or activity that is called to the attention of non-LEP parents.

Schools must communicate information to limited English proficient parents in a language they can understand about any program, service, or activity that is called to the attention of parents who are proficient in English.

The process should be designed to identify all limited English proficient parents, including parents and guardians whose primary language is not common in the district or whose children are proficient in English. At present there remains ongoing concerns about the steps taken by the school district on any number of these issues. If there is a disagreement about any of these assertions, then I would urge you to provide a written response countering my claims along with a response to the enclosed Public Records Act Request below.

Per Government Code I am requesting access to records in possession or control of the Hacienda La Puente USD for the purposes of inspection and copying pursuant to the California Public Records Act, California Government Code § 7920.000 et seq. ("CPRA"), and Article I, § 3(b) of the California Constitution.

The specific records I seek to inspect, and copy are listed below. As used herein, "Record" includes "Public Records" and "Writings" as those terms are defined at Government Code § 7920.530 & 7920.545.

I request access to inspect/copies of:

1. Any and all communications, including but not limited to, emails, text messages, voicemails, letters, memos, from July 2020 to present, to or from any School Board member, former School Board member, the School District Superintendent, or any School Board official, employee, consultant, or contractor, including any communications that exist on personal device:
 - a) All information considered as part of any review process involving a proposal for a closure or consolidation of a school inside the district or any process relating to reconfiguration. Include all records for any of the scheduled governing board meetings where the public provided input.
 - b) All records pertaining to a process conducted by the governing board of the school district regarding an equity impact analysis and metrics considered as part of the impact analysis.
 - c) All information concerning meetings of the governing board of the school district where the public provided input regarding the consideration of a school closure, consolidation, and reconfiguration, and was allowed a review of any of the metrics being used to conduct the equity impact analysis.
- 2.) Any and all communications, including but not limited to, emails, text messages, voicemails, letters, memos, from July 2020 to present, to or from any School Board member, former School Board member, the School District Superintendent, or any School Board official, employee, consultant, or contractor, including any communications that exist on personal device:
 - a) Regarding the reconfiguration and *recommendations* made by the District, its governing board, or anyone else regarding school closures and consolidation, including the dates in which any recommendation was presented before the public. Please include any of the following information:
 - (i) Factors used to identify the list of school closures or consolidations.
 - (ii) Equity impact analysis findings for each school closure or consolidation.
 - (iii) Plan for the use of the schools proposed for closure or consolidation once it becomes a vacated facility.

- (iv) Criteria used to assign displaced pupils to other school sites, or a description of the process of reassignment that will be used by the school district.
 - (v) Options and timeline for transitioning pupils to their new schools, including improving safe routes to schools and home-to-school transportation needs.
- 3. Any and all communications, including but not limited to, emails, text messages, voicemails, letters, memos, from July 2020 to present, to or from any School Board member, former School Board member, the School District Superintendent, or any School Board official, employee, consultant, or contractor, including any communications that exist on personal device regarding:
 - a) Public Hearing agenda items on October 26th, 2023 (including any information relating to a continuation on another date); all information regarding board recesses at that board meeting (or its continuation), the designation (either formal or informal) of an unlawful assembly, and all individuals removed, warned, or asked to leave during the meeting.
 - b) All information concerning individuals that have been removed from a public governing board meeting (from July 2020 to the present). Include information relating to additional restrictions made by the District that might impede a member of the public from participating in future in-person board meetings beyond the date they were warned or removed from a board meeting.
 - c) All relevant bylaws, administrative regulations, policies and/or other statutes which the school district adheres to in relation to language accessibility services available to the public during board meetings (irrespective of whether those services are provided upon request).
 - d) All information relating to when the District provided language accessibility services for members of the public in the form of an interpreter (irrespective of whether that interpreter might have been a volunteer, District employee or another member of the public). Please include all contracts, receipts, invoices, or other record of language assistance services, including denials.

These records should be released to the public prior to any consideration concerning the reconfiguration to ensure that the public has the information necessary to be involved in a meaningful way as part of a decision-making process.

Best,

/s/

Samuel Brown-Vazquez

FAIR POLITICAL PRACTICES COMMISSION
STIPULATION, DECISION AND ORDER
Campaign Statement/Report Late Filer Violations
(Streamline Program)

Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent(s) hereby agree that this stipulation will be included on the next regularly scheduled meeting, or as soon thereafter as the matter can be heard, of the Fair Political Practices Commission. Once presented and approved by the Chief of Enforcement, the parties agree that this stipulation will be the final disposition of the violation(s) described herein.

FPPC CASE NUMBER: 2020-00959

RESPONDENT(S): Christine Salazar for School Board 2020 and Christine Salazar

REPRESENTATION: N/A

GOVERNMENT CODE SECTION(S) VIOLATED: 84200, 84203

Total Penalty: \$1,692

STATEMENT BY RESPONDENT(S):

I acknowledge that the violation(s) of the Political Reform Act described above have occurred and voluntarily request that the Fair Political Practices Commission resolve this matter by imposition of the monetary penalty specified above. I acknowledge receipt of the *Statement of Respondent's Rights* and voluntarily waive any and all procedural rights to contest this matter in an administrative hearing. Any required outstanding reports in connection with these violations have now been filed. I have paid the amount of the penalty described above. I understand that I must also pay any potential late filing penalties assessed by my filing officer.

Dated: _____

Sign: _____

Print Name: _____

Dated: _____

Sign: _____

Print Name: _____

ORDER OF THE COMMISSION:

I have reviewed this stipulation, taken into consideration any comments made regarding this item, and am executing this agreement under the authority of the Fair Political Practices Commission granted to me by Regulation 18360.2. This agreement is effective upon execution below.

IT IS SO ORDERED.

Dated: _____

JAMES M. LINDSAY, ENFORCEMENT CHIEF

FAIR POLITICAL PRACTICES COMMISSION
STATEMENT OF RESPONDENT'S RIGHTS

The Complainant, the Enforcement Division of the Fair Political Practices Commission, and Respondent, both identified by name on the front of this document, hereby agree that this Stipulation, Decision and Order will be submitted for notice at the next regularly scheduled Fair Political Practices Commission meeting, or as soon as the matter can be heard.

The parties agree to enter into this Stipulation to resolve all factual and legal issues raised in this matter and to reach a final disposition without the necessity of holding an administrative hearing to determine the liability of Respondent.

Respondent understands and hereby knowingly and voluntarily waives any and all procedural rights under California Government Code sections 83115.5, 11500, *et seq.*, and 2 California Code of Regulations sections 18361.4 through 18361.11, including but not limited to the issuance and receipt of an accusation, and the right to appear personally and be represented by counsel at his or her own expense in any administrative hearing held in this matter, to confront and cross examine all witnesses testifying at the hearing, to subpoena witnesses to testify at the hearing, and to have an impartial administrative law judge present at the hearing to act as a hearing officer.

It is further stipulated and agreed that Respondent has violated the Political Reform Act as described herein.

Respondent agrees to the issuance of the Decision and Order and imposition by the Commission through the Chief of Enforcement of a penalty in the amount specified on the Stipulation, and a payment in full has been submitted by Respondent to be held by the State of California until the issuance of the Decision and Order. This will be the final disposition of the violation(s) described herein.

The parties agree that in the event the Chief of Enforcement refuses to accept this Stipulation, it shall become null and void, and within fifteen (15) business days after the Commission meeting at which this Stipulation is presented, payments tendered shall be reimbursed to Respondent. Respondent further stipulates and agrees that in the event the Chief of Enforcement rejects the Stipulation and a full evidentiary hearing before the Commission becomes necessary, neither a member of the Commission, nor the Executive Director, shall be disqualified because of prior consideration of this Stipulation.

DESCRIPTION OF VIOLATION:

Campaign Statement/Report Late Filer – Tier One

Count	Statement/Report	Reporting Period	Due Date	Date Filed	Describe Reportable Activity	Penalty ¹
1	Semi-annual	10/18/20 – 12/31/20	2/1/21	N/A	Contributions: \$8,641	\$459
2	Semi-annual	1/1/21 – 6/30/21	8/2/21	N/A	\$0	\$200
3	Semi-annual	7/1/21 – 12/31/21	1/31/22	N/A	\$0	\$200
4	Semi-annual	1/1/22 – 6/30/22	8/1/22	N/A	\$0	\$200
5	Semi-annual	7/1/22 – 12/31/22	1/31/23	N/A	\$0	\$200
6	Semi-annual	1/1/23 – 6/30/23	7/31/23	N/A	\$0	\$200
7	24-hour Contribution Report	8/20/20	8/21/20	N/A	\$1,100	\$233

TOTAL PENALTY: \$1,692

Filer has filed all pertinent statements.

Respondent(s) has not received a penalty from the Commission for failing to timely file in the past five years.

The committee did not have more than the amount prescribed in Regulation 18360.1(d)(1)(C)(ii)(a) for its jurisdiction in contributions received or expenditures made per campaign statement.

The extent and gravity of the public harm in the aggregate is not more than minimal.

Found no evidence of intent to conceal.

Filer is a Local Candidate Committee.

This Stipulation is presented in accordance with the merits of the case, the age of the violations, the Enforcement Division's resources, and the Enforcement Division Policy Directives formally adopted by the Commission on January 26, 2023, which requires the Enforcement Division to take all appropriate actions within their discretion to decrease the Division's annual carryover caseload.² Discretion was used based upon mitigating or aggravating circumstances and the totality of the circumstances.³ This resolution may not be used as a comparable case for other enforcement matters.⁴

¹ Base + 1% of contributions received or expenditures made if filed 7 days prior to the election or 3% if filed after that time.

² <https://www.fppc.ca.gov/content/dam/fppc/NS-Documents/AgendaDocuments/General%20Items/2023/january/15.0-Enforcement-directives.pdf>

³ Regulations 18360.1 and 18360.3.

⁴ See Regulation 18361.5, subdivision (e)(3).

Parents, students protest proposed Hacienda La Puente School District campus closings

John Orona PUBLISHED: November 8, 2023 at 7:47 PM PST |

UPDATED: November 9, 2023 at 12:32 AM PST [Education](#), [News](#)

Dozens of Hacienda La Puente School District parents and students marched and rallied Wednesday, Nov. 8, 2023 to protest the district's possible closing of four schools, as part of a reconstruction plan aimed at addressing declining enrollment. (Courtesy of Sam Brown-Vazquez)

Dozens of Hacienda La Puente School District parents and students marched and rallied Wednesday morning, Nov. 8, to protest the district's possible closing of four schools, as part of a reconstruction plan aimed at addressing declining enrollment.

The protest came a day ahead of a crucial Thursday, Nov. 9, school board meeting in which the board will hold a public hearing on their plan and vote on whether to move forward with the closure of Bixby, Sunset, and Del Valle elementary schools, along with Los Robles Academy, starting the next academic year.

In front of La Puente City Hall, where the march ended, parents said they were hoping to slow down the process, which many of them have only heard of in the past few weeks — some showing up to protest after hearing about the plan the day before.

"I had to show up because I didn't know what else I could do," Victoria Ramirez said. "This is something so drastic, so huge that

requires a community conversation and there's been no outreach in the way that should be done."



Dozens of Hacienda La Puente School District parents and students marched and rallied Wednesday, Nov. 8, 2023 to protest the district's possible closing of four schools, as part of a reconstruction plan aimed at addressing declining enrollment. (Courtesy of Sam Brown-Vazquez)

District officials said the move is a necessity given declining enrollment. The district has seen steady declines in enrollment for more than a decade, losing 12% of students in the past five years. But its projections estimate losing another 25% of students in the next five years, bringing enrollment from more than 15,000 students today to fewer than 12,000 by the 2028 school year.

"Hacienda La Puente Unified School District has a greater number of schools than any other school district with comparable student

enrollment in California,” Superintendent Alfonso Jimenez said in a statement responding to the protest.

The reconfiguration would allow the district to combine resources, create additional educational opportunities for students at all schools, as well as establish long-term stability for our programs, Jimenez added.

The plan does not include the high schools, no properties are proposed to be closed or sold, and there will be no layoffs due to reconfiguration, he said, adding that class sizes will continue to follow state guidelines and remain consistent with current levels.

He also noted that the process would not impact services provided to students receiving special education services.



Dozens of Hacienda La Puente School District parents and students marched and rallied Wednesday, Nov. 8, 2023 to protest the district's possible closing of four schools, as part of a reconstruction plan aimed at addressing declining enrollment. (Courtesy of Sam Brown-Vazquez)

While the plan has been discussed by the board since May and followed a December 2022 decision to move forward with reconfiguration, many parents complained that the process hasn't been transparent enough.

Protesters said meetings lacked adequate translation services for the large Spanish speaking population the district serves; that the details of what the reconfiguration meant were left murky; and that they've been silenced during meetings when they have spoken out.

"At this point no trust, we can't believe a thing from the board," said Juan Sandoval, the father of a seventh- grade Sunset Elementary student. "We've totally lost confidence in the board."

Sandoval said his daughter with a physical disability was bullied at their previous school before attending Sunset, which hosts Orthopedic Handicapped hub. Now if the plan is approved, she'll have to not only adjust to a new school without those resources but Sandoval will have to miss work to drive her to school.

The district in response to parents' concerns has said the special programs hosted at schools set to be closed can be moved to other sites – however there's no guarantee that they will be.

According to district policy, transportation will be provided to students based on their grade and distance from school, meaning TK and Kindergarten students 1 mile away, first through fifth-graders 1.5 miles away, and sixth through eighth graders 2 miles away from their campuses will get rides.

While school districts across Los Angeles County are facing similar enrollment challenges forcing districts to make choices about which schools to close, Hacienda La Puente is in a slightly different position.

State law imposes emergency administrators on districts deemed financially distressed, who then can make drastic moves to get the district back in the black. But in this case, the district is not designated as financially distressed, and is closing the schools proactively.

In all, the reconfiguration plan would:

- Close Bixby Elementary School and transfer the students to Cedarlane Academy
- Close Sunset Elementary School and transfer the K-5 students to Lassalette;
- Close Los Robles Academy and transfer students to Palm Elementary School;
- Close Del Valle Elementary School and transfer the K-5 students to Workman Elementary School;
- Transfer Grandview College Preparatory Academy K-5 students to Wing Lane Elementary School;
- Transfer Valinda School of Academics 6th-8th grade students to Grandview;
- Transfer Del Valle, Baldwin Academy and Workman 6th grade students to Sierra Vista Middle School or Grandview based on the current feeder pattern, within Sierra Vista's and Grandview's available capacity
- Transfer 6th grade students from Sunset, California Elementary School, Nelson Elementary School, Sparks Elementary School, and 6th-8th grade students from Lassalette all to Sparks

Middle School. The K-5 students at those schools would remain.

The board meeting's open session begins at 6:30 p.m. at the District Office Board Room, at 15959 E. Gale Ave., in the City of Industry. It is also streamed live. For more information, visit <https://www.hipschools.org/district/board-of-education>.