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9 Center for American Liberty

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **COUNTY OF LOS ANGELES — STANLEY MOSK COURTHOUSE**

12 **Center for American Liberty,**
13 a Virginia Not for Profit corporation;

14 Petitioner and Plaintiff

15 vs.

16 **Los Angeles Unified School District;**
17 and DOES 1 through 100, inclusive

18 Respondents and Defendants.

Case No.: **24STCP00873**
Judge:
Dept:

UNLIMITED JURISDICTION

Verified Petition for Writ of Mandate;
Complaint for Declaratory &
Injunctive Relief
[Gov. Code §§ 7921.000, et seq.]

19 Petitioner and Plaintiff Center for American Liberty, (“CAL”), alleges as follows:

20 1. In this action, CAL seeks to enforce its right to obtain public records pursuant to the
21 California Public Records Act, Government Code¹ section 7920.000² (“CPRA”) for several
22 CPRA requests to Respondent.

23 **FACTS**

24 2. This matter is regarding Public Records Act requests contained in three letters from
25 Petitioner to Respondent Los Angeles Unified School District.
26

27 ¹ All undesignated code references are to the Government Code.

28 ² The legislature re-codified the Public Records Act from Government Code section 6250, et seq.
to section 7921.000, et seq effective on January 1, 2023.

1 **A. PUBLIC RECORDS REQUEST OF AUGUST 30, 2022 IN RE CRT AND RELATED TOPICS**

2 3. On or about August 30, 2022 Petitioner issued a Public Records Act (“CPRA”) request to
3 the Respondent Los Angeles Unified School District (“LAUSD”). A copy of CAL’s August 30,
4 2022 Public Records Act request is attached hereto as Exhibit A. That request was for:

5 **PUBLIC RECORDS ACT REQUEST**

6 Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48,
7 Center for American Liberty (“Requestor”) respectfully requests to inspect all
8 public records in the possession or control of the District (“DISTRICT”) for the
9 following:

- 10 1. Each correspondence, presentations, PowerPoint presentations and/or videos,
11 including electronic communication and in paper format, regarding any
12 curriculum and/or supplemental curriculum in any way regarding the
13 DISTRICT’s programs / curriculum and the supplemental curriculum itself
14 regarding Ethnic Studies, Critical Race Theory, Equity, Intersectionality,
15 Transgenderism, social emotional learning, Sanford Harmony, diversity,
16 inclusion, racism, structural racism, microaggressions, social justice, white
17 supremacy, and refugee . This includes any correspondence, presentations,
18 policies, procedures, etc. promulgated as a result of the Board of Trustees
19 adoption of that certain resolution entitled Ethnic Studies for All Students:
20 Reaffirming our commitment to Ethnic Studies in Los Angeles Unified (adopted
21 on August 25, 2020). A copy of that resolution is attached for your reference.
- 22 2. The curriculum of the District on any of these matters no matter if it is included in
23 the history, mathematics, English, sociology, or any other study topics taught at
24 the District.
- 25 3. Any lesson plans arising from these programs / curriculum.
- 26 4. Any lesson plans, training materials, supplemental materials and resource videos,
27 slideshows, and PowerPoint presentations, that include Critical Race Theory,
28 Ethnic Studies, Howard Zinn, LatCrit Theory, Karl Marx, Robin DiAngelo, Ibram
X. Kendi, Derrick Bell, Richard Delgado, Kimberle Crenshaw, Donald Moss,
Noel Ignatiev, Tara Ysso, Gloria Ladson-0Billings, Cheryl Harris, Patricia
Williams, Tyrone C. Howard, Marxism, Hegemony, the organization “Black
Lives Matter,” and / or the 1619 Project.
5. Any invoices, purchase orders, checks, warrants or any other form of payment by
LAUSD to any persons or organizations for teacher training, public relations,
parent interactions, etc. regarding the topics described above.

1 The items requested in numbers 1, 3, 4 and 5 above are for documents pre-
2 adoption of this curriculum and teacher training and post-decisional for each of
3 these discussed and/or adopted policies, procedures, curriculum, training
4 programs, etc.

5 The period for this request is from January 1, 2019 to the present date.

6 **PUBLIC RECORDS ACT REQUEST II:**

7 **FOR DOCUMENTS RELATED TO THE DISTRICT'S FINDINGS OF ITS**
8 **ALLOWED "DIRECT" COSTS PER GOVERNMENT**
9 **CODE SECTION 6253 (B).**

10 Since the Public Records Request Act allows the District to only charge its
11 "direct" costs for photocopying, please disclose documents that evidence how
12 (including backup costs information or studies **not** just the Department's formal
13 policy on photocopy charges) the District arrives at its "direct" cost per page for
14 photocopying charges. Please consider this request to be a separate Public
15 Records Act Request.

16 4. This request also included a request for responsive documents to be delivered in
17 electronic format if they were already stored in an electronic format. Govt. Code § 7922.570.

18 5. On or about September 21, 2022 Respondent LAUSD acknowledged CAL's CPRA
19 request and designated it as OGC Control Number 0073359. A copy of that September 2, 2022
20 acknowledgment e-mail is attached hereto as Exhibit B.

21 6. On or about September 29, 2022 Respondent sent an e-mail to Petitioner stating:

22 Hello,

23 This is in response to your Public Records Act Request (request) dated August 30,
24 2022, seeking records as outlined in the attached request.

25 Pursuant to Government Code section 6253(c), the District has made the
26 determination that your request seeks public records subject to disclosure, in
27 whole or in part. The District estimates it will provide a response to your
28 PRA request, except for any exempt materials, on or before the close of business
on November 4, 2022.

1 Should you have any questions, please do not hesitate to contact me at (213) 241-
2 7600 or by email. Please indicate the above-referenced OGC Control number in
3 any correspondence regarding this request.

4 A copy of this e-mail is attached as Exhibit C.

5 7. On November 9, 2023 and November 10, 2022 Respondent issued e-mails to Petitioner
6 advising that it was working on Petitioner's PRA Control Number 0073359.

7 8. On December 8, 2022 Respondent issued an e-mail to Petitioner which stated:

8 Hello,

9 We received the above-referenced California Public Records Act request for
10 information regarding various records as outlined in the attached request. After
11 conducting a thorough search of our records, we determined the attached records
12 are responsive to your request, subject to the redaction of exempt material within
13 the documents. This redaction of exempt material is based upon California
14 Government Code section 6254(c) and 6255(a). Also, we have determined that
15 the majority of the requested information is already made public on the LAUSD
16 Human Relations website. Please use the following link to review those records:
17 <https://achieve.lausd.net/Page/2293> .

18 Please note that this is a partial production of records, and the District is still
19 working to gather and produce non-exempt responsive emails.

20 Thank you.

21 A copy of the December 8, 2022 e-mail is attached as Exhibit D.

22 Petitioner reviewed the web pages at the web page referenced by Respondent (entitled:
23 "Student Health & Human Services / Human Relations, Diversity and Equity") as a *partial*
24 *disclosure*. The web pages at this site do not appear to represent a full search and disclosure by
25 Respondent in response to Petitioner's PRA Control Number 0073359.

26 9. On December 10, 2022 Respondent issued an e-mail to Petitioner advising that it was
27 working on the PRA request. On December 16, 2022 Petitioner responded to Respondent asking
28 when the District planned to disclose further documents, to advise Petitioner if any documents
 would be withheld or redacted based upon exemption or privilege and how many potentially

1 responsive documents had the District found. On December 19, 2022 Respondent issued a
2 responsive e-mail to Petitioner stating: “We are in receipt of your email below and will respond
3 to you soon.” A copy of this e-mail “thread” is attached as Exhibit E.

4 10. On January 30, 2023 Petitioner’s counsel issued a letter to Respondent about this
5 and other PRA requests (outlined below) and the delays in disclosing documents to Petitioner
6 asking for Respondent to disclose documents by February 28, 2023. A copy of Petitioner’s
7 counsel’s letter of January 30, 2023 is attached as Exhibit F. Petitioner received a response to
8 Exhibit F from a Ryan Luther, Esq. who simply stated LAUSD had received Exhibit F.
9

10 11. On May 3, 2023 Respondent issued an e-mail to Petitioner advising that a search
11 resulted in 47 terabytes of information. It also indicated that it could try to narrow the search by
12 connecting several search terms together. Petitioner’s counsel issued an e-mail on May 3, 2023
13 acknowledging receipt of Respondent’s email and made several suggestions on how to modify
14 the search for responsive records including possible combinations of search terms. A copy of
15 this e-mail tread is attached as Exhibit G. An additional set of suggested search terms with
16 connectors (more than one search term to be combined) was made to Respondent on May 22,
17 2023. A copy of the May 22, 2023 e-mail is attached as Exhibit H.
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19

20 12. On June 28, 2023 Respondent advised that it re-ran the search using the modified
21 search terms and limited it to four employees of Respondent most likely to have communications
22 in this regard. It reported that the search resulted in approximately 153,853 ”hits” and requested
23 to narrow the search further. On June 29, 2023 Petitioner agreed. On June 30, 2023 Respondent
24 advised that it would re-run the search and advise of the outcome of same. On July 20, 2023
25 Respondent issued an e-mail advising that for this first category of requests the search resulted in
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1 3,335 e-mails plus attachments. Further that Respondent would process them and disclose
2 responsive documents. A copy of this e-mail thread is attached as Exhibit I.

3 13. On October 4, 2023 Respondent issued an e-mail to Petitioner advising that it was
4 “processing” the request and would respond “as soon as reasonably practicable.” A copy of this
5 e-mail is attached as Exhibit J. Petitioner has not received any further communications from
6 Respondent to this PRA request since October 10, 2023 nor any disclosure of responsive
7 documents to this request beyond the above referenced web page links and one invoice. In
8 addition, Petitioner has not received any meaningful response or any responsive documents to
9 PRA No. II on the “direct” cost of duplication. This constitutes a breach of Respondent’s duty to
10 disclose responsive records promptly or at all.
11

12
13 **B. PUBLIC RECORDS REQUEST OF AUGUST 30, 2022 IN RE CARES ACT AND ESSER ACT**
14 **FUNDING**

15 14. On or about August 30, 2022 Petitioner issued a Public Records Act (“CPRA”)
16 request to the Respondent Los Angeles Unified School District (“LAUSD”). A copy of CAL’s
17 August 30, 2022 Public Records Act request is attached hereto as Exhibit K. That request was
18 for:

19
20 **DOCUMENTS REGARDING THE RECEIPT OF AND USE BY District OF ALL FUNDS**
21 **UNDER THE CARES ACT**

- 22 1. All documents, including but not limited to any and all correspondence (paper letters or
23 electronic mail or electronic texts), memorandums, “e-mails”, checks, check copies,
24 deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all
25 funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and
26 Economic Security Act or, CARES Act, was passed by Congress and signed into law by
27 President Donald Trump on March 27th, 2020. This includes, but is not limited to, all
28 CARES Act funds that were received directly from the United States Government, the
State of California and any department thereof (such as the State of California
Department of Education), the County Board of Education or from any other source.

- 1 2. All documents, including but not limited to any and all correspondence (paper letters or
2 electronic mail or electronic texts), memorandums, “e-mails”, contracts for goods or
3 services, memorandum of understanding(s), purchase orders, warrants, warrants, checks,
4 check copies, deposit slips, deposit transaction materials, etc. that comprise the
5 expenditure of any and all CARES Act funds by District. This includes, but is not limited
6 to, all CARES Act funds or all CARES Act funds combined with other District funds that
7 were spent or allocated by District for any reason. This also includes any documents
8 regarding the distribution of these funds **to each school within the District and the**
9 **disbursements of those funds by each school.**

The time frame for this Request is from January 1, 2020 to the present date.

PUBLIC RECORDS ACT REQUEST II:

**DOCUMENTS REGARDING THE RECEIPT OF AND USE BY DISTRICT OF ALL FUNDS UNDER THE
AMERICAN RESCUE PLAN ACT (ALSO KNOWN AS ESSER FUNDS) BY THE DISTRICT**

- 10 1. All documents, including but not limited to any and all correspondence (paper letters or
11 electronic mail or electronic texts), memorandums, “e-mails”, warrants, checks, check
12 copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by
13 District of all funds from the American Rescue Plan Act. The American Rescue Plan Act
14 (“ARP”), also known as Elementary and Secondary Emergency Relief (“ESSER”) (H.R.
15 1319) funds means the American Rescue Plan Act was passed by Congress and signed
16 into law by President Joseph Biden on March 11, 2021. This includes, but is not limited
17 to, all ARP Act or ESSER funds that were received directly from the United States
18 Government, the State of California and any department thereof (such as the State of
19 California Department of Education), the County Board of Education or from any other
20 source.
- 21 2. All documents, including but not limited to any and all correspondence (paper letters or
22 electronic mail or electronic texts), memorandums, “e-mails”, contracts for goods or
23 services, memorandum of understanding(s), purchase orders, warrants, checks, check
24 copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of
25 any and all ARP Act or ESSER funds by District. This includes, but is not limited to, all
26 ARP Act or ESSER funds or all ARP Act funds combined with other District funds that
27 were spent or allocated by District for any reason. This also includes any documents
28 regarding the distribution of these funds **to each school within the District and the**
disbursements of those funds by each school.

The time frame for this Request is from January 1, 2021 to the present date.

15. This request also included a request for responsive documents to be delivered in
electronic format if they were already stored in an electronic format. Govt. Code § 7922.570.

1 16. On or about September 21, 2023 Respondent issued an e-mail to Petitioner and
2 acknowledged receipt of the PRA requests and assigned it case number OGC Ctrl # 0073362. A
3 copy of this e-mail is attached as Exhibit L.

4 17. On or about September 23, 2023 Respondent issued an e-mail to Petitioner and stated that
5 it had made the determination that the request sought public records subject to disclosure "...in
6 whole or in part." Further that it estimated it would provide responsive documents on or before
7 December 23, 2022. A copy of this e-mail communication is attached as Exhibit M. No
8 responsive documents were disclosed to Petitioner on or before December 23, 2022.

9 18. On January 30, 2023 Petitioner issued a letter referenced above as Exhibit F about this
10 and other PRAs to Respondent noting the delay in disclosure by Respondent about this and other
11 PRAs.
12

13 19. On February 1, 2023 Respondent issued an e-mail communication to Petitioner with a
14 "partial" response to the PRA "...identified as the 1st production..." with references to links to
15 web pages. A copy of this e-mail is attached as Exhibit N. Petitioner went to the identified web
16 links to find all of them were for a web site of the California Department of Education that had
17 extremely minimal information on the CARES and ESSER funds granted to Respondent. On
18 information and belief, none of the information thereon were the records of Respondent and it
19 was in sum non-responsive to the PRA requests of Exhibit K. Included in Exhibit N was a
20 March 20, 2023 follow up to Respondent on the status of this PRA and asking when additional
21 responsive documents would be disclosed. Respondent did not respond to this March 20, 2023
22 inquiry.
23
24
25

26 20. On May 3, 2023 Petitioner issued an e-mail communication to Respondent which stated:
27
28

1 **“On the CARES Act PRA** – I did receive your e-mail with links to a California
2 Education Department web site on this issue. But I have not received anything
3 from LAUSD on its own accounting / records of CARES and ESSER funds
4 receipt or expenditures. LAUSD’s various emails state more from LAUSD is
5 forthcoming but nothing has been sent and due dates have come and gone without
6 disclosure of responsive documents. Only the links to the State’s web site.”

7 Petitioner received no response to this inquiry.

8 21. On June 5, 2023 Petitioner issued an e-mail communication to Respondent noting
9 Petitioner’s PRA has been pending for almost 10 months. A copy of this e-mail is attached as
10 Exhibit O.

11 22. On June 13, 2023 Respondent issued an e-mail message to Petitioner advising that it had
12 found the PRA requests to be “unduly burdensome” as it required production of an “enormous
13 volume of materials...” and stating that it would not work further on the PRA response unless
14 Petitioner narrowed its request. It further offered to disclose a list of vendors that received
15 CARES and ESSER funds. On June 13, 2023 Petitioner issued two e-mail communications to
16 Respondent noting that Respondent had waited 10 months to state the request was too large to
17 compile and disclose. Further that in Petitioner’s opinion Respondent was handling this PRA in
18 bad faith. Petitioner inquired about the search terms used, the actual volume of “hits” that
19 occurred, etc. Petitioner accepted the offer of Respondent to send the list of vendors that
20 received CARES and ESSER funds and asked that this be sent to Petitioner. Respondent failed
21 to honor that offer and as of the date of the filing of this Petition, has not done so. Petitioner also
22 noted that Respondent’s claim that the timeframe for the request was not unreasonably long, it
23 was only January 1, 2020 and January 1, 2021 to August 30, 2022 (the date of the PRA requests)
24 the time frames of the federal government granting the funds to local Districts and other
25 governmental entities. Petitioner further recommended that Respondent locate and send to
26 Petitioner any document or documents that accounted for the CARES funds and ESSER funds
27
28

1 which were often kept by other Districts in an Excel spreadsheet format (or a similar format) that
2 tracked the funds received and spent with a listing of the vendor name, Purchase Order / invoice,
3 etc. and other information. That providing this type of document would likely satisfy Petitioner's
4 needs and Petitioner could issue follow up PRAs on specific vendor contracts, etc. A copy of
5 this e-mail thread dated June 13, 2023 is attached as Exhibit P.
6

7 23. Attached hereto as Exhibit Q is a copy of an e-mail thread between June 5, 2023 and
8 August 11, 2023. On August 11, 2023, Respondent advised that it had run a search which
9 resulted in 6,500 "hits" of e-mail communications. It again stated it would not be able to review
10 that many "hits" and disclose responsive documents and asked that Petitioner narrow its request.
11 On August 11, 2023 Petitioner responded noting that the timeframe was already limited.
12 However, Petitioner again as with its June 13, 2023 e-mails (Exhibit P) asked Respondent if it
13 maintained a record of CARES fund and ESSER fund receipt and expenses in a central format
14 (such as Excel). Petitioner requested that if this document or documents exist, disclosure of that
15 document(s) would likely satisfy the initial portion of Petitioner's PRA No. I request.
16 Respondent responded on the same day asking to confirm that Petitioner was withdrawing its
17 prior PRA and replacing it with a request for a central format document such as in Excel (as
18 described above). On August 11, 2023 Petitioner responded that "Same timeframe as before. I
19 will withdraw the prior PRA tentatively meaning if the District produces the documents I have
20 now requested then the prior PRA can be put to rest." Also on August 11, 2023 Respondent
21 issued an e-mail "closing" OGC Ctrl # 0073362 and opening a new control number.
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23
24

25 24. On August 22, 2023 Respondent issued an e-mail to Petitioner "disclosing" the exact
26 same California Department of Education web links as was sent by Respondent to Petitioner as
27 on February 1, 2023. On information and belief, none of the information on these web links was
28

1 created or maintained by Respondent. Also the information therein was very incomplete.

2 Respondent noted the new control number was 0081237 and announced that the matter was
3 closed.

4
5 25. On August 22, 2023 Petitioner issued an email communication to Respondent as follows:

6 Dear Ms. Arias and Ms. Turner,

7
8 Unfortunately LAUSD has not satisfied its obligations under the PRA on this
9 request – either the earlier one my client did almost one year ago or the recent
10 request / suggestion I gave in good faith hoping to resolve this matter and obtain
11 the information my client sought.

12 1. When LAUSD sent me the same links to the State of California information
13 (overall as to all Districts and schools in California – not just LAUSD) in
14 February 2023, I advised that this was not a sufficient or acceptable response. I
15 noted that this is not a LAUSD document.

16 2. When I recently suggested that LAUSD send me its own centralized accounting
17 of the ESSER and CARES funds inflow and expenditures, I asked if such a thing
18 exists or not. This was a question under the PRA after you advised that after
19 running a search for potentially responsive documents, over 6,500 e-mails were
20 the result (after almost 10 – 11 months from our original request from last
21 August). My question was to try and work with you to find a mutually agreeable
22 solution. Govt. Code section 7922.600. Rather than answering that question
23 directly or at all, LAUSD sent me an e-mail stating that it considered the prior
24 request to be withdrawn (which I did not agree to but indicated that sending me
25 the LAUSD centralized record may satisfy the request) then said it would seek
26 documents responsive to the request.

27 3. Now LAUSD sends me links to the State of California information that I have
28 already told you does not satisfy the request, still has not responded to the inquiry,
the links to the state’s information cause the viewer to hunt and peck to find
LAUSD related information out of hundreds or other districts, does not provide
any information about vendors the funds were spent on, and, again, is not an
LAUSD created / maintained document. In fact, some of the links do not appear
to have the data alleged to be reported (“**The specific expenditures broken down
by source of funds, category of expenditure, date of expenditure, and vendor**
<https://www.cde.ca.gov/fg/cr/reporting.asp>” does not have vendors the funds were
spent on listed).

4. In your latest e-mail below LAUSD does not answer the simple good faith
question of if the District kept a centralized accounting of the ESSER and CARES

1 funding inflow of funds and the outflow (expenditures). The most simple reading
2 of this request (the original and the modified requests) would note that we wished
3 to know what vendors LAUSD spent these funds on which may have resulted in
4 follow up PRA requests for specific vendors information. But the links sent today
do not give us that information. It also states that LAUSD considers this request
closed.

5 5. I have no recourse but to recommend to my client to sue the District (file a
6 Petition for Writ of Mandate). This appears to be the only way to obtain the
information my client is seeking.

7 26. On August 22, 2023 Respondent issued an e-mail to Petitioner that stated: "Dear Mr.
8 Alexander, We will address your concerns with the custodian of record and provide an update as
9 soon as possible." A copy of the e-mail "thread" of August 22, 2023 with these communications
10 is attached as Exhibit R.

11 27. As of the date of the filing of this Petitioner, Petitioner has received no further
12 communication from Respondent on this matter since August 22, 2023. This constitutes a breach
13 of Respondent's duty to disclose responsive records promptly (or at all) including documents it
14 identified stated it would disclose (the vendor's list).

15
16
17 **C. PUBLIC RECORDS ACT REQUEST DATED MAY 22, 2023 IN RE DOCUMENTS REGARDING**
18 **THE MAINTENANCE OF PUPIL RECORDS, "GENDER SUPPORT PLANS" AND CONTACTS WITH**
19 **CERTAIN THIRD-PARTY GROUPS**

20 28. On May 22, 2023 Petitioner issued a Public Records Act request as follows:

21 This letter is being sent on behalf of the Center for American Liberty. I request you
22 direct this letter to the responsible personnel to respond to my client's CPRA
23 requests. It is partially a follow up request to Ctrl #0073759.

24 **PUBLIC RECORDS ACT REQUEST**

25 Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Center
26 for American Liberty ("Requestor") respectfully requests to inspect all public
records in the possession or control of the District ("DISTRICT") for the following:

27 1. I request to have sent to my office the policy(s) and procedures adopted by
28 the District for compliance with the District's obligations to maintain Pupil Records

1 as defined under Education Code section 49061. In addition, I request that the
2 District disclose to me any policy(s) and procedures regarding or describing or
3 handling “informal notes related to an identifiable pupil compiled by a school
4 officer or employee.” Education code section 49061 (b). This specifically includes
5 any document or documents that define what the District considers to be or defines
6 “informal notes” as described in Education code section 49061 (b) and set forth the
7 basis for releasing to or withholding from a parent or guardian any such “informal
8 notes” about a student (also known as granting or denying “access” as defined by
9 Education Code section 49061 (e)).

10
11 2. Also, my client requests to review / receive any policy(s) and procedures
12 adopted by the District for compliance with Assembly Bill 1266, the School
13 Success and Opportunity Act of 2013.

14
15 3. Any policy and procedures whether or not adopted by the District for
16 creation of and implementation of Gender Support Plan(s) or any similar plans
17 (such as Gender Transition Plan) for students transitioning genders or having
18 gender questioning including but not limited to the use of pronouns for the affected
19 student(s). I am attaching a copy of a blank form from another school district with
20 the hope of assisting LAUSD in identifying the type of form or tool or concept my
21 client is seeking.

22
23 If the Board of Trustees did approve the use of a form, I request a copy of the
24 minutes of the Board meeting where that approval was voted on and recorded.

25
26 4. For communications (electronic and in paper format) by and between
27 employees and / or trustees of the District internally and with any third parties
28 regarding the implementation of item numbers 1, 2 and 3 above.
This would include organizations such as Health Connected, the National Center for
Lesbian Rights, Gender Spectrum, the ACLU, the Human Rights Campaign, the
NEA and the National Center for Lesbian Rights, GLSEN, GLADD and Planned
Parenthood. If the District has any contracts, purchase orders or MOUs with any of
these organizations, I request the District disclose a copy and any evidences of
payment to these organizations. Please be advised that I already have an invoice
dated April 5, 2021 for \$24,000 from Gender Spectrum to the District in response to
Ctrl # 0073759. I do not need another copy. However, no communications
between LUASD and Gender Spectrum on that invoice or for any other subject was
disclosed.

I would suggest that the District begin its search for these communications with the
person or persons or department that was tasked with assisting other District staff
members with the implementation of these policies and / or procedures. For
example, answering questions about the interface between a support plan and the
entries into the Student electronic record keeping programs (some Districts use the
ARIES system for this – I do not know what system LAUSD uses). E-mails to and

1 from these persons / departments might help the District limit its search results and
2 time searching.

3 Also, I do not know if LAUSD considers Ctrl # 0073759 open or closed. The last
4 communication I received from LAUSD was on February 21, 2023 and it did not
5 state the District considered the matter closed (or if any documents were withheld
6 wholly or partially on the claim of an exemption / privilege). Please advise.
7 For any records that might contain the names of any minor students mentioned in
8 any responsive documents, we ask that you redact the names and forward to us the
9 reminder of the responsive documents.

10 The timeframe for this request is from January 1, 2013 (the year AB 1266 went into
11 effect) to the present date.

12 These requests are for all writings and communications (including but not limited
13 to, letters, electronic communications, e-mails, text messages, notes,
14 memorandums, messages) whether or not those communications are stored in the
15 District's files and/or servers or on personal devices / accounts such as private
16 electronic mail accounts or cellular telephones. *City of San Jose v. Superior Court*
17 (*Smith*) (2017) 2 Cal. 5th 608.

18 29. This request also included a request for responsive documents to be delivered in
19 electronic format if they were already stored in an electronic format. Govt. Code § 7922.570.

20 30. A copy of Petitioner's PRA letter request is attached hereto as Exhibit S.

21 31. On May 26, 2023 Respondent issued an e-mail to Petitioner acknowledging the PRA
22 request and assigning it a control number 0077843. On June 1, 2023 Respondent issued an e-
23 mail to Petitioner advising that it was extending the time to respond to June 15, 2023. On June
24 15, 2023 Respondent issued an e-mail to Petitioner advising that it had determined that the
25 request "...seeks public records subject to disclosure..." and that it would respond further on
26 August 4, 2023. On August 4, 2023 Respondent issued an e-mail to Petitioner advising that it
27 estimated "...production on or before the close of business on September 8, 2023." On
28 September 8, 2023 Respondent issued an e-mail to Petitioner stating that it would produce
documents on or before September 15, 2023. On September 15, 2023 Respondent issued an e-
mail to Petitioner advising that it would produce responsive documents to Petitioner on or before

1 September 29, 2023. Attached hereto as Exhibit T is a copy of the May 26, 2023 through
2 September 15, 2023 e-mail “thread” on this matter.

3 32. As of the date of the filing of this Petition, Petitioner has not received any of the
4 requested responsive documents to fulfil this PRA request of May 22, 2023 or any further
5 communications on this matter from Respondent. This constitutes a breach of Respondent’s duty
6 to disclose responsive documents promptly or at all.
7

8 33. As of the date of the filing of this Petition, Respondent has not claimed or notified
9 Petitioner that any responsive documents have been withheld on the basis of a claimed
10 exemption and/or privilege except for the PRA given the control number 0073359 (regarding
11 CRT and related records).
12

13 34. Respondent LAUSD has violated Petitioner CAL’s right to obtain public records by not
14 adequately responding to Petitioner’s PRA requests including its duty to assist Petitioner.
15

16 **PARTIES**

17 35. Petitioner and Plaintiff Center for American Liberty, (Petitioner or CAL) is a nonprofit
18 public benefit corporation organized under the laws of Virginia.

19 36. Respondent and Defendant Los Angeles Unified School District (“Respondent” or
20 “Agency”) is the public entity and it is a local agency as defined by the CPRA.
21

22 37. The true names of Respondent and Defendant DOES 1 through 100, inclusive are
23 unknown to Petitioner who therefore brings this Petition and Complaint against DOES 1 through
24 100, inclusive by such fictitious names, and will seek leave of this Petition, Writ and Complaint
25 to show their true names, identities, and capacities when they have been determined.
26
27
28

1 38. DOES 1 through 100 includes Los Angeles Unified School District officials, employees,
2 contractors, and other agents who have public records relating to Agency business in their
3 possession.

4 39. Each Respondent and Defendant, including the DOE Respondents and Defendants, are
5 each other's agents and at all relevant times were acting as each other's agents. Together, all
6 Respondents and Defendants are the "Respondents."
7

8 **JURISDICTION**

9
10 40. Pursuant to Government Code section 7923.000, "any person may institute proceedings
11 for injunctive or declarative relief or writ of mandate in any court of competent jurisdiction to
12 enforce his or her right to inspect or to receive a copy of any public record or class of public
13 records under [the CPRA]."
14

15 41. Petitioner is a person, as defined by the code, and is suing to enforce its right to receive
16 public records. Petitioner has standing to bring this action. *Connell v. Super. Ct. (Intersource,*
17 *Inc.)* (1997) 56 CA4th 601, 611.

18 42. The Los Angeles County Superior Court is the proper venue because the acts complained
19 of which are the subject of this Petition, Writ and Complaint, have all occurred or will all occur
20 in the County of Los Angeles, State of California. The relief sought in this Petition, Writ and
21 Complaint is within the jurisdiction of this Court.
22

23 **SUMMARY OF PERTINENT CALIFORNIA PUBLIC RECORDS ACT PROVISIONS**

24
25 43. In enacting the CPRA, the Legislature declared that "access to information concerning
26 the conduct of the people's business is a fundamental and necessary right of every person in this
27 state." (§ 7921.000)
28

1 44. The CPRA requires that a local agency respond to a request for public records within 10
2 days to inform the requestor whether it possess disclosable public records that are responsive to
3 the request (§ 7922.535 (a)). A local agency is permitted one fourteen-day extension only if one
4 of four specified “unusual circumstances” exists. (§ 7922.535 (b) & (c).) Responsive records
5 must be disclosed “promptly.” (§ 7922.530)

6
7 45. A local agency has a duty to assist the requestor in formulating a focused and effective
8 request. (§ 7922.600)

9 46. Local agencies may not charge more than the agency’s “direct costs of duplication” for
10 copies of records. (§ 7922.530 (a)) Direct costs of duplication are limited to the costs of making
11 copies and do not include time spent searching for and reviewing records. (*North County Parents*
12 *Organization v. Dept. of Education* (1994) 23 Cal.App.4th 144, 147.)

13
14 47. An agency may not charge a requestor of responsive documents for the act of searching
15 for those documents or for review and redaction of any portion of a responsive document where
16 the agency is claiming it is subject to an exemption or privilege. *National Lawyers Guild v. City*
17 *of Hayward, et al* (2020) 9 Cal. 5th 488.

18
19 48. A local agency must, upon request, provide information in the electronic format it is
20 stored in (§ 7922.570).

21 49. A local agency must, upon request, provide a copy of any contract it has entered into for
22 goods or services. (§ 7928.801).

23
24 50. Where the documents requested do not contain the substance of or excerpts from “actual
25 discussions or debate, or information showing how government policy was formed” and nothing
26 in the requested documents will impede future discussions and debate on policy, the deliberative
27
28

1 process exemption does not apply to justify denial of records disclosure. *Caldecott v. Superior*
2 *Court* (2015) 243 Cal. app. 4th 212, 234-235.

3 51. Documents that are not predicational or deliberative but reflect the implementation of
4 policy are not subject to the deliberative process exemption. *American Civil Liberties Union of*
5 *Northern California v. Superior Court* (2011) 202 Cal. App. 4th 55, 76.

6 52. When being applied to grant access to information, the CPRA must be interpreted
7 broadly, and when being applied to deny access to information, CPRA exemptions must be
8 interpreted narrowly (Cal. Const., art. I, § 3).

9 53. When public officials conduct the people’s business on private devices and accounts such
10 as texting on privately owned cell phones or sending email using privately held electronic mail
11 accounts, these records are subject to disclosure under the CPRA as if they were created on
12 agency-owned devices. (*City of San Jose v. Superior Court (Smith)* (2017) 2 Cal. 5th 608.). At
13 no time did Respondent include a statement that it had searched or caused to be searched any
14 employee and/or trustee private devices for responsive public records.
15

16 54. It does not appear that for the PRAs with control numbers 0073362 (CARES and ESSER
17 Acts) and 0073759 (Gender Support Plans, etc.) Respondent is claiming any privileges /
18 exemptions to withhold partially or wholly as no advise of same was made by Respondent to
19 Petitioner. An agency opposing disclosure has the burden of proof that an exemption / privilege
20 applies. *Am. C.L. Union of N. California v. Superior Ct.*, (2011) 202 Cal. App. 4th 55, 67.
21
22
23

24 **FIRST CAUSE OF ACTION**
25 (Writ of Mandate — Gov. Code §§ 7923.000 – 7923.005)
26 Against all Respondents

27 55. Petitioner incorporates by reference all prior allegations and all prior paragraphs.
28

1 56. Respondent, a local public agency, is required to comply with Petitioner's CPRA
2 requests. Respondents have a ministerial duty to comply with the CPRA by promptly providing
3 documents responsive to CPRA requests.

4 57. Petitioner requests that a Writ of Mandate issue to compel Respondents to search for and
5 disclose the public records and documents that are responsive to Petitioner's CPRA requests
6 described herein, including those improperly withheld on the basis of general alleged exemptions
7 and/or privileges, if any.

8 58. Petitioner's effort to obtain the records without litigation have been unsuccessful, and
9 Petitioner has no further administrative remedies. Petitioner's attempt to, in effect, meet and
10 confer with Respondent, has been unsuccessful. Therefore, there is no other adequate remedy in
11 the ordinary course of law. Indeed, the CPRA specifically authorizes writ of mandate as a
12 remedy for CPRA violations.
13

14
15 **SECOND CAUSE OF ACTION**
16 (Declaratory Relief — Gov. Code §§ 7923.000 – 7923.005)
17 Against all Respondents

18 59. Petitioner incorporates by reference all prior allegations and all prior paragraphs.

19 60. There is an actual and justiciable controversy between the parties as to whether
20 Respondents' actions have complied with the California Public Records Act.

21 61. Petitioner alleges that Respondents have committed the following CPRA violations:

- 22 a. On information and belief, failure to conduct a proper and complete search for the
23 various responsive records in response to CAL's CPRA requests.
24
25 b. Failure to make a sufficient written determination as to whether CHHS possesses
26 disclosable public documents/records including e-mails, studies, research, data, text
27 messages, or other documents responsive to Petitioner's requests after more than the
28

1 maximum 10 days (plus any 14-day extension) allowed under Government Code §
2 6253(a);

3 c. Failure to disclose records and documents responsive to CAL’s CPRA requests at all;

4 d. Failure to disclose records and documents responsive to CAL’s CPRA requests that are
5 not properly subject to an exemption under the California Public Records Act;

6 e. Failure to disclose records that are in its possession and/or constructive possession; and /
7 or
8

9 f. Failure to “promptly” disclose responsive public records as required by the CPRA.

10 62. There is an actual controversy with respect to these violations because on information
11 and belief, Respondents dispute the factual basis for the violation and/or whether the actions
12 described violate the CPRA.
13

14 63. Declaratory relief is necessary to resolve these controversies and determine whether
15 Respondents have violated the CPRA as described above.

16 64. The CPRA specifically authorizes declaratory relief.
17

18 **THIRD CAUSE OF ACTION**
19 (Injunctive Relief — Gov. Code §§ 7923.000 – 7923.005)
20 Against all Respondents

21 65. Petitioner incorporates by reference all prior allegations and all prior paragraphs.

22 66. The CPRA specifically authorizes injunctive relief as a remedy for CPRA violations.

23 67. Respondents have failed to respond with any documents responsive to the request for
24 records related to how Respondent determined the costs it can or will charge for providing
25 photocopies of responsive documents/information.

26 68. Respondents have failed to properly search for documents and/or have not disclosed
27 responsive records to Petitioner.
28

1 69. The CPRA requires disclosure of public records regardless of whether the records are in
2 the responding agency's actual possession. Records in the possession of an agency's employees
3 or elected officials are public records even if the records are not under the agency's immediate
4 control.

5 70. On information and belief, charging improper and/or excessive fees frustrates the purpose
6 of the CPRA and serves to discourage members of the public from requesting public records and
7 participating in activities related to their constitutional right of public oversight.
8

9 71. Petitioner seeks injunctive relief to:

10 g. Compel Respondents to disclose all public records responsive to CAL's three CPRA
11 requests that are in Respondents possession; and
12

13 h. Compel Respondents to disclose all responsive records not properly subject to an
14 exemption or privilege.

15 i. Prohibit Respondent from charging improper and/or excessive fees before disclosing
16 public records;
17

18 72. There is no monetary compensation that could adequately compensate Petitioner or any
19 other affected party for the infringement of this right.

20 73. Injunctive relief is necessary to prevent ongoing and future infringement of the public's
21 right to receive public records from Respondents in a timely fashion. and, on information and
22 belief, as a consequence of Respondents' demand for excessive duplication fees. Petitioner
23 requests injunctive relief to ensure Respondents' compliance with the CPRA.
24

25 **PRAYER FOR RELIEF**

26 Wherefore, Petitioner prays that this court:

27 As to the First Cause of Action:
28

1 74. Issue Peremptory and/or Alternative Writ of Mandate ordering Respondents to promptly
2 conduct a proper search for responsive records and to disclose to Petitioner all improperly
3 withheld records.

4 75. Issue a Peremptory and/or Alternative Writ of Mandate to order Respondents to ensure
5 that its Trustees and employees search their personal email accounts and electronic devices for
6 records responsive to Petitioner's request;
7

8 As to the Second Cause of Action:

9 76. Enter a declaratory judgment that Respondents violated the CPRA by:

- 10 a) Failing to search for and disclose responsive public records-that that Respondent
11 employees and officials possess in Respondent's physical and electronic files;
12
13 b) Failing to search for and disclose responsive public records that that Respondent's
14 employees and officials possess in their personal files, email accounts, and
15 electronic devices; and
16
17 c) Failing to promptly disclose the records that are responsive to Petitioner's CPRA
18 requests.

19 As to the Third Cause of Action:

20 77. Issue an order compelling Respondents to search their private email accounts, computers,
21 and other electronic devices for public records that are responsive to Petitioner's request and
22 disclose same to Petitioner;
23

24 78. Issue an order compelling Respondent to search for and disclose to Petitioner all
25 responsive records not subject to any proper claim of exemption or privilege; and
26
27
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1 79. Issue a permanent injunction prohibiting Respondent from charging improper fees for
2 photocopying, compilation, extraction, or programming prior to disclosing records that are
3 responsive to a CPRA request;

4 As to all Causes of Action:

5 80. Award Petitioner's attorneys' fees and costs reasonably incurred in this action; and

6 81. For such other and further relief as the Court deems proper.
7

8
9 Dated: March 18, 2024

Respectfully submitted,
LAW OFFICE OF CRAIG P. ALEXANDER

10
11 By: *Craig P. Alexander*

12
13

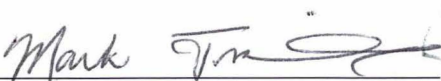
Craig P. Alexander,
Attorneys for Petitioner and Plaintiff
Center for American Liberty, Inc.
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1 **VERIFICATION**

2 I, Mark Trammell, declare that I am Executive Director of Center for American Liberty, the
3 Petitioner in the above-entitled action. I have read the foregoing VERIFIED PETITION FOR WRIT OF
4 MANDATE; COMPLAINT FOR DECLARATORY AND INJUNCTIVE RELIEF and know the contents
5 thereof to be true of my own knowledge, except as to those statements made upon information
6 and belief, and as to those I believe them to be true.
7

8 I declare under penalty of perjury under the laws of the State of California that the foregoing is
9 true and correct.

10 Executed on March 15, 2024 in Frederick, MD.

11
12 
13 Mark Trammell
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TABLE OF EXHIBITS

Exhibit	Description	Reference
A	CAL's August 30, 2022 CPRA Request	¶ 3
B	Respondent's September 21, 2022 Initial Response to CAL's CPRA Request	¶ 5
C	Respondent's September 29, 2022 Response to CAL's CPRA Request	¶ 6
D	Respondent's December 8, 2022 Response to CAL's CPRA Request	¶ 8
E	E-mail thread of 12/16/22 and 12/19/22 between Petitioner and Respondent	¶ 9
F	CAL's January 30, 2023 letter to Respondent	¶ 10
G	May 3, 2023 to May 12, 2023 e-mail thread between the Parties	¶ 11
H	CAL's May 22, 2023 e-mail to Respondent	¶ 11
I	E-mail tread of 5-3-2023 to 7-20-23 between the Parties	¶12

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J	Respondent’s October 4, 2023 e-mail to Petitioner	¶13
K	CAL’s August 30, 2022 PRA letter to Respondent re CARES and ESSER funds	¶14
L	Respondent’s September 21, 2022 initial acknowledgment of the PRA to Petitioner	¶ 16
M	Respondent’s September 23, 2022 acknowledgment of the PRA to Petitioner	¶ 17
N	E-mail thread of February 1, 2023 to March 20, 2023 between the Parties	¶ 19
O	CAL’s June 5, 2023 e-mail to Respondent	¶ 21
P	E-mail thread of June 13, 2023 between the Parties	¶ 22
Q	E-mail tread of June 5, 2023 to August 11, 2023 between the Parties	¶ 23
R	E-mail thread of August 22, 2023 between the Parties	¶ 26
S	CAL’s May 22, 2023 PRA requests to Respondent	¶ 30
T	E-mails from Respondent to Petitioner from May 26, 2023 to September 19, 2023.	¶ 31

EXHIBIT “A”

Law Offices of Craig P. Alexander

24681 La Plaza, Suite 250

Dana Point, CA 92629

Office: 949-481-6400 Facsimile: 949-242-2545

E-mail: craig@craigalexanderlaw.com

VIA ELECTRONIC (PRA@LAUSD.NET) AND U.S. MAIL ONLY

August 30, 2022

California Public Records Act Requests
Office of the General Counsel
Los Angeles Unified School District
333 S. Beaudry Avenue, 24th Floor
Los Angeles, CA 90017

RE: California Public Records Act Requests

Dear Office of the General Counsel:

This letter is being sent on behalf of the Center for American Liberty. I request you direct this letter to the responsible personnel to respond to my client's CPRA requests.

PUBLIC RECORDS ACT REQUEST

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Center for American Liberty ("Requestor") respectfully requests to inspect all public records in the possession or control of the District ("DISTRICT") for the following:

1. Each correspondence, presentations, PowerPoint presentations and/or videos, including electronic communication and in paper format, regarding any curriculum and/or supplemental curriculum in any way regarding the DISTRICT's programs / curriculum and the supplemental curriculum itself regarding Ethnic Studies, Critical Race Theory, Equity, Intersectionality, Transgenderism, social emotional learning, Sanford Harmony, diversity, inclusion, racism, structural racism, microaggressions, social justice, white supremacy, and refugee . This includes any correspondence, presentations, policies, procedures, etc. promulgated as a result of the Board of Trustees adoption of that certain resolution entitled Ethnic Studies for All Students: Reaffirming our commitment to Ethnic Studies in Los Angeles Unified (adopted on August 25, 2020). A copy of that resolution is attached for your reference.
2. The curriculum of the District on any of these matters no matter if it is included in the history, mathematics, English, sociology, or any other study topics taught at the District.
3. Any lesson plans arising from these programs / curriculum.

4. Any lesson plans, training materials, supplemental materials and resource videos, slideshows, and PowerPoint presentations, that include Critical Race Theory, Ethnic Studies, Howard Zinn, LatCrit Theory, Karl Marx, Robin DiAngelo, Ibram X. Kendi, Derrick Bell, Richard Delgado, Kimberle Crenshaw, Donald Moss, Noel Ignatiev, Tara Ysso, Gloria Ladson-Billings, Cheryl Harris, Patricia Williams, Tyrone C. Howard, Marxism, Hegemony, the organization “Black Lives Matter,” and / or the 1619 Project.
5. Any invoices, purchase orders, checks, warrants or any other form of payment by LAUSD to any persons or organizations for teacher training, public relations, parent interactions, etc. regarding the topics described above.

The items requested in numbers 1, 3, 4 and 5 above are for documents pre-adoption of this curriculum and teacher training and post-decisional for each of these discussed and/or adopted policies, procedures, curriculum, training programs, etc.

The period for this request is from January 1, 2019 to the present date.

PUBLIC RECORDS ACT REQUEST II:

FOR DOCUMENTS RELATED TO THE DISTRICT’S FINDINGS OF ITS ALLOWED “DIRECT” COSTS PER GOVERNMENT CODE SECTION 6253 (B).

Since the Public Records Request Act allows the District to only charge its “direct” costs for photocopying, please disclose documents that evidence how (including backup costs information or studies **not** just the Department’s formal policy on photocopy charges) the District arrives at its “direct” cost per page for photocopying charges. Please consider this request to be a separate Public Records Act Request.

These requests are for any and all writings and communications (including but not limited to, letters, electronic communications, e-mails, text messages, notes, memorandums, messages) whether or not those communications are stored in the District’s files and/or servers or on personal devices / accounts such as private electronic mail accounts or cellular telephones. *City of San Jose v. Superior Court (Smith)* (2017) 2 Cal. 5th 608.

REQUEST FOR INFORMATION IN ELECTRONIC FORMAT PURSUANT TO GOVERNMENT CODE SECTION 6253.9 (A) (2) & (E).

My client is seeking these records in any and all electronic formats your office keeps them in. Under the Public Records Act, the District’s office is required to deliver the information in whatever electronic format it is in no matter whether it is Excel, Word, WordPerfect or some other program or programs. Government Code section 6253.9 (a) (2) & (e). **My client’s request extends to receipt of this information in the electronic format your office maintains these records in.** Delivery of this information to me by electronic mail (craig@craigalexanderlaw.com) or via a thumb drive or via a disk is fine.

I can supply the District with a thumb drive if needed. *Please advise what electronic format these records are kept in.*

In addition, if there are documents that satisfy this request that are in **both** electronic and paper formats, *my client offers to receive the electronic version of those records and forgo inspection and potential photocopying of those paper copies.* It is hoped that this will save the District and my client's time, trouble and expense.

If you anticipate that data compilation, extraction, or programming will be required to satisfy a request (per Section 6253.9(b)), please provide a written estimate and justification for same. Given the high profile of this matter with the public and the recentness of the date of any responsive records, a compilation, extraction or programming should not be required to obtain responsive documents.

In addition on May 28, 2020 the California Supreme Court ruled that an agency may not charge a requestor of responsive documents for the act of searching for those documents or for review and redaction of any portion of a responsive document where the agency is claiming it is subject to an exemption or privilege. *National Lawyers Guild v. City of Hayward, et al* (2020) 9 Cal. 5th 488.

REQUEST FOR INSPECTION OF DOCUMENTS

For any records not delivered electronically, my client elects to inspect these non-electronic records. Once my client's agent and/or I have had an opportunity to inspect these records, we will designate which documents we will wish to obtain copies from your office and its agents, employees, consultants, etc.

The California Public Records Act requires the District's office to "reveal the general nature of the documents withheld," and to "set forth the names and titles or positions of each person responsible for the denial." Cal. Govt. Code Section 6253 (d). I emphasize my client's request for a specific response and all applicable exemptions to the request. A blanket list of exemptions that may or may not apply to the request coupled with a failure to indicate the existence of documents responsive to the request denies us the ability to evaluate whether the District has justifiably withheld responsive documents. Denying my client her opportunity frustrates the Legislature's primary purpose in enacting the California Public Records Act, which is to "maximize public access to agency records."

There is no question that your office is a public entity subject to the Public Records Act pursuant to Government Code section 6252 and it must comply with the Request as set forth under the Act.

Terms utilized that are defined by the California Public Records Act should be given their full meaning. Thus, for example, a request for any "writing" includes a request for "any handwriting, typewriting, printing, Photostatting, photographing, photocopying,

transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Cal. Govt Code section 6252 (g). In keeping with the provisions of the California Public Records Act, "writing" includes any preliminary drafts, notes or interagency or intra-agency memoranda" unless such draft items are "not retained...in the ordinary course of business" and "the public interest in withholding clearly outweighs the public interest in disclosure."

Additionally, certain common terms should be given broad interpretation. For example, "relating to" means, in addition to the usual and customary meaning, depict or depicting discuss or discussing, refer to or referring, reflect or reflecting, support or supporting, refute or refuting, address or addressing, evidence or evidencing, or record or recording.

For the purposes of this letter, a reference to an entity or body, such as the District's office includes any and all representatives of the entity or body.

**REQUEST FOR ASSISTANCE, IF NEEDED, PURSUANT
TO GOVERNMENT CODE SECTION 6253.1**

While my client believes its request is fully understandable, concise and specific for the District to search for, review and disclose responsive documents, if the District has any confusion over my client's requests, under Government Code section 6253.1 the District has a duty to communicate with us about the requests. Towards that end, I am available to discuss this matter with you by phone or e-mail (phone preferred). Thank you.

**THE DISTRICT'S RESPONSE TO
OUR REQUESTS ARE DUE WITHIN TEN DAYS**

In accordance with Section 6253 (c), please contact me within ten (10) days of your receipt of this request and notify me whether this request seeks copies of dis-closable public records in the District's possession, and, if not, the reasons for such determination. We will wish to make an appointment with you to review the dis-closable records at your office.

Thank you in advance for your courtesy and cooperation in this matter.

Very truly yours,

Craig P. Alexander

Craig P. Alexander

Enclosure as stated

EXHIBIT ‘B’

Craig Alexander

From: Craig Alexander
Sent: Wednesday, September 21, 2022 2:55 PM
To: Turner, Rita
Cc: Johnson, Natalie
Subject: RE: Acknowledgment - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Ctrl # 0073359

Thank you Ms. Turner,

I note it has been more than 10 days since August 30, 2022.

Regarding the materials that are “readily available”, I would think the requested approved curriculum and teacher training materials plus the recent timeframe for search and response being January 1, 2019 to the present date, the District should be able to at least forward those public records in the very near future.

Thank you,

Craig P. Alexander
Law Offices of Craig P. Alexander
24681 La Plaza, Suite 250
Dana Point, CA 92629
949-481-6400 Office

From: Turner, Rita <rita.turner@lausd.net>
Sent: Wednesday, September 21, 2022 2:48 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Johnson, Natalie <natalie.johnson@lausd.net>
Subject: Acknowledgment - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Ctrl # 0073359
Importance: High

Hello,

This email is in response to your California Public Records Act request dated August 30, 2022, seeking:

1. *Each correspondence, presentations, PowerPoint presentations and/or videos, including electronic communication and in paper format, regarding any curriculum and/or supplemental curriculum in any way regarding the DISTRICT’s programs / curriculum and the supplemental curriculum itself regarding Ethnic Studies, Critical Race Theory, Equity, Intersectionality, Transgenderism, social emotional learning, Sanford Harmony, diversity, inclusion, racism, structural racism, microaggressions, social justice, white supremacism, and refugee . This includes any correspondence, presentations, policies, procedures, etc. promulgated as a result of the Board of Trustees adoption of*

that certain resolution entitled Ethnic Studies for All Students: Reaffirming our commitment to Ethnic Studies in Los Angeles Unified (adopted on August 25, 2020). A copy of that resolution is attached for your reference.

2. *The curriculum of the District on any of these matters no matter if it is included in the history, mathematics, English, sociology, or any other study topics taught at the District.*
3. *Any lesson plans arising from these programs / curriculum.*
4. *Any lesson plans, training materials, supplemental materials and resource videos, slideshows, and PowerPoint presentations, that include Critical Race Theory, Ethnic Studies, Howard Zinn, LatCrit Theory, Karl Marx, Robin DiAngelo, Ibram X. Kendi, Derrick Bell, Richard Delgado, Kimberle Crenshaw, Donald Moss, Noel Ignatiev, Tara Ysso, Gloria Ladson-0Billings, Cheryl Harris, Patricia Williams, Tyrone C. Howard, Marxism, Hegemony, the organization "Black Lives Matter," and / or the 1619 Project.*
5. *Any invoices, purchase orders, checks, warrants or any other form of payment by LAUSD to any persons or organizations for teacher training, public relations, parent interactions, etc. regarding the topics described above.*

Your request is currently being reviewed and the appropriate Custodian of Record has been contacted to determine if disclosable records relevant to your request exist.

As required under California Government Code section 6253, the District will make a determination within 10 days as to whether or not a request is seeking records that are publicly disclosable and, if so, to provide the estimated date that the records will be made available. There is no requirement for a public agency to actually supply the records within 10 days of receiving a request, unless the requested records are readily available. Still, the District prides itself on always providing all publicly disclosable records in as timely a manner as possible.

Should you have any questions, please contact Natalie Johnson, the assigned paralegal on this matter, at (213) 241-7600 and reference the above "OGC Control #".

Best,

Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public Records Act Unit
And Notary Public
LAUSD, Office of the General Counsel
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
Fax: (213) 241-8444
E-mail: rita.turner@lausd.net

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EXHIBIT “C”

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Thursday, September 29, 2022 3:40 PM
To: Craig Alexander
Cc: Turner, Rita
Subject: PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359
Attachments: Letter to LAUSD re CRT with enclosure.pdf

Hello,

This is in response to your Public Records Act Request (request) dated August 30, 2022, seeking records as outlined in the attached request.

Pursuant to Government Code section 6253(c), the District has made the determination that your request seeks public records subject to disclosure, in whole or in part. The District estimates it will provide a response to your PRA request, except for any exempt materials, on or before the close of business on November 4, 2022.

Should you have any questions, please do not hesitate to contact me at (213) 241-7600 or by email. Please indicate the above-referenced OGC Control number in any correspondence regarding this request.

Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net



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EXHIBIT “D”

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Thursday, December 8, 2022 3:05 PM
To: Craig Alexander
Cc: Turner, Rita
Subject: PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359
Attachments: Production - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359.pdf

Hello,

We received the above-referenced California Public Records Act request for information regarding various records as outlined in the attached request. After conducting a thorough search of our records, we determined the attached records are responsive to your request, subject to the redaction of exempt material within the documents. This redaction of exempt material is based upon California Government Code section 6254(c) and 6255(a). Also, we have determined that the majority of the requested information is already made public on the LAUSD Human Relations website. Please use the following link to review those records: <https://achieve.lausd.net/Page/2293>.

Please note that this is a partial production of records, and the District is still working to gather and produce non-exempt responsive emails.

Thank you.

Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net



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EXHIBIT ‘E’

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Monday, December 19, 2022 9:26 AM
To: Craig Alexander
Cc: Turner, Rita
Subject: PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Hello,

We are in receipt of your email below and will respond to you soon.

Thank you.

Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
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From: Craig Alexander <craig@craigalexanderlaw.com>
Sent: Friday, December 16, 2022 6:43 PM
To: Johnson, Natalie <natalie.johnson@lausd.net>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: RE: PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

CAUTION: EXTERNAL EMAIL

Ms. Johnson,

Thank you for your e-mail. When does the District plan to disclose responsive documents and advise if any are being withheld / redacted and why? How many potentially responsive documents has the District found?

Thank you,

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Friday, December 16, 2022 3:26 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: RE: PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Hello,

We are processing the remaining records responsive to your request as we diligently work to resolve current staffing issues and a recent influx of a high volume of Public Record Act requests and will respond to you as soon as reasonably practicable. We appreciate your patience and understanding as we continue to process your request.

Thank you.

Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
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From: Johnson, Natalie
Sent: Thursday, December 8, 2022 3:05 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Hello,

We received the above-referenced California Public Records Act request for information regarding various records as outlined in the attached request. After conducting a thorough search of our records, we determined the attached records are responsive to your request, subject to the redaction of exempt material within the documents. This redaction of exempt material is based upon California Government Code section 6254(c) and 6255(a). Also, we have determined that the majority of the requested information is already made public on the LAUSD Human Relations website. Please use the following link to review those records: <https://achieve.lausd.net/Page/2293>.

Please note that this is a partial production of records, and the District is still working to gather and produce non-exempt responsive emails.

Thank you.

Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

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EXHIBIT ‘F’

Law Offices of Craig P. Alexander

24681 La Plaza, Suite 250

Dana Point, CA 92629

Office: 949-481-6400 Facsimile: 949-242-2545

E-mail: craig@craigalexanderlaw.com

VIA ELECTRONIC (RYAN.LUTHER@LAUSD.NET, RAMESES.ARIAS1@LAUSD.NET, RITA.TURNER@LAUSD.NET, NATALIE.JOHNSON@LAUSD.NET & LAURA.GONZALEZ1@LAUSD.NET) AND CERTIFIED RETURN RECEIPT U.S. MAIL

January 30, 2023

Ryan B. Luther, Associate General Counsel I
Arias Rameses, Paralegal
Rita Turner, Paralegal
Natalie Johnson, Paralegal
Laura Gonzalez, Paralegal
LAUSD, Office of the General Counsel
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017

RE: *Center for American Liberty PRA request to Los Angeles Unified School District
OGC Ctrl # 0073362, 0073359 & 0073759*

Dear Mr. Luther, Ms. Rameses, Ms. Turner, Ms. Johnson and Ms. Gonzalez:

On August 30, 2022 this office' client Center for American Liberty issued to LAUSD two Public Records Act requests. One was assigned by your office Control number 073362 and was generally about CARES Act funding. The other was Control number 0073362 and was generally about CRT (Critical Race Theory).

On September 30, 2022 this office issued a PRA request for the same client on the use of pronouns. This was assigned control number 0073759 by your office.

For control number 0073359, LAUSD has only (on December 8, 2022) "disclosed" two minor financial pages and a "link" to a web site about diversity with a notation "to go search there". LAUSD stated there are more records to disclose to my client. No date for disclosure was given. On December 19, 2022 my client was basically told in an e-mail that "we are working on it" again with no date for disclosure given. We also do not consider pointing us to a web page link (where some of the pages are not working) and saying go search there to be satisfying LAUSD's duty to my client under the PRA. Specific pages for specific requests is required.

For control number 0073362 on September 23, 2022 Ms. Turner stated that LAUSD would disclose documents by December 23, 2022. No documents were disclosed on that date and we have heard nothing more from LAUSD on this PRA.

For control number 0073759 LAUSD advised that it would disclose records on November 21, 2022. No records were disclosed on that day. On December 23, 2022 Ms. Johnson stated LAUSD was processing the request and that it would notify us when responsive documents would be produced.

In all three of these matters, we have had no further contact from LAUSD and no documents have been disclosed.

Two of these PRA requests have been pending for five months (073362 & 0073359). One for four months (0073759). This is not “prompt” as required under Government Code section 7922.535 (formerly section 6253 (c)).

Please be advised that if LAUSD does not disclose all of the responsive documents by **Tuesday, February 28, 2023**, CAL has authorized this office to file a Petition for Writ of Mandate to enforce its rights under the Public Records Act including a request for attorneys fees and costs.

Thank you in advance for your courtesy and cooperation in this matter.

Very truly yours,

Craig P. Alexander

Craig P. Alexander

EXHIBIT “G”

Craig Alexander

From: Craig Alexander
Sent: Friday, May 12, 2023 10:50 AM
To: Johnson, Natalie; Turner, Rita
Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Dear Ms. Johnson and Turner,

Just checking in to see if my suggestions are helpful. Also what your response is to my inquiry about search terms, etc. In my prior e-mail (below) I asked: “A question: Thank you for letting me know you have run preliminary searches. What search terms did you use the first time around for each category? This will help me to suggest secondary or connecting terms for a further search.”

Thank you,

Craig Alexander

From: Craig Alexander
Sent: Wednesday, May 3, 2023 12:36 PM
To: Johnson, Natalie <natalie.johnson@lausd.net>; Turner, Rita <rita.turner@lausd.net>
Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Ms. Johnson and Ms. Turner,

I forgot to mention – I do have the invoice for “Accounting for Gender 5-week Series” from Gender Spectrum (dated April 5, 2021) but no copy of the contract with Gender Spectrum for these materials, no e-mails between Gender Spectrum and the District about this. There is also a QuickBooks payment receipt for a \$1,384.00 purchase on 11/17/2020 for an organization www.weare-nc.org but no contract or e-mails (the name of the organization is redacted which seems odd and not in compliance with the PRA laws). This page has a Bates stamp of LAUSD PRA – 1.

Craig Alexander

From: Craig Alexander
Sent: Wednesday, May 3, 2023 12:31 PM
To: Johnson, Natalie <natalie.johnson@lausd.net>; Turner, Rita <rita.turner@lausd.net>
Subject: FW: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359
Importance: High

Dear Ms. Johnson and Ms. Turner,

Thank you for your e-mails. For context of my client's various requests, I have attached all three of my client's PRAs to the District.

A question: Thank you for letting me know you have run preliminary searches. What search terms did you use the first time around for each category? This will help me to suggest secondary or connecting terms for a further search. Obviously to start out I recommend combining "social emotional" with "curriculum," "supplemental curriculum", "teacher training" and "training." The same with CRT, Equity, etc.

Also, I have a suggestion that may or may not be helpful. Who were the "point person(s)" for implementation of these items / policies and procedures / issues (CRT, Transgender issues, Intersectionality, etc.). In other words who was or is the person for answering staff questions or concerns about that topic? For example: is there a policy or procedure for handling a student gender transition? How to record that and whether or not to make changes to the student record or not? Some Districts have been using forms with titles like Gender Transition Plan, Individual Identity Plan, etc. Does / did LAUSD have such a form? If so, please send me a blank one and any instructions / FAQ sheets on use of that form. Also, whether or not parents / guardians are informed of a student's new pronouns? I suspect there was or is a point person who was available to answer questions or give directions on handling these situations? I do have the Gender Identity Support Discussion Guide from LAUSD. But no e-mails about implementation of that Guide.

My suggestion is whoever at LAUSD was tasked with this responsibility – starting with a search of their electronic communications and paper communications (not to mention asking him/her about their communications on the subjects). The "to" and "from" that person(s) e-mails might get us to the responsive records easier and quicker and with fewer "hits" of potentially responsive documents than a District wide search. Also if there are any policy and procedures for this type of request (that may have been in the online links you have already sent me – I just don't recall at the moment). But also some internal FAQ or Question and Answers sheet(s) LAUSD published for handling these types of situations.

The same for the implementation of inclusion of CRT, Equity, social emotional learning, and the rest of the list I made in my letter of August 30, 2022. My client and I do not know who the point persons were for implementation of these matters. I assume LAUSD does.

As for the persons listed in category number 4, those are not programs to implement but persons (some quite famous) who may be authors of books, PowerPoint presentations, articles, videos, etc. that are used as curriculum and/or supplemental curriculum or teacher training materials.

Regarding category number 5 and for any contracts with third party vendors for items like teacher training materials, curriculum or supplemental curriculum, where there is a claim of copyright or proprietary by the vendor wherein LAUSD would not make those materials available in response to a PRA request, I ask for my client to receive a copy of that contract,

MOU, P.O., etc., all evidences of payment by LAUSD to that vendor and any e-mails by and between the vendor and the District about same.

On the CARES Act PRA – I did receive your e-mail with links to a California Education Department web site on this issue. But I have not received anything from LAUSD on its own accounting / records of CARES and ESSER funds receipt or expenditures. LAUSD’s various e-mails state more from LAUSD is forthcoming but nothing has been sent and due dates have come and gone without disclosure of responsive documents. Only the links to the State’s web site.

Thank you,

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>

Sent: Wednesday, May 3, 2023 8:27 AM

To: Craig Alexander <craig@craigalexanderlaw.com>

Cc: Turner, Rita <rita.turner@lausd.net>

Subject: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Importance: High

Hello,

I performed the search in request number 1 related to the attached PRA request. The results include over 47 Terabytes of information, which is too large to download. I am writing to you pursuant to Government Code, § 7922.60 to assist you with making a focused and effective request. The District could try to search using several of the keywords together. Please let us know if there are key words that can be searched together. Alternatively, you can suggest other ways to narrow the search.

Thank you.



Natalie Ann Johnson

Paralegal

Office of the General Counsel

Los Angeles Unified School District

333 South Beaudry Avenue, 20th Floor

Los Angeles, California 90017

Phone: (213) 241-7603

Fax: (213) 241-3313

E-mail: natalie.johnson@lausd.net

EXHIBIT “H”

Craig Alexander

From: Craig Alexander
Sent: Monday, May 22, 2023 10:36 AM
To: Johnson, Natalie
Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Dear Ms. Johnson,

Thank you for advising the results of the search LAUSD did for the request my client submitted on August 30, 2022 on (in general) Critical Race Theory. If I understand your last e-mail to me it was regarding the search for:

- 1. Each correspondence, presentations, PowerPoint presentations, policies, procedures, instruction manuals and/or videos, including electronic communication and in paper format, regarding any use of a student's "pronouns" (example: he/him/his or she/her/hers) to the student and the use of "pronouns" of that student with the student's parents and/or guardians. If this is covered by any adopted policy and/or procedure of LAUSD by the Board of Trustees or management decision under the auspices of the Superintendent's office, we request a copy of that adopted policy and/or procedure as well. from January 1, 2019 to the present date*

You asked me to give the District some modified search terms to run.

Since my client does not know which terms or definitions LAUSD classifies this subject in (for example "Ethnic Studies" or "Intersectionality" or "Equity"), as a start I recommend the District run the following search terms some of which are "connectors" – a term to be searched with another term for the same terms being in the communication – I suspect you are very familiar with that method of searching.

Critical Race Theory + Curriculum
CRT + curriculum
Critical Race Theory + training
CRT + training
Ethnic Studies + curriculum
Ethnic Studies + training
Transgenderism + curriculum
Transgenderism + training
CASEL framework
Yale Center for Emotional Intelligence
Anti-Defamation League World of Difference Institute
Teen Talk curriculum
Teen Talk training

Please let me know the outcome of this modified search.

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>

Sent: Wednesday, May 3, 2023 8:27 AM

To: Craig Alexander <craig@craigalexanderlaw.com>

Cc: Turner, Rita <rita.turner@lausd.net>

Subject: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Importance: High

Hello,

I performed the search in request number 1 related to the attached PRA request. The results include over 47 Terabytes of information, which is too large to download. I am writing to you pursuant to Government Code, § 7922.60 to assist you with making a focused and effective request. The District could try to search using several of the keywords together. Please let us know if there are key words that can be searched together. Alternatively, you can suggest other ways to narrow the search.

Thank you.



Natalie Ann Johnson

Paralegal

Office of the General Counsel

Los Angeles Unified School District

333 South Beaudry Avenue, 20th Floor

Los Angeles, California 90017

Phone: (213) 241-7603

Fax: (213) 241-3313

E-mail: natalie.johnson@lausd.net

EXHIBIT “I”

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Thursday, July 20, 2023 8:05 AM
To: Craig Alexander
Cc: Turner, Rita
Subject: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Hello,

In regard to your request number 1 of your PRA Request, we reran the forensic search and found 3,335 items to be reviewed (not including attachments). That said, we will review the emails and produce non-exempt responsive records.

Thank you for your patience.



Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Johnson, Natalie
Sent: Friday, June 30, 2023 7:52 AM
To: 'Craig Alexander' <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Hello,

To answer your questions, Ms. Chiasson, Ms. Vigil, Ms. Escobar, and Ms. Guppy are employees in the Student health and Human Services Division. That said, the district will rerun the search and let you know the number of hits.

Thank you.



Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Craig Alexander <craig@craigalexanderlaw.com>
Sent: Thursday, June 29, 2023 4:10 PM
To: Turner, Rita <rita.turner@lausd.net>
Cc: Johnson, Natalie <natalie.johnson@lausd.net>
Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

CAUTION: EXTERNAL EMAIL

Dear Ms. Turner,

Thank you for your e-mail of June 28th about this PRA. I would like to ask who the employees are (Ms. Chiasson, Ms. Vigil, Ms. Escobar and Ms. Guppy) listed in your email. I have searched the prior e-mails and my client's original PRA letter and I do not see their names listed / captured. Are they the primary District employees for these types of projects?

Anyway, your suggestion is to narrow the search. That is acceptable if these four suggested by the District are terms (in your 2nd paragraph) are the ones the District uses for the matters in our original request. I would also like to have your IT person add "Transgenderism" to the terms to be searched.

Please let me know the number of "hits" received from this group of searches.

From: Turner, Rita <rita.turner@lausd.net>
Sent: Wednesday, June 28, 2023 12:21 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Johnson, Natalie <natalie.johnson@lausd.net>
Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359
Importance: High

Hello,

Request No. 1:

Please be advised that on June 2, 2023, we ran a forensic search for emails relating to Judy Chiasson, Cristina Vigil, Janise Escobar and Talia Guppy using the following search terms: "Ethnic Studies" OR "Critical Race Theory" OR "Equity" OR "Intersectionality" OR "Transgenderism" OR "social emotional learning" OR "Stanford Harmony" OR "diversity" OR "inclusion" OR "racism" OR "structural racism" OR

"microaggressions" OR "social justice" OR "white supremacy" OR "refugee" for the period January 1, 2019 to August 30, 2022. The results yielded 153,583 items, excluding the number of attachments. Please note, we would not have to add the word "curriculum" in the searches, as the one word would be sufficient.

Because of the large results, may we suggest that a revised search would include the same District employees with a reduction in the search terms, possibly "Ethnic Studies" OR "Critical Race Theory" OR "Intersectionality" OR "Stanford Harmony" – for the period January 1, 2019 to August 30, 2022.

Request No. 4:

- Response to Request No. 4 was previously produced December 8, 2022 as follows:
 - **Responses to this PRA Request can be accessed through the following links:** <https://achieve.lausd.net/Page/2293>

Request No. 5:

- Please see the Request No. 5 below. You will note, there was no request for contracts or emails. Moreover, the District also responded to Request No. 5 on December 8, 2022.
- 5. *Any invoices, purchase orders, checks, warrants or any other form of payment by LAUSD to any persons or organizations for teacher training, public relations, parent interactions, etc. regarding the topics described above.*

Additional:

We noted that you mentioned the CARES Act PRA in your below email string. Information regarding separate PRA requests should be sent under its own title, Law Offices of Craig P. Alexander #5 - 8.30.2022 – OGC Ctrl # 0073362, as requested in our initial emails for this matter.

We await your response regarding the District suggestion regarding Request No. 1.

Best,

Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public
Records Act Unit
And Notary Public
Los Angeles Unified School District
Office of the General Counsel
333 South Beaudry Avenue, 24th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
E-mail: rita.turner@lausd.net



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From: Craig Alexander <craig@craigalexanderlaw.com>
Sent: Friday, May 12, 2023 10:50 AM
To: Johnson, Natalie <natalie.johnson@lausd.net>; Turner, Rita <rita.turner@lausd.net>
Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

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Dear Ms. Johnson and Turner,

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Thank you,

Craig Alexander

From: Craig Alexander

Sent: Wednesday, May 3, 2023 12:36 PM

To: Johnson, Natalie <natalie.johnson@lausd.net>; Turner, Rita <rita.turner@lausd.net>

Subject: RE: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Ms. Johnson and Ms. Turner,

I forgot to mention – I do have the invoice for “Accounting for Gender 5-week Series” from Gender Spectrum (dated April 5, 2021) but no copy of the contract with Gender Spectrum for these materials, no e-mails between Gender Spectrum and the District about this. There is also a QuickBooks payment receipt for a \$1,384.00 purchase on 11/17/2020 for an organization www.weare-nc.org but no contract or e-mails (the name of the organization is redacted which seems odd and not in compliance with the PRA laws). This page has a Bates stamp of LAUSD PRA – 1.

Craig Alexander

From: Craig Alexander

Sent: Wednesday, May 3, 2023 12:31 PM

To: Johnson, Natalie <natalie.johnson@lausd.net>; Turner, Rita <rita.turner@lausd.net>

Subject: FW: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Importance: High

Dear Ms. Johnson and Ms. Turner,

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A question: Thank you for letting me know you have run preliminary searches. What search terms did you use the first time around for each category? This will help me to suggest secondary or connecting terms for a further search. Obviously to start out I recommend

combining “social emotional” with “curriculum,” “supplemental curriculum”, “teacher training” and “training.” The same with CRT, Equity, etc.

Also, I have a suggestion that may or may not be helpful. Who were the “point person(s)” for implementation of these items / policies and procedures / issues (CRT, Transgender issues, Intersectionality, etc.). In other words who was or is the person for answering staff questions or concerns about that topic? For example: is there a policy or procedure for handling a student gender transition? How to record that and whether or not to make changes to the student record or not? Some Districts have been using forms with titles like Gender Transition Plan, Individual Identity Plan, etc. Does / did LAUSD have such a form? If so, please send me a blank one and any instructions / FAQ sheets on use of that form. Also, whether or not parents / guardians are informed of a student’s new pronouns? I suspect there was or is a point person who was available to answer questions or give directions on handling these situations? I do have the Gender Identity Support Discussion Guide from LAUSD. But no e-mails about implementation of that Guide.

My suggestion is whoever at LAUSD was tasked with this responsibility – starting with a search of their electronic communications and paper communications (not to mention asking him/her about their communications on the subjects). The “to” and “from” that person(s) e-mails might get us to the responsive records easier and quicker and with fewer “hits” of potentially responsive documents than a District wide search. Also if there are any policy and procedures for this type of request (that may have been in the online links you have already sent me – I just don’t recall at the moment). But also some internal FAQ or Question and Answers sheet(s) LAUSD published for handling these types of situations.

The same for the implementation of inclusion of CRT, Equity, social emotional learning, and the rest of the list I made in my letter of August 30, 2022. My client and I do not know who the point persons were for implementation of these matters. I assume LAUSD does.

As for the persons listed in category number 4, those are not programs to implement but persons (some quite famous) who may be authors of books, PowerPoint presentations, articles, videos, etc. that are used as curriculum and/or supplemental curriculum or teacher training materials.

Regarding category number 5 and for any contracts with third party vendors for items like teacher training materials, curriculum or supplemental curriculum, where there is a claim of copyright or proprietary by the vendor wherein LAUSD would not make those materials available in response to a PRA request, I ask for my client to receive a copy of that contract, MOU, P.O., etc., all evidences of payment by LAUSD to that vendor and any e-mails by and between the vendor and the District about same.

On the CARES Act PRA – I did receive your e-mail with links to a California Education Department web site on this issue. But I have not received anything from LAUSD on its own accounting / records of CARES and ESSER funds receipt or expenditures. LAUSD’s various e-mails state more from LAUSD is forthcoming but nothing has been sent and due dates have

come and gone without disclosure of responsive documents. Only the links to the State's web site.

Thank you,

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>

Sent: Wednesday, May 3, 2023 8:27 AM

To: Craig Alexander <craig@craigalexanderlaw.com>

Cc: Turner, Rita <rita.turner@lausd.net>

Subject: REVIEW ALERT - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Importance: High

Hello,

I performed the search in request number 1 related to the attached PRA request. The results include over 47 Terabytes of information, which is too large to download. I am writing to you pursuant to Government Code, § 7922.60 to assist you with making a focused and effective request. The District could try to search using several of the keywords together. Please let us know if there are key words that can be searched together. Alternatively, you can suggest other ways to narrow the search.

Thank you.



Natalie Ann Johnson

Paralegal

Office of the General Counsel

Los Angeles Unified School District

333 South Beaudry Avenue, 20th Floor

Los Angeles, California 90017

Phone: (213) 241-7603

Fax: (213) 241-3313

E-mail: natalie.johnson@lausd.net

EXHIBIT “J”

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Wednesday, October 4, 2023 1:56 PM
To: Craig Alexander
Cc: Turner, Rita
Subject: Status - PRA Request - Law Offices of Craig P. Alexander #4 - 8.30.2022 - OGC Control No. 0073359

Hello,

Please be advised that we are processing your request and will respond to you as soon as reasonably practicable.

We appreciate your patience and understanding as we continue to process your PRA request.

Thank you.



Natalie Ann Johnson

Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

EXHIBIT “K”

Law Offices of Craig P. Alexander

24681 La Plaza, Suite 250

Dana Point, CA 92629

Office: 949-481-6400 Facsimile: 949-242-2545

E-mail: craig@craigalexanderlaw.com

VIA ELECTRONIC (PRA@LAUSD.NET) AND U.S. MAIL ONLY

August 30, 2022

California Public Records Act Requests
Office of the General Counsel
Los Angeles Unified School District
333 S. Beaudry Avenue, 24th Floor
Los Angeles, CA 90017

RE: California Public Records Act Requests

Dear Office of the General Counsel:

This letter is being sent on behalf of my client the Center for American Liberty, Inc. I request you direct this letter to the responsible personnel to respond to my client's CPRA requests.

PUBLIC RECORDS ACT REQUEST I:

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Center for American Liberty ("Requestor") respectfully requests to inspect all public records in the possession or control of the District ("DISTRICT") for the following:

**DOCUMENTS REGARDING THE RECEIPT OF AND USE BY District OF ALL FUNDS
UNDER THE CARES ACT**

1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and Economic Security Act or, CARES Act, was passed by Congress and signed into law by President Donald Trump on March 27th, 2020. This includes, but is not limited to, all CARES Act funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.

2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, “e-mails”, contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all CARES Act funds by District. This includes, but is not limited to, all CARES Act funds or all CARES Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds **to each school within the District and the disbursements of those funds by each school.**

The time frame for this Request is from January 1, 2020 to the present date.

PUBLIC RECORDS ACT REQUEST II:

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY DISTRICT OF ALL FUNDS UNDER THE AMERICAN RESCUE PLAN ACT (ALSO KNOWN AS ESSER FUNDS) BY THE DISTRICT

1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, “e-mails”, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the American Rescue Plan Act. The American Rescue Plan Act (“ARP”), also known as Elementary and Secondary Emergency Relief (“ESSER”) (H.R. 1319) funds means the American Rescue Plan Act was passed by Congress and signed into law by President Joseph Biden on March 11, 2021. This includes, but is not limited to, all ARP Act or ESSER funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.
2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, “e-mails”, contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all ARP Act or ESSER funds by District. This includes, but is not limited to, all ARP Act or ESSER funds or all ARP Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds **to each school within the District and the disbursements of those funds by each school.**

The time frame for this Request is from January 1, 2021 to the present date.

These requests are for any and all writings and communications (including but not limited to, letters, electronic communications, e-mails, text messages, notes,

memorandums, messages) whether or not those communications are stored in the District's files and/or servers or on personal devices / accounts such as private electronic mail accounts or cellular telephones. *City of San Jose v. Superior Court (Smith)* (2017) 2 Cal. 5th 608.

**REQUEST FOR INFORMATION IN ELECTRONIC FORMAT PURSUANT TO
GOVERNMENT CODE SECTION 6253.9 (A) (2) & (E).**

My client is seeking these records in any and all electronic formats your office keeps them in. Under the Public Records Act, the District's office is required to deliver the information in whatever electronic format it is in no matter whether it is Excel, Word, WordPerfect or some other program or programs. Government Code section 6253.9 (a) (2) & (e). **My client's request extends to receipt of this information in the electronic format your office maintains these records in.** Delivery of this information to me by electronic mail (craig@craigalexanderlaw.com) or via a thumb drive or via a disk is fine. I can supply the District with a thumb drive if needed. *Please advise what electronic format these records are kept in.*

In addition, if there are documents that satisfy this request that are in **both** electronic and paper formats, *my client offers to receive the electronic version of those records and forgo inspection and potential photocopying of those paper copies.* It is hoped that this will save the District and my client's time, trouble and expense.

If you anticipate that data compilation, extraction, or programming will be required to satisfy a request (per Section 6253.9(b)), please provide a written estimate and justification for same. Given the high profile of this matter with the public and the recentness of the date of any responsive records, a compilation, extraction or programming should not be required to obtain responsive documents.

In addition on May 28, 2020 the California Supreme Court ruled that an agency may not charge a requestor of responsive documents for the act of searching for those documents or for review and redaction of any portion of a responsive document where the agency is claiming it is subject to an exemption or privilege. *National Lawyers Guild v. City of Hayward, et al* (2020) 9 Cal. 5th 488.

REQUEST FOR INSPECTION OF DOCUMENTS

For any records not delivered electronically, my client elects to inspect these non-electronic records. Once my client's agent and/or I have had an opportunity to inspect these records, we will designate which documents we will wish to obtain copies from your office and its agents, employees, consultants, etc.

The California Public Records Act requires the District's office to "reveal the general nature of the documents withheld," and to "set forth the names and titles or positions of each person responsible for the denial." Cal. Govt. Code Section 6253 (d). I emphasize my client's request for a specific response and all applicable exemptions to the request.

A blanket list of exemptions that may or may not apply to the request coupled with a failure to indicate the existence of documents responsive to the request denies us the ability to evaluate whether the District has justifiably withheld responsive documents. Denying my client her opportunity frustrates the Legislature's primary purpose in enacting the California Public Records Act, which is to "maximize public access to agency records."

There is no question that your office is a public entity subject to the Public Records Act pursuant to Government Code section 6252 and it must comply with the Request as set forth under the Act.

Terms utilized that are defined by the California Public Records Act should be given their full meaning. Thus, for example, a request for any "writing" includes a request for "any handwriting, typewriting, printing, Photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Cal. Govt Code section 6252 (g). In keeping with the provisions of the California Public Records Act, "writing" includes any preliminary drafts, notes or interagency or intra-agency memoranda" unless exempted.

Additionally, certain common terms should be given broad interpretation. For example, "relating to" means, in addition to the usual and customary meaning, depict or depicting, discuss or discussing, refer to or referring, reflect or reflecting, support or supporting, refute or refuting, address or addressing, evidence or evidencing, or record or recording.

For the purposes of this letter, a reference to an entity or body, such as the District's office includes any and all representatives of the entity or body.

**REQUEST FOR ASSISTANCE, IF NEEDED, PURSUANT
TO GOVERNMENT CODE SECTION 6253.1**

While my client believes its request is fully understandable, concise and specific for the District to search for, review and disclose responsive documents, if the District has any confusion over my client's requests, under Government Code section 6253.1 the District has a duty to communicate with us about the requests. Towards that end, I am available to discuss this matter with you by phone or e-mail (phone preferred). Thank you.

**THE DISTRICT'S RESPONSE TO
OUR REQUESTS ARE DUE WITHIN TEN DAYS**

In accordance with Section 6253 (c), please contact me within ten (10) days of your receipt of this request and notify me whether this request seeks copies of dis-closable public records in the District's possession, and, if not, the reasons for such determination.

We will wish to make an appointment with you to review the dis-closable records at your office.

Thank you in advance for your courtesy and cooperation in this matter.

Very truly yours,

Craig P. Alexander

Craig P. Alexander

EXHIBIT ‘L’

Craig Alexander

From: Turner, Rita <rita.turner@lausd.net>
Sent: Wednesday, September 21, 2022 3:16 PM
To: Craig Alexander
Subject: Acknowledgment - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Hello,

This email is in response to your California Public Records Act request dated August 30, 2022, seeking:

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY District OF ALL FUNDS UNDER THE CARES ACT

- 1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and Economic Security Act or, CARES Act, was passed by Congress and signed into law by President Donald Trump on March 27th, 2020. This includes, but is not limited to, all CARES Act funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source*
- 2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all CARES Act funds by District. This includes, but is not limited to, all CARES Act funds or all CARES Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds **to each school within the District and the disbursements of those funds by each school.***

The time frame for this Request is from January 1, 2020 to the present date.

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY DISTRICT OF ALL FUNDS UNDER THE AMERICAN RESCUE PLAN ACT (ALSO KNOWN AS ESSER FUNDS) BY THE DISTRICT

- 1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the American Rescue Plan Act. The American Rescue Plan Act ("ARP"), also known as Elementary and Secondary Emergency Relief ("ESSER") (H.R. 1319) funds means the American Rescue Plan Act was passed by Congress and signed into law by President Joseph Biden on March 11, 2021. This includes, but is not limited to, all ARP Act or ESSER funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.*

- 2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all ARP Act or ESSER funds by District. This includes, but is not limited to, all ARP Act or ESSER funds or all ARP Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds to **each school** within the District and **the disbursements of those funds by each school.***

The time frame for this Request is from January 1, 2021 to the present date.

Your request is currently being reviewed and the appropriate Custodian of Record has been contacted to determine if disclosable records relevant to your request exist.

As required under California Government Code section 6253, the District will make a determination within 10 days as to whether or not a request is seeking records that are publicly disclosable and, if so, to provide the estimated date that the records will be made available. There is no requirement for a public agency to actually supply the records within 10 days of receiving a request, unless the requested records are readily available. Still, the District prides itself on always providing all publicly disclosable records in as timely a manner as possible.

Should you have any questions, please contact me at (213) 241-7600 and reference the above "OGC Control #".

Best,

Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public Records Act Unit
And Notary Public
LAUSD, Office of the General Counsel
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
Fax: (213) 241-8444
E-mail: rita.turner@lausd.net

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EXHIBIT “M”

Craig Alexander

From: Turner, Rita <rita.turner@lausd.net>
Sent: Friday, September 23, 2022 2:41 PM
To: Craig Alexander
Subject: Alert - Determination - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Importance: High

Hello,

This is in response to your Public Records Act Request dated August 30, 2022 requesting records related to the following:

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY District OF ALL FUNDS UNDER THE CARES ACT

- 1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and Economic Security Act or, CARES Act, was passed by Congress and signed into law by President Donald Trump on March 27th, 2020. This includes, but is not limited to, all CARES Act funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source*
- 2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all CARES Act funds by District. This includes, but is not limited to, all CARES Act funds or all CARES Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds **to each school within the District and the disbursements of those funds by each school.***

The time frame for this Request is from January 1, 2020 to the present date.

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY DISTRICT OF ALL FUNDS UNDER THE AMERICAN RESCUE PLAN ACT (ALSO KNOWN AS ESSER FUNDS) BY THE DISTRICT

- 1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the American Rescue Plan Act. The American Rescue Plan Act ("ARP"), also known as Elementary and Secondary Emergency Relief ("ESSER") (H.R. 1319) funds means the American Rescue Plan Act was passed by Congress and signed into law by President Joseph Biden on March 11, 2021. This includes, but is not limited to, all ARP Act or ESSER funds that were received directly from the United States*

Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.

- 2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all ARP Act or ESSER funds by District. This includes, but is not limited to, all ARP Act or ESSER funds or all ARP Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds **to each school** within the District and **the disbursements of those funds by each school.***

The time frame for this Request is from January 1, 2021 to the present date.

Pursuant to Government Code section 6253(c), the District has made the determination that your request seeks public records subject to disclosure, in whole or in part. The District estimates it will provide a response to your PRA request, except for any exempt materials, on or before the close of business on December 23, 2022.

Should you have any questions, please do not hesitate to contact me at (213) 241-7645 or by email. Please indicate the above-referenced OGC Control number in any correspondence regarding this request.

Best,

Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public Records Act Unit
And Notary Public
LAUSD, Office of the General Counsel
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
Fax: (213) 241-8444
E-mail: rita.turner@lausd.net



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EXHIBIT “N”

Craig Alexander

From: Craig Alexander
Sent: Monday, March 20, 2023 11:05 AM
To: Turner, Rita
Cc: Meredith G. Karasch
Subject: RE: Alert - 1st Production - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Dear Ms. Turner,

Thank you for this February 1, 2023 partial disclosure. The message indicates a further disclosure. What is the status of that?

Thank you,

Craig Alexander

From: Turner, Rita <rita.turner@lausd.net>
Sent: Wednesday, February 1, 2023 12:57 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Subject: Alert - 1st Production - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Hello,

We received the above-referenced California Public Records Act (PRA) request. After conducting a thorough search of our records, we determined the following for each request:

The time frame for this Request is from January 1, 2020 to the present date.

- 1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and Economic Security Act or, CARES Act, was passed by Congress and signed into law by President Donald Trump on March 27th, 2020. This includes, but is not limited to, all CARES Act funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.*

Partial responses to this PRA Request, identified as the 1st production, can be accessed through the following links:

ESSER I - <https://www.cde.ca.gov/fg/fo/r14/esseri20result.asp>

ESSER II - <https://www.cde.ca.gov/fg/fo/r14/esserfii20result.asp>

ESSER III - <https://www.cde.ca.gov/fg/fo/r14/esseri20result.asp>

The District is still searching for responsive records. Any non-exempt records responsive to this request will be provided in a subsequent production.

2. *All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all CARES Act funds by District. This includes, but is not limited to, all CARES Act funds or all CARES Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds to each school within the District and the disbursements of those funds by each school.*

Partial responses to this PRA Request, identified as the 1st production, can be accessed through the following links:

ESSER I - <https://www.cde.ca.gov/fg/cr/caresact.asp#reporting>

ESSER II - <https://www.cde.ca.gov/fg/cr/crrsa.asp>

ESSER III - <https://www.cde.ca.gov/fg/cr/arpact.asp#esseriialloc>

The District is still searching for responsive records. Any non-exempt records responsive to this request will be provided in a subsequent production.

Thank you for contacting the Los Angeles Unified School District Public Records Act Unit.

Best,

Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public Records Act Unit
And Notary Public
LAUSD, Office of the General Counsel
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
Fax: (213) 279-2676
E-mail: rita.turner@lausd.net

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EXHIBIT “O”

Craig Alexander

From: Craig Alexander
Sent: Monday, June 5, 2023 10:16 AM
To: Turner, Rita
Subject: 8.30.2022 - OGC Ctrl # 0073362
Attachments: Letter to District re CARES.pdf

Dear Ms. Turner,

It is my understanding that you are the contact person for this PRA. I am attaching a copy of the original August 30, 2022 PRA letter.

On May 3, 2023 I sent this paragraph that was part of an e-mail to you and Ms. Johnston about this and a separate PRA.

“On the CARES Act PRA – I did receive your e-mail with links to a California Education Department web site on this issue. But I have not received anything from LAUSD on its own accounting / records of CARES and ESSER funds receipt or expenditures. LAUSD’s various e-mails state more from LAUSD is forthcoming but nothing has been sent and due dates have come and gone without disclosure of responsive documents. Only the links to the State’s web site.”

This was in reference to the links LAUSD sent to me on February 1, 2023.

It has been 10 months since my client’s original PRA on this subject. Is the District done / completed with its disclosure? If so, I note the District has not disclosed any documents / records of its own. Only links to the state’s overall numbers for LAUSD.

I look forward to hearing from you.

Craig P. Alexander
Law Offices of Craig P. Alexander
24681 La Plaza, Suite 250
Dana Point, CA 92629
949-481-6400 Office
949-636-1003 Cell

EXHIBIT ‘P’

Craig Alexander

From: Craig Alexander
Sent: Tuesday, June 13, 2023 3:52 PM
To: Turner, Rita
Cc: Meredith G. Karasch
Subject: RE: Alert - Clarification Needed and 2nd Production - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Ms. Turner,

I forgot to note one thing in my prior response. Other Districts have satisfied these requests by providing an Excel spread sheet listing the names of vendors, the PO or invoice numbers, the amounts spent / paid for the vendors services, the date of the invoice / PO and sometimes a short description of what the vendor was providing. In addition, an Excel sheet was received with the listing of the funds *received*, when, etc. for the CARES and separately for the ESSER funds. That seems like it might be the same thing you are offering but I am not sure.

And yes I understand that the District does not need to create a document to satisfy my client's request and I do not think the other Districts were doing so but they appeared to be sending me these lists as they had them already since they were keeping separate records of the receipt of funds and the expenditures of the CARES and ESSER funds, likely understanding this these two initiatives were "one time only" situations.

From: Craig Alexander
Sent: Tuesday, June 13, 2023 3:30 PM
To: Turner, Rita <rita.turner@lausd.net>
Cc: Meredith G. Karasch <mkarasch@lcwlegal.com>
Subject: RE: Alert - Clarification Needed and 2nd Production - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Ms. Turner,

10 months after sending LAUSD our client's PRA request, the District only now states the request is too broad. This is bad faith on the part of the District and a tactic I have seen from this District do on multiple occasions.

The District's claim that this request is for an expansive amount of time is simply an untrue statement on its face. The timeframe for each request is January 1, 2020 and January 1, 2021. Thus the timeframe is not endless or illogical given when the CARES and ESSER funds were distributed by the federal government.

The links your employer provided were those of the State of California which did not lay out what funds were received, when they were received or how those funds were spent. And none of that is LAUSD records which is what we asked for. Thus Request No. 1 is **NOT** complete.

Your statement that what was apparently a search for responsive records produced an “enormous volume of materials...” is a vague and ambiguous statement. When did the search take place? What were the terms or search terms used? How many “hits” for each prospective responsive document for each category searched for were obtained. Without this information it is impossible to know if LAUSD performed this search in good faith and came to this conclusion or not. Please advise the answer to those questions.

As for your suggestion for Request No. 2 – to provide a list of all vendors and the amounts spent on each vendor. That is a good first start – something that should have occurred about 8 or 9 months ago. And it should be done for both the CARES and ESSER funds. Please send that for both.

You have stated that “LACOE” handles all “receipts and disbursements” for all “LEAs” within LA County. I assume “LACOE” means Los Angeles County Office of Education. Is that correct? What do you mean by “LEA”? Are you stating that the LACOE handles all financial transactions for LAUSD for the expenditure of CARES and ESSER funds? And LAUSD did not actually receive the funds and spend them as the District decided?

I look forward to hearing from you in response to these questions.

Craig P. Alexander
Law Offices of Craig P. Alexander
24681 La Plaza, Suite 250
Dana Point, CA 92629
949-481-6400 Office

From: Turner, Rita <rita.turner@lausd.net>

Sent: Tuesday, June 13, 2023 2:30 PM

To: Craig Alexander <craig@craigalexanderlaw.com>

Subject: Alert - Clarification Needed and 2nd Production - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Hello,

After continued review of your PRA Request, as it presently reads your PRA request is unduly burdensome because it requests the production of an enormous volume of materials that must first be reviewed to determine whether each record is actually responsive to the request, or contains exempt and redactable data,

etc. (*California First Amendment Coalition v. Superior Ct.* (1998) 67 Cal. App.4th 159, 166). Additionally, the District is unable to ascertain the identity of individuals whose emails Requester is seeking. With the length of time and believed email results, the PRA Unit cannot simply produce the emails without conducting a thorough review first. It would require several members of the PRA Unit to devote the majority of their time to this one PRA to the exclusion of all others. A public agency is only required to disclose public records with reasonable effort and cannot be subjected to a limitless disclosure obligation. (*ACLU v. Deukmejian* (1982) 32 C.3d 440).

No further work will be performed until we have communicated with you regarding narrowing the scope of the request. Please be advised a PRA request compelling the production of a huge volume of material may be objectionable as unduly burdensome (*California First Amendment Coalition v. Superior Ct.* (1998) 67 Cal.4th 159). As such, please consider this a request to dramatically reduce and focus your PRA request. Perhaps, you would be amenable to narrowing your request to a specific individual or accept the suggestion of responsive records as listed below. We hope this suggestion will help you overcome any potential obstacles in obtaining the information you seek.

In an effort to assist you in receiving records sought, the District would like to suggest the following highlighted in yellow:

The time frame for this Request is from January 1, 2020 to the present date.

- 1. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and Economic Security Act or, CARES Act, was passed by Congress and signed into law by President Donald Trump on March 27th, 2020. This includes, but is not limited to, all CARES Act funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.*

The links previously provided in the 1st production provides all of the information sought as to "all funds from the CARES Act." This would complete Request No. 1.

ESSER I - <https://www.cde.ca.gov/fg/fo/r14/essserf20result.asp>

ESSER II - <https://www.cde.ca.gov/fg/fo/r14/essserfii20result.asp>

ESSER III - <https://www.cde.ca.gov/fg/fo/r14/essseriii20result.asp>

- 2. All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all CARES Act funds by District. This includes, but is not limited to, all CARES Act funds or all CARES Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds to each school within the District and the disbursements of those funds by each school.*

The District suggests that we produce a list of vendors containing total amounts spent per year to satisfy Request No. 2, as providing all of the contracts, purchase orders, warrants, etc. would be unduly burdensome and would require an enormous amount of employee time to compile and review.

Additionally, as a 2nd production, please be advised that the District does not maintain any copies of checks and deposit transaction materials. LACOE handles all receipts and disbursements for all LEAs within Los Angeles County.

We look forward to receiving a response to your regarding the District's above suggestions.

Best,



Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public
Records Act Unit
And Notary Public
Los Angeles Unified School District
Office of the General Counsel
333 South Beaudry Avenue, 24th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
E-mail: rita.turner@lausd.net

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EXHIBIT “Q”

Craig Alexander

From: Craig Alexander
Sent: Friday, August 11, 2023 10:25 AM
To: Arias, Rameses (OGC)
Cc: Turner, Rita
Subject: Re: Additional Clarification - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

Same timeframe as before. I will withdraw the prior PRA tentatively meaning if the District produces the documents I have now requested then the prior PRA can be put to rest.

Sent from my iPhone

On Aug 11, 2023, at 10:11 AM, Arias, Rameses (OGC) <rameses.arias1@lausd.net> wrote:


Hello Mr. Alexander:

Thank you for your email. Please confirm that you are withdrawing your original request and replacing it with a request for the following:

1. *accounting of the CARES and ESSER funds receipt and expenditures in a central format such as in Excel or a similar form*

If so, please provide a timeframe that we may search, and we will proceed.

<image001.png>

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From: Craig Alexander <craig@craigalexanderlaw.com>
Sent: Friday, August 11, 2023 9:47 AM
To: Arias, Rameses (OGC) <rameses.arias1@lausd.net>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: Re: Additional Clarification - Law Offices of Craig P. Alexander #5 - 8.30.2022 - OGC Ctrl # 0073362

CAUTION: EXTERNAL EMAIL

Dear Ms. Arias,

Thank you for your email.

Let me suggest another way to approach this.

Did the District keep an accounting of the CARES and ESSER funds receipt and expenditures in a central format such as in Excel or a similar format? If so if the District could just disclose that document or documents then I and my client can review it and ask for follow up requests for specific contracts, POs, etc.

Please let me know.

Craig Alexander

Sent from my iPhone

On Aug 11, 2023, at 9:20 AM, Arias, Rameses (OGC) <rameses.arias1@lausd.net> wrote:

Hello,

This is in response to the following PRA requests you submitted on August 30, 2023, requesting the following:

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY District OF ALL FUNDS UNDER THE CARES ACT

1. *All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the CARES Act. The CARES Act means the Coronavirus Aid, Relief, and Economic Security Act or, CARES Act, was passed by Congress and signed into law by President Donald Trump on March 27th, 2020. This includes, but is not limited to, all CARES Act funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source*
2. *All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, "e-mails", contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all CARES Act funds by District. This includes, but is not limited to, all CARES Act funds or all CARES Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds to **each school within the District and the disbursements of those funds by each school.***

The time frame for this Request is from January 1, 2020 to the present date.

DOCUMENTS REGARDING THE RECEIPT OF AND USE BY DISTRICT OF ALL FUNDS UNDER THE AMERICAN RESCUE PLAN ACT (ALSO KNOWN AS ESSER FUNDS) BY THE DISTRICT

1. *All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, “e-mails”, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the receipt by District of all funds from the American Rescue Plan Act. The American Rescue Plan Act (“ARP”), also known as Elementary and Secondary Emergency Relief (“ESSER”) (H.R. 1319) funds means the American Rescue Plan Act was passed by Congress and signed into law by President Joseph Biden on March 11, 2021. This includes, but is not limited to, all ARP Act or ESSER funds that were received directly from the United States Government, the State of California and any department thereof (such as the State of California Department of Education), the County Board of Education or from any other source.*
2. *All documents, including but not limited to any and all correspondence (paper letters or electronic mail or electronic texts), memorandums, “e-mails”, contracts for goods or services, memorandum of understanding(s), purchase orders, warrants, checks, check copies, deposit slips, deposit transaction materials, etc. that comprise the expenditure of any and all ARP Act or ESSER funds by District. This includes, but is not limited to, all ARP Act or ESSER funds or all ARP Act funds combined with other District funds that were spent or allocated by District for any reason. This also includes any documents regarding the distribution of these funds **to each school** within the District and **the disbursements of those funds by each school**.*

The time frame for this Request is from January 1, 2021 to the present date.

Please be advised the search has yielded over 6,500 email hits. The number of email hits does not correspond directly to a number of pages, or attachments, as each email hit could generate well over one page of documents.

As it presently reads your PRA request is unduly burdensome because it requests the production of an enormous volume of materials that must first be reviewed to determine whether each record is actually responsive to the request, or contains exempt and redactable data, etc. (*California First Amendment Coalition v. Superior Ct. (1998) 67 Cal. App.4th 159, 166*). The PRA Unit cannot simply produce the 6,500+ emails without conducting a thorough review first. On the present PRA, it would require several members of the PRA Unit to devote the majority of their time to this one PRA to the exclusion of all others. A public agency is only required to disclose public records with reasonable effort and cannot be subjected to a limitless disclosure obligation. (*ACLU v. Deukmejian (1982) 32 C.3d 440*).

It is imperative that we communicate with you regarding narrowing the scope of the request. Please be advised a PRA request compelling the production of a huge volume of material may be objectionable as unduly burdensome (*California First Amendment Coalition v. Superior Ct. (1998) 67 Cal.4th 159*). As such, please consider this a request to dramatically reduce and focus your PRA request.

The following search terms were utilized:


“CARES Act” OR “Coronavirus Aid, Relief, and Economic Security Act” with
@cde.ca.gov OR @CA.GOV

The timeframe was for January 1, 2020 to August 30, 2022

Perhaps, would you be amenable to narrowing the timeframe?

Please let us know if we should run this search. Thank you in advance for your consideration in this matter.

<image001.png>

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From: Turner, Rita
Sent: Friday, July 7, 2023 12:10 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Subject: RE: 8.30.2022 - OGC Ctrl # 0073362

Hello,

Please be advised that the District is processing the forensic pull today. We will inform you of the number of hits as soon as that information is available.

Additionally, the links produced on February 1, 2023 are complete responses from the District.

Best,

Rita Gail Turner, CP, MBA
Litigation Research Coordinator, Public
Records Act Unit
And Notary Public
Los Angeles Unified School District
Office of the General Counsel
333 South Beaudry Avenue, 24th Floor
Los Angeles, California 90017
Phone: (213) 241-7600
Direct: (213) 241-7645
Cell: (213) 514-2130
E-mail: rita.turner@lausd.net

<image002.png>

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From: Craig Alexander <craig@craigalexanderlaw.com>
Sent: Monday, June 5, 2023 10:16 AM
To: Turner, Rita <rita.turner@lausd.net>
Subject: 8.30.2022 - OGC Ctrl # 0073362

CAUTION: EXTERNAL EMAIL

Dear Ms. Turner,

It is my understanding that you are the contact person for this PRA. I am attaching a copy of the original August 30, 2022 PRA letter.

On May 3, 2023 I sent this paragraph that was part of an e-mail to you and Ms. Johnston about this and a separate PRA.

“On the CARES Act PRA – I did receive your e-mail with links to a California Education Department web site on this issue. But I have not received anything from LAUSD on its own accounting / records of CARES and ESSER funds receipt or expenditures. LAUSD’s various e-mails state more from LAUSD is forthcoming but nothing has been sent and due dates have come and gone without disclosure of responsive documents. Only the links to the State’s web site.”

This was in reference to the links LAUSD sent to me on February 1, 2023.

It has been 10 months since my client’s original PRA on this subject. Is the District done / completed with its disclosure? If so, I note the District has not disclosed any documents / records of its own. Only links to the state’s overall numbers for LAUSD.

I look forward to hearing from you.

Craig P. Alexander
Law Offices of Craig P. Alexander
24681 La Plaza, Suite 250
Dana Point, CA 92629
949-481-6400 Office
949-636-1003 Cell

EXHIBIT “R”

Craig Alexander

From: Arias, Rameses (OGC) <rameses.arias1@lausd.net>
Sent: Tuesday, August 22, 2023 2:56 PM
To: Craig Alexander
Cc: Turner, Rita
Subject: RE: Law Offices of Craig P. Alexander #9 - 8.11.2023 - OGC CTRL# 0081237

Hello Mr. Alexander:

We will address your concerns with the custodian of record and provide an update as soon as possible.

Thank you.



Rameses Arias (He/Him), Senior Paralegal
LAUSD PRA Unit, Office of General Counsel
333 S. Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-3877
Fax: (213) 241-8444
E-mail: rameses.arias1@lausd.net

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From: Craig Alexander <craig@craigalexanderlaw.com>
Sent: Tuesday, August 22, 2023 12:31 PM
To: Arias, Rameses (OGC) <rameses.arias1@lausd.net>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: RE: Law Offices of Craig P. Alexander #9 - 8.11.2023 - OGC CTRL# 0081237

CAUTION: EXTERNAL EMAIL

Dear Ms. Arias and Ms. Turner,

Unfortunately LAUSD has not satisfied its obligations under the PRA on this request – either the earlier one my client did almost one year ago or the recent request / suggestion I gave in good faith hoping to resolve this matter and obtain the information my client sought.

1. When LAUSD sent me the same links to the State of California information (overall as to all Districts and schools in California – not just LAUSD) in February 2023, I advised that this was not a sufficient or acceptable response. I noted that this is not a LAUSD document.
2. When I recently suggested that LAUSD send me its own centralized accounting of the ESSER and CARES funds inflow and expenditures, I asked if such a thing exists or not. This was a question under the PRA after you advised that after running a search

for potentially responsive documents, over 6,500 e-mails were the result (after almost 10 – 11 months from our original request from last August). My question was to try and work with you to find a mutually agreeable solution. Govt. Code section 7922.600. Rather than answering that question directly or at all, LAUSD sent me an e-mail stating that it considered the prior request to be withdrawn (which I did not agree to but indicated that sending me the LAUSD centralized record may satisfy the request) then said it would seek documents responsive to the request.

3. Now LAUSD sends me links to the State of California information that I have already told you does not satisfy the request, still has not responded to the inquiry, the links to the state's information cause the viewer to hunt and peck to find LAUSD related information out of hundreds or other districts, does not provide any information about vendors the funds were spent on, and, again, is not an LAUSD created / maintained document. In fact, some of the links do not appear to have the data alleged to be reported ("**The specific expenditures broken down by source of funds, category of expenditure, date of expenditure, and vendor** <https://www.cde.ca.gov/fg/cr/reporting.asp>" does not have vendors the funds were spent on listed).
4. In your latest e-mail below LAUSD does not answer the simple good faith question of if the District kept a centralized accounting of the ESSER and CARES funding inflow of funds and the outflow (expenditures). The most simple reading of this request (the original and the modified requests) would note that we wished to know what vendors LAUSD spent these funds on which may have resulted in follow up PRA requests for specific vendors information. But the links sent today do not give us that information. It also states that LAUSD considers this request closed.
5. I have no recourse but to recommend to my client to sue the District (file a Petition for Writ of Mandate). This appears to be the only way to obtain the information my client is seeking.

Craig P. Alexander
Law Offices of Craig P. Alexander
24681 La Plaza, Suite 250
Dana Point, CA 92629
949-481-6400 Office

From: Arias, Rameses (OGC) <rameses.arias1@lausd.net>
Sent: Tuesday, August 22, 2023 7:31 AM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: Law Offices of Craig P. Alexander #9 - 8.11.2023 - OGC CTRL# 0081237

Hello:

Your request has been reviewed and pursuant to California Government Code section 7920.000 - 7931.000, the District will produce links to responsive records that have already been made public. The records are hereto linked below, and this request will be closed.

Accounting of the CARES and ESSER funds receipt and expenditures, in a central format such as in Excel or a similar form, for the time period January 1, 2020 to August 30, 2022.

ESSER I - <https://www.cde.ca.gov/fg/fo/r14/esserf20result.asp>
ESSER II - <https://www.cde.ca.gov/fg/fo/r14/esserfii20result.asp>
ESSER III - <https://www.cde.ca.gov/fg/fo/r14/esserfiii20result.asp>

How much has been spent to date

ESSER I - <https://www.cde.ca.gov/fg/cr/caresact.asp#reporting>
ESSER II - <https://www.cde.ca.gov/fg/cr/crrsa.asp>
ESSER III - <https://www.cde.ca.gov/fg/cr/arpact.asp#esseriialloc>
GEER - <https://www.cde.ca.gov/fg/cr/caresact.asp#reportin>

The specific expenditures broken down by source of funds, category of expenditure, date of expenditure, and vendor

<https://www.cde.ca.gov/fg/cr/reporting.asp>

Should you have any questions, please do not hesitate to contact me via email. Please indicate the above-referenced OGC Control number in any correspondence regarding this request.



Rameses Arias (He/Him), Senior Paralegal
LAUSD PRA Unit, Office of General Counsel
333 S. Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-3877
Fax: (213) 241-8444
E-mail: rameses.arias1@lausd.net


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EXHIBIT “S”

Law Offices of Craig P. Alexander

24681 La Plaza, Suite 250

Dana Point, CA 92629

Office: 949-481-6400 Facsimile: 949-242-2545

E-mail: craig@craigalexanderlaw.com

VIA ELECTRONIC (PRA@LAUSD.NET) AND U.S. MAIL ONLY

May 22, 2023

California Public Records Act Requests
Office of the General Counsel
Los Angeles Unified School District
333 S. Beaudry Avenue, 24th Floor
Los Angeles, CA 90017

RE: California Public Records Act Requests

Dear Office of the General Counsel:

This letter is being sent on behalf of the Center for American Liberty. I request you direct this letter to the responsible personnel to respond to my client's CPRA requests. It is partially a follow up request to Ctrl #0073759.

PUBLIC RECORDS ACT REQUEST

Pursuant to the California Public Records Act, Govt. Code §§ 6250-6276.48, Center for American Liberty ("Requestor") respectfully requests to inspect all public records in the possession or control of the District ("DISTRICT") for the following:

1. I request to have sent to my office the policy(s) and procedures adopted by the District for compliance with the District's obligations to maintain Pupil Records as defined under Education Code section 49061. In addition, I request that the District disclose to me any policy(s) and procedures regarding or describing or handling "informal notes related to an identifiable pupil compiled by a school officer or employee." Education code section 49061 (b). This specifically includes any document or documents that define what the District considers to be or defines "informal notes" as described in Education code section 49061 (b) and set forth the basis for releasing to or withholding from a parent or guardian any such "informal notes" about a student (also known as granting or denying "access" as defined by Education Code section 49061 (e)).

2. Also, my client requests to review / receive any policy(s) and procedures adopted by the District for compliance with Assembly Bill 1266, the School Success and Opportunity Act of 2013.
3. Any policy and procedures whether or not adopted by the District for creation of and implementation of Gender Support Plan(s) or any similar plans (such as Gender Transition Plan) for students transitioning genders or having gender questioning including but not limited to the use of pronouns for the affected student(s). I am attaching a copy of a blank form from another school district with the hope of assisting LAUSD in identifying the type of form or tool or concept my client is seeking.¹

If the Board of Trustees did approve the use of a form, I request a copy of the minutes of the Board meeting where that approval was voted on and recorded.

4. For communications (electronic and in paper format) by and between employees and / or trustees of the District internally and with any third parties regarding the implementation of item numbers 1, 2 and 3 above.

This would include organizations such as Health Connected, the National Center for Lesbian Rights, Gender Spectrum, the ACLU, the Human Rights Campaign, the NEA and the National Center for Lesbian Rights, GLSEN, GLADD and Planned Parenthood. If the District has any contracts, purchase orders or MOUs with any of these organizations, I request the District disclose a copy and any evidences of payment to these organizations. Please be advised that I already have an invoice dated April 5, 2021 for \$24,000 from Gender Spectrum to the District in response to Ctrl # 0073759. I do not need another copy. However, no communications between LUASD and Gender Spectrum on that invoice or for any other subject was disclosed.

I would suggest that the District begin its search for these communications with the person or persons or department that was tasked with assisting other District staff members with the implementation of these policies and / or procedures. For example, answering questions about the interface between a support plan and the entries into the Student electronic record keeping programs (some Districts use the ARIES system for this – I do not know what system LAUSD uses). E-mails to and from these persons / departments might help the District limit its search results and time searching.

Also, I do not know if LAUSD considers Ctrl # 0073759 open or closed. The last communication I received from LAUSD was on February 21, 2023 and it did not state the District considered the matter closed (or if any documents were withheld wholly or partially on the claim of an exemption / privilege). Please advise.

¹ I already have the “Gender Identity Support Discussions Guide” dated August 2022. I do not need another copy of this document unless the District has a later adopted version of the Guide.

For any records that might contain the names of any minor students mentioned in any responsive documents, we ask that you redact the names and forward to us the remainder of the responsive documents.

The timeframe for this request is from January 1, 2013 (the year AB 1266 went into effect) to the present date.

These requests are for all writings and communications (including but not limited to, letters, electronic communications, e-mails, text messages, notes, memorandums, messages) whether or not those communications are stored in the District's files and/or servers or on personal devices / accounts such as private electronic mail accounts or cellular telephones. *City of San Jose v. Superior Court (Smith)* (2017) 2 Cal. 5th 608.

REQUEST FOR INFORMATION IN ELECTRONIC FORMAT PURSUANT TO GOVERNMENT CODE SECTION 7922.570 (A) & (B)

My client is seeking these records in all electronic formats your office keeps them in. Under the Public Records Act, the District's office is required to deliver the information in whatever electronic format it is in **no matter whether it is Excel, Word, WordPerfect or some other program or programs.** Government Code section 7922.570 (a) & (b). **My client's request extends to receipt of this information in the electronic format your office maintains these records in.** Delivery of this information to me by electronic mail (craig@craigalexanderlaw.com) or via a thumb drive or via a disk is fine. I can supply the District with a thumb drive if needed. *Please advise what electronic format these records are kept in.*

In addition, if there are documents that satisfy this request that are in **both** electronic and paper formats, *my client offers to receive the electronic version of those records and forgo inspection and potential photocopying of those paper copies.* It is hoped that this will save the District and my client's time, trouble and expense.

If you anticipate that data compilation, extraction, or programming will be required to satisfy a request (per Section 7922.575 (b) (2)), please provide a written estimate and justification for same.

In addition, on May 28, 2020 the California Supreme Court ruled that an agency may not charge a requestor of responsive documents for the act of searching for those documents or for review and redaction of any portion of a responsive document where the agency is claiming it is subject to an exemption or privilege. *National Lawyers Guild v. City of Hayward, et al* (2020) 9 Cal. 5th 488.

REQUEST FOR INSPECTION OF DOCUMENTS

For any records not delivered electronically, my client elects to inspect these non-electronic records. Once my client's agent and/or I have had an opportunity to inspect

these records, we will designate which documents we will wish to obtain copies from your office and its agents, employees, consultants, etc.

The California Public Records Act requires the District's office to "reveal the general nature of the documents withheld," and to "set forth the names and titles or positions of each person responsible for the denial." Cal. Govt. Code Section 7922.540. I emphasize my client's request for a specific response and all applicable exemptions to the request. A blanket list of exemptions that may or may not apply to the request coupled with a failure to indicate the existence of documents responsive to the request denies us the ability to evaluate whether the District has justifiably withheld responsive documents. Denying my client her opportunity frustrates the Legislature's primary purpose in enacting the California Public Records Act, which is to "maximize public access to agency records."

There is no question that your office is a public entity subject to the Public Records Act pursuant to Government Code section 7920.525 and it must comply with the Request as set forth under the Act.

Terms utilized that are defined by the California Public Records Act should be given their full meaning. Thus, for example, a request for any "writing" includes a request for "any handwriting, typewriting, printing, Photostatting, photographing, photocopying, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols, or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. Cal. Govt Code section 7920.545. In keeping with the provisions of the California Public Records Act, "writing" includes any preliminary drafts, notes or interagency or intra-agency memoranda" unless such draft items are "not retained...in the ordinary course of business" and "the public interest in withholding clearly outweighs the public interest in disclosure."

Additionally, certain common terms should be given broad interpretation. For example, "relating to" means, in addition to the usual and customary meaning, depict or depicting, discuss or discussing, refer to or referring, reflect or reflecting, support or supporting, refute or refuting, address or addressing, evidence or evidencing, or record or recording.

For the purposes of this letter, a reference to an entity or body, such as the District's office includes all representatives of the entity or body.

**REQUEST FOR ASSISTANCE, IF NEEDED, PURSUANT
TO GOVERNMENT CODE SECTION 7922.600**

While my client believes its request is fully understandable, concise and specific for the District to search for, review and disclose responsive documents, if the District has any confusion over my client's requests, under Government Code section 7922.600 the District has a duty to communicate with us about the requests. Towards that end, I am

available to discuss this matter with you by phone or e-mail (phone preferred). Thank you.

**THE DISTRICT'S RESPONSE TO
OUR REQUESTS ARE DUE WITHIN TEN DAYS**

In accordance with Section 7922.535, please contact me within ten (10) days of your receipt of this request and notify me whether this request seeks copies of dis-closable public records in the District's possession, and, if not, the reasons for such determination. We will wish to make an appointment with you to review the dis-closable records at your office.

Thank you in advance for your courtesy and cooperation in this matter.

Very truly yours,

Craig P. Alexander

Craig P. Alexander

EXHIBIT “T”

Craig Alexander

From: Johnson, Natalie <natalie.johnson@lausd.net>
Sent: Friday, September 15, 2023 2:14 PM
To: Craig Alexander
Cc: Turner, Rita
Subject: Extended Determination - PRA Request - Law Offices of Craig P. Alexander #8 - OGC Ctrl # 0077843
Attachments: Law Offices of Craig P. Alexander #8 - PRA Request230526-986778.pdf

Hello,

This is in response to your Public Records Act Request (request) seeking records as outlined in the attached request. We are still processing your request as we diligently work to resolve current staffing issues and a recent influx of a high volume of requests. We estimate a production on or before the close of business on September 29, 2023.

We appreciate your patience and understanding as we continue to process your request.

Please refer to the above reference number in any correspondence regarding this request.

Thank you.



Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Johnson, Natalie
Sent: Friday, September 8, 2023 3:41 PM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: Request - Law Offices of Craig P. Alexander #8 - OGC Ctrl # 0077843

Hello,

This is in response to your Public Records Act Request (request) seeking records as outlined in the attached request. We are still processing your request as we diligently work to resolve current staffing issues and a recent influx of a high volume of requests. We will need additional time to process your request and estimate a production on or before the close of business on September 15, 2023.

We appreciate your patience and understanding as we continue to process your request. Please refer to the above reference number in any correspondence regarding this request.

Thank you.



Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Johnson, Natalie
Sent: Friday, August 4, 2023 2:36 PM
To: 'Craig Alexander' <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: Request - Law Offices of Craig P. Alexander #8 - OGC Ctrl # 0077843

Hello,

This is in response to your Public Records Act Request (request) seeking records as outlined in the attached request. We are still processing your request as we diligently work to resolve current staffing issues and a recent influx of a high volume of requests. We estimate a production on or before the close of business on September 8, 2023.

We appreciate your patience and understanding as we continue to process your request.

Please refer to the above reference number in any correspondence regarding this request.

Thank you.



Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Johnson, Natalie
Sent: Thursday, June 15, 2023 8:53 AM
To: 'Craig Alexander' <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: Determination - PRA Request - Law Offices of Craig P. Alexander #8 - 5.22.203 - OGC Ctrl # 0077843

Hello,

This email is in response to your Public Records Act Request (request) seeking records as outlined in the attached request. Pursuant to Government Code section 7922.535, the District has made the determination that your request seeks public records subject to disclosure, in whole or in part. The District will provide an estimated date of production of non-exempt records, or an updated timeline as we continue to search for the requested items, on or before the close of business on August 4, 2023.

Should you have any questions, please do not hesitate to contact me at (213) 241-7600. Please indicate the above-referenced OGC Control number in any correspondence regarding this request.

Thank you.



Natalie Ann Johnson
Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Johnson, Natalie
Sent: Thursday, June 1, 2023 10:31 AM
To: Craig Alexander <craig@craigalexanderlaw.com>
Cc: Turner, Rita <rita.turner@lausd.net>
Subject: PRA Request - Law Offices of Craig P. Alexander #8 - 5.22.203 - OGC Ctrl # 0077843

Hello,

This email is in response to your California Public Records Act request in which you requested various records as outlined in the attached request.

Pursuant to California Government Code section 7922.535, the District is permitted to extend the date for responding under the following specified circumstances:

1. The District needs to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request.
2. The District needs to search for, collect and appropriately examine a voluminous amount of separate and distinct records that are demanded in the request.

3. The District may need to consult, which shall be conducted with all practicable speed, with two or more components of the agency having substantial subject matter interest therein.
4. The District may need to compile data.

In this regard, an extension is needed regarding the above-highlighted number(s). The District will respond to your request no later than the close of business on June 15, 2023, with an estimated date and time that responsive documents will be made available.

Should you have any questions, please do not hesitate to contact me at (213) 241-7600. Please refer to the following reference number in any correspondence regarding this request: # 0077843.

Thank you.



Natalie Ann Johnson

Paralegal
Office of the General Counsel
Los Angeles Unified School District
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7603
Fax: (213) 241-3313
E-mail: natalie.johnson@lausd.net

From: Gonzalez Ledesma, Miriam <m.gonzalezledesma@lausd.net>
Sent: Friday, May 26, 2023 4:19 PM
To: craig@craigalexanderlaw.com
Cc: Turner, Rita <rita.turner@lausd.net>; Johnson, Natalie <natalie.johnson@lausd.net>
Subject: Acknowledgment - Law Offices of Craig P. Alexander #8 - 5.22.203 - OGC Ctrl # 0077843

Hello,

This email is in response to your California Public Records Act request dated May 22, 2023, seeking:

1. *I request to have sent to my office the policy(s) and procedures adopted by the District for compliance with the District's obligations to maintain Pupil Records as defined under Education Code section 49061. In addition, I request that the District disclose to me any policy(s) and procedures regarding or describing or handling "informal notes related to an identifiable pupil compiled by a school officer or employee." Education code section 49061 (b). This specifically includes any document or documents that define what the District considers to be or defines "informal notes" as described in Education code section 49061 (b) and set forth the basis for releasing to or withholding from a parent or guardian any such "informal notes" about a student (also known as granting or denying "access" as defined by Education Code section 49061 (e)).*
2. *Also, my client requests to review / receive any policy(s) and procedures adopted by the District for compliance with Assembly Bill 1266, the School Success and Opportunity Act of 2013.*
3. *Any policy and procedures whether or not adopted by the District for creation of and implementation of Gender Support Plan(s) or any similar plans (such as Gender Transition Plan) for students transitioning genders or having gender questioning including but not limited to the use of pronouns for the affected student(s). I am attaching a copy of a blank form from another school district with the hope of assisting LAUSD in identifying the type of form or tool or concept my client is seeking. 1*

If the Board of Trustees did approve the use of a form, I request a copy of the minutes of the Board meeting where that approval was voted on and recorded.

4. *For communications (electronic and in paper format) by and between employees and / or trustees of the District internally and with any third parties regarding the implementation of item numbers 1, 2 and 3 above.*

This would include organizations such as Health Connected, the National Center for Lesbian Rights, Gender Spectrum, the ACLU, the Human Rights Campaign, the NEA and the National Center for Lesbian Rights, GLSEN, GLADD and Planned Parenthood. If the District has any contracts, purchase orders or MOUs with any of these organizations, I request the District disclose a copy and any evidences of payment to these organizations. Please be advised that I already have an invoice dated April 5, 2021 for \$24,000 from Gender Spectrum to the District in response to Ctrl # 0073759. I do not need another copy. However, no communications between LUASD and Gender Spectrum on that invoice or for any other subject was disclosed.

Your request is currently being reviewed and the appropriate Custodian of Record has been contacted to determine if disclosable records relevant to your request exist.

As required under California Government Code section 7922.525, the District will make a determination within 10 days as to whether or not a request is seeking records that are publicly disclosable and, if so, to provide the estimated date that the records will be made available. There is no requirement for a public agency to actually supply the records within 10 days of receiving a request, unless the requested records are readily available. Still, the District prides itself on always providing all publicly disclosable records in as timely a manner as possible.

Should you have any questions, please contact Natalie Johnson, the assigned paralegal on this matter, at (213) 241-7600 and reference the above "OGC Control #"

Best,



Miriam A. Gonzalez
Interim Senior Legal Secretary
Los Angeles Unified School District
Office of the General Counsel
333 South Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-3745
E-mail: m.gonzalezledesm@lausd.net

 Please consider the environment before printing this e-mail

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