Ms. Barca Hall,

Looks great!

Will 3rd graders do recorder this year?

Shel

On Thu, Aug 19, 2021, 4:03 PM Erinn Barca-Hall via ParentSquare <donotreply@parentsquare.com> wrote:

Erinn Barca-Hall posted in 2nd Grade, 1st Grade, Kindergarten, 3rd Grade, 4th Grade, 5th Grade

Composer Curriculum

Hello River Families,
Every year our students experience the Music Memory Curriculum. This includes 16 pieces by 16 composers and this year we have expanded our curriculum up to 20 composers to listen to even more diverse music. This week all students k-5 listened to Dance at the Gym (Mambo) from West Side Story by Leonard Bernstein. Attached is the composer background sheet and the listening map if your child would like to listen again (some kids asked, so I'm sharing!)
I have also compiled all of the songs in a Spotify playlist that you can access
Stay involved with your child’s learning and activities at school.

here: https://open.spotify.com/playlist/2gh673u0OulluQrnwdfyxy?si=c740375af89c4d5c
--Feel free to comment below if you listen on a different platform and would like the list of selections--

Musically,
Erinn Barca-Hall
Music Teacher at Carmel River School

*NOTE: Mrs. Hartnett's class has music on Friday...they will listen tomorrow.

There are 2 attachments with this post. Click the link below to view the attachments.

View Attachments

Please do not reply to this email.
Re: In-person back to school night

From: <person>  Thu, Aug 26, 2021 at 12:16 PM PDT (GMT-07:00)
To: Ted Knight <tknight@carmelunified.org>; William B. Tunick <wtunick@dwinfg.com>

Ted,

I'm definitely confused why the same (entire District leadership team meeting) couldn't be done for being inclusive and objective during the winter holidays and why you instead basically decided that each admin can just choose their own policy for their own school (no matter how exclusive and biased). Your entire justification was that you were going to let each principal do whatever they wanted for Christmas parties no matter how hurtful or cruel but you refused to do the same for a Back-to-School night. Whether you call it overruling Jay or not, it's effectively the same.

I look forward to the documents, including everything dealing with this leadership team and their meetings.

I hope truly you understand the hypocrisy and problems with your decision-making.

On Thu, Aug 26, 2021, PM Ted Knight <tknight@carmelunified.org> wrote:

Shel,
I apologize, but it appears that you may be misinformed. I did not overrule "Mr. Marden's request Back-to-School night being in-person or at least the teacher's option for it to in-person". The entire district leadership team met to discuss what our safest options would be for events at the beginning of the year, and although many of us wanted them to be in person we collectively decided that it would be best if they were virtual. Jay and I spoke this morning and he has not stated that I overruled his request and I certainly have not.

Thank you for reaching out so that Jay and I could clarify this situation, Ted

On Wed, Aug 25, 2021 at 7:33 PM <person> wrote:

Ted,

Parents were informed that you overruled Mr. Marden's request Back-to-School night being in-person or at least the teacher's option for it to in-person. Can you explain how this option for tonight's meeting violated district policy or law since that is your standard for interfering in a school?

I'm greatly concerned that the only time that you are not interfering is when it is a matter of discrimination against students.

Thank you.

Warmest,

Shel

--
E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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Fwd: Principal weekly email

From: <redacted>  
To: Ted Knight <t.knight@carmelunified.org>  
Cc: William B. Tunick <wtunick@dwkesq.com>; Professor Scott R. Woodruff Lyons  

Sat, Aug 28, 2021 at 3:50 AM PDT (GMT-07:00)

Ted,

River's newest policy to require the nurse to clear students who have not been at school EVEN if it is not illness related is not legal nor okay.

Please let me know if you are going to stand up against this policy or if I should get an attorney on this issue. It is time sensitive.

Thanks,

Shel

---------- Forwarded message ----------

From: Jay Marden via ParentSquare <donotreply@parentsquare.com>
Date: Fri, Aug 27, 2021, 8:02 PM
Subject: Principal weekly email
To: <redacted>

Good Afternoon River Parents,

With the River Dads hosted Welcome Back Dinner about to start, this will be a very short email.

Picture Day this Thursday
Be aware that Picture Day is this Thursday and that you can order photos by following the directions on the attachment.
Fundraiser in full swing!
As you're aware, our PTA, TUF campaign has started. For each family that makes a contribution, we'll provide a surprise gift, one per family. While our goal is $200 a child, we would be happy with any contribution that a family feels they can make. Many thanks in advance for contributing to our students' enrichment programs:
https://docs.google.com/presentation/d/1ICUdt5mA3Tr4jSU4EewxYt94UHPtA9-M5wOb8JHkxl/edit#slide=id.p
You may donate through the Venmo link above, bring a check to the office, or make a donation through PayPal (Carmel River School PTA).

Reminder about student illness...
Dear parents,

Please do not send your child to school sick. If your child exhibits any of the following symptoms they must stay home and you must notify me right away for next steps.

- New loss of taste or smell
- Newly onset difficulty breathing
- Fever (of greater than 100.4) or chills
- Cough
- Fatigue
- Muscle or body aches
- Headache
- Sore throat
- Congestion or runny nose
- Nausea or vomiting
- Diarrhea
Also, if your child has had a known COVID exposure or tested positive please notify me right away.

Any child that has not been at school (even if it is not illness related) has to go through my office to be cleared to return to school.

Thank you for working with us to keep our campus safe and healthy.

Nurse Melissa

Have a great weekend, and be sure to ask your child about our "Perseverance Assembly" today!

Jay Marden
Principal

There is 1 attachment with this post. Click the link below to view the attachment.

View Attachments  View or Reply

Please do not reply to this email.

Stay involved with your child's learning and activities at school.

Download on the App Store
Get it on Google Play

You received this email because you are a ParentSquare user in Carmel River Elementary School. If you received this email in error or wish to disable your account, click here to unsubscribe.

ParentSquare Inc · 3905 State St, Suite 7502 · Santa Barbara, CA 93105
Chris,

Sounds fair! Feel free to call me at [REDACTED]

I'm not Jewish by religion. I'm racially Jewish only. But the calendar is exactly what we are celebrating so it's hard to separate it.

What I have done in the past is this:

1) Rosh Hashanah or "Head of the Year" is next week on Monday through Wednesday. It's a very important holiday in the Jewish culture celebrating year 5782. Woo-hoo! So it's 3761 years ahead of 2021.

2) When is the new year here in Carmel? January 1st? Not necessarily -- that's the first day of the first month. We have many new years in Carmel. Can you think of any others? Any other "new" things that start on other days? We have the first day of the first month, the day we pay taxes on April 15, the start of the fiscal or financial or money year for corporations on July 1, and the first day of school which was on August 9. So we have a lot of new years. Same thing in Judaism. Rosh Hashanah is the first day of the 7th month (yep, the seventh month is when they change the year -- not the first one -- the first one has its own new year).

3) Does anyone know why we start school in the end of summer like we start the Jewish New Year, even though the year started seven months ago? Yes, we are an agrarian society! We can especially see this in Salinas and the "salad bowl" but this was the entire American population hundreds of years ago. Well so were the Jewish people. They created calendars based on nothing but the harvest. So this new year called Rosh Hashanah started a huge harvesting period that was very critical to the Jewish people's belief systems and the entire society revolved around paying taxes and respects based on harvest. Why? Because harvest brings us food! And we need food to survive. The other Jewish New years are based on food too (new years for the trees, religious one which is the first day of the first month for redemption from Egypt -- Passover/Easter is which is really because of the harvest of wheat and first lambs which is why we eat matzah and lamb, and the one for the cattle). Food was a huge part of early societies and early religions!

4) But even though our school year and Rosh Hashanah started only for Harvests, is that the way we think of it today? Do you get ready to end your harvest? Did you spend all summer in a field planting? No? Well what do you do to celebrate starting school now if not a harvest holiday? Do you buy new clothes, new shoes, new bags? That's exactly how we celebrate Rosh Hashanah! It's considered a good dead or a "mitzvah" to buy something new on Rosh Hashanah! It's quite far from the harvest holiday it once was. But one thing we still do is eat a fall fruit? Do you know which one? And we dip it in honey to celebrate a sweet new year! I bet lots of you are eating apples right now because it's the perfect fall fruit.

5) Now you know a lot more about two calendars -- the Jewish one and ours. Let's talk about some others too!

That's more or less the entire spiel!

Not one thing is religious at all! I know that legally schools can include religion for educational purposes but I am not religious, I do not feel comfortable teaching religion, and I don't want to offend anyone!

I hope that helps!

So does Friday still work?

Shel
I am sorry I forgot to reply this morning, and I’d like to get a better idea of what you hope to do with the class before too long and before setting it up. Is it a calendar activity or more of a cultural/religious activity? Sorry again for not getting back sooner, have a good night, Mr. dB

On Mon, Aug 30, 2021 at 3:35 PM [name redacted] wrote:

Dear [name redacted],

Connie approved all my volunteer paperwork, so please let me know a date and time this week that works for you. Should we just say this Friday at 9 AM?

Warmest,

Shel

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Link to CUSD Nondiscrimination Notice
Hi Mr. deBellis,

I'm just confirming this Friday at 9 AM for 25 minutes.

Please let me know as soon as possible if this doesn't work for you. I think it works because that's the only time we've been discussing over the past week but I don't think I ever got a confirmation.

Thanks,

Shel
Re: recent questions

From: <shinds@carmelunified.org>
To: Ted Knight <tknight@carmelunified.org>
Cc: William B. Tunick <wtunick@dwe.com>; Jay Marden <jmarden@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>

I just noticed that you claim that I was asked to leave River yesterday and refused to do so.

First of all, yes, Jay said he would call me on MONDAY (not yesterday) and tell me the exact questions that would be asked, and I left immediately. It's been TWO days and not only did he never call to tell me what would happen, he never answered my questions, not responded to any of my emails. So he's not very honest. Also, I was NOT creating a disturbance. The nurse started yelling (not me!!) that I was asking for "special treatment" because I don't think she has a right for asking [redacted] (because she doesn't). The only person who was creating a disturbance was nurse Melissa, not me.

But I didn't go to the office at all yesterday so I have no idea where you get your information.

Shel

On Wed, Sep 1, 2021, 8:52 PM Ted Knight <tknight@carmelunified.org> wrote:

Good evening Shel,

I wanted to reach out tonight to answer some questions, provide clarification, and acknowledge your emails, texts, and phone calls. I am sending a community-wide email tonight to all parents explaining many of our COVID response protocols. One aspect of safety that I have requested of schools is to have all students check in at the office before returning to class. We need to ensure that no student goes to class when they should be quarantined, need testing, or still have symptoms. Because we have a standing culture where students just go straight to class after missing school, we are asking all schools to develop protocols to ensure that students go to the office first. I understand that you have claimed that this is in some way inappropriate or maybe even discriminatory in terms of race or religion. I can think of many reasons why students miss school besides being sick or for religious holidays including: vacation, family in town, car trouble, etc. I do not believe that this practice is discriminatory and I believe that it is in the best interest of student and staff safety so we will implement it and all parents and students will be expected to comply. I understand that you would not want your student to lose class time due to long lines in the office and I agree. Schools are creating systems to make sure that all students can get to class as soon as possible, but convenience is second to safety in this instance and we cannot guarantee a specific time. It is my understanding that the high school is having students check in and get a pass to class. River is having students come to the office and get a pass from the nurse. Both of these are appropriate and it is certainly appropriate for a school staff member to ask a student who has been absent during a global pandemic if they were out sick. I know that Mr. Marden has stated that they will work to get students to class quickly, especially those that do not need to be cleared by the health office for sickness. I believe that I have clearly stated why we are implementing this policy, how we are implementing it, and I believe that it is well within our jurisdiction and is legal. I am considering this issue closed and will not be directing staff to engage in this conversation further.

I have also been copied on an email or two that you have sent to our outside legal counsel, William Tunick, on this issue. I am going to ask you to email me any questions that you may have and I will determine whether or not I need legal guidance. Having parent's email outside legal counsel directly is not appropriate nor is it a fiduciarily responsible practice for me to allow. Again, in the future my expectation is that you email me with questions and I can contact Mr. Tunick if I feel that it is appropriate. I have asked Mr. Tunick not to respond to further emails. You have also sent emails to me, Mr. Tunick, and copied me on others that insinuate or threaten a lawsuit. I wanted to clearly state that we will not be engaging in these back and forth conversations threatening legal action in the future. You are certainly free to pursue legal action against the district if you believe that we are wrong. If you send an email to me threatening legal action I will decide whether or not I need legal advice from Mr. Tunick and if I believe that we have any vulnerability then I will direct staff to change course. Regardless, we will not engage in an unhealthy debate over the legality of our actions, we will act in a legal and ethical manner and you are certainly well within your rights to challenge those actions in court.

As we continue to work together on situations in the future I believe that setting parameters such as this will help us mediate any conflict that may arise. Similarly, I understand that you were asked to leave River yesterday and refused to do so. I can understand that you may have concerns as a parent and want immediate answers. However, if the principal asks you to leave due to a belief that there is a disturbance it is my expectation that you would do so. I
understand that Mr. Marden offered to call you back and hear you out later which I believe was the appropriate next step. Again, it is my expectation that you would comply with a principal's direction within their building or we will have to ask that you refrain from coming on to campus.

I understand that you may be frustrated and that these parameters may further upset you. I am not putting these parameters in place to frustrate you, retaliate, or lessen your voice. Quite the opposite, I am attempting to ensure that we create the relationship needed to resolve conflict in a healthy and productive way, rather than one that demeans, condescends, or belittles others. I am confident that we can all work together to ensure that your child has the best possible experience at River school.

Thank you, Ted
--
E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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Link to CUSD Nondiscrimination Notice
Re: COVID Response Updates

Ted,

ALL you wrote for religious absences is:

"Because we must ensure that all students have followed this protocol, we are requiring all students to check-in at the office before they return to class for any absence."

That means that they do NOT need to check in with a nurse, do NOT need to get cleared by a nurse, and do NOT have to answer any questions from a nurse.

But what you wrote in a private email to me is very different -- in that email you said that __________________________ Which one is right?

I feel like I’ve asked the same questions again and again and time is running out.

What questions are the nurse allowed to ask for absences due to religious observances?

You’ve created a very hectic, dramatic, and stressful situation by creating such vague and disorganized policies with no clarity on what can be done to students exercising legally protected rights. Again, while you insist that celebrating a religious holiday is similar to “vacation, family in town, car trouble,” it is not and it is truly offensive that you insist again and again on making these comparisons. Other children can celebrate their religious holidays of Christmas and Easter without being subject to the nurse’s “clearance” and __________________________ I’ll agree with you on a slip from the office like this email states but there is no consistency here. Is it a slip from the office or a visit to the nurse? Is it just picking up a slip or requiring answering questions?

Shel

On Wed, Sep 1, 2021, 9:25 PM Ted Knight via ParentSquare <donotreply@parentsquare.com> wrote:

Carmel Unified School District

Ted Knight posted in Carmel
Unified School District, CUSD
Board Members, CUSD
Elementary Principals, CUSD
Secondary Principals, CUSD
Cabinet

COVID Response
Updates

Good Evening CUSD Families,

I am writing to you tonight with
an update to our COVID
response protocols. We
continue to follow guidelines set forth by the California Department of Public Health (CDPH), including their recent publication on the mitigation factors needed to keep students and staff safe. These factors include: universal indoor masking, frequent handwashing, enhanced ventilation, timely contract tracing, accessible vaccinations and testing, and requiring staff and students to stay home when sick. We will continue following these guidelines as they represent our best strategies to meet our goal of staying in full, in-person schooling in a manner that is physically and psychologically safe and healthy for all staff and students.

We have created a process to ensure that all who are sick stay home and do not return until it is safe to do so. If your child has 1 or 2 of the following COVID-like symptoms we are requiring that your child stay home until they are fever-free for 24 hours, without fever-reducing medication, and have significant symptom improvement, and have tested negative for COVID or have a note from their physician:

- Fever of greater than 100.4 or Chills
- Cough
- Fatigue
- Muscle or
If your child has three or more of these symptoms or has a new loss of taste or smell or newly onset difficulty breathing we are requiring that your child quarantine. A typical quarantine is 10 days and that can be decreased to 7 days with a negative Polymerase Chain Reaction (PCR) test after day 5. Any student who tests positive at any time must isolate for at least 10 days and have symptom improvement before they return to school. Because we must ensure that all students have followed this protocol, we are requiring all students to check-in at the office before they return to class for any absence.

Contact tracing will continue this year and any student who has been within 3 feet of a COVID positive student for more than 15 cumulative minutes in a day or 6 feet of a COVID-positive adult for more than 15 cumulative minutes in a day
may be considered a close contact. Asymptomatic close contacts may stay in school in most situations, if they are masked and/or vaccinated. Symptomatic close contacts, and unvaccinated students who are unmasked must quarantine. If your child is a close contact you will be notified by your child's school. You will also receive a letter if your child is in a class where someone has tested positive or if your child attends a school which has reached outbreak status (usually 3 or more related cases).

In many instances, COVID testing will allow your child to stay in school or return to school sooner than without testing. We have created numerous partnerships and trained staff at each building to offer easily accessible and timely testing. At the elementary and middle school levels, parents must assist their child with the test, and therefore, must accompany them to testing. High school students are able to test themselves. Regardless of age, we need parents to register their child for any testing that may be required for an altered quarantine. Additionally, we need parents to schedule an appointment for testing on our COVID webpage (available beginning Tuesday September 7th). We anticipate supporting shortened and modified quarantines as long as testing supply chains stay stable. However, as those supply chains are already being
stressed, if we can no longer access testing, students will have to submit to traditional quarantines unless they have a note from a physician or a negative COVID test from an outside provider. Testing is optional and students are not mandated to be tested, but in many cases their quarantine is shortened if they can demonstrate that they are COVID negative. More specific testing information will be provided by your principal in the coming days.

I am providing a link to our district COVID webpage where you will find useful information and our COVID dashboard which is accurate and up-to-date but delayed as only health department confirmed cases are reported. Additionally, here is a link to the Safe Schools Parent Page which offers several resources to parents/guardians. We appreciate your partnership as we continue to navigate the current pandemic.

In closing, it continues to be an honor to serve as your superintendent. I am planning a meet and greet on September 15th from 6:30 pm - 7:30 pm on the grounds of Carmel Middle School 4380 Carmel Valley Road, Carmel-By-The-Sea, CA 93923.

I look forward to meeting many of you in-person and hearing about our great community.

Sincerely,
Stay involved with your child's learning and activities at school.

Download on the App Store
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ParentSquare Inc · 3905 State St, Suite 7502 · Santa Barbara, CA 93105
Re: Today.

From: <blank>  Fri, Sep 3, 2021 at 9:40 AM PDT (GMT-07:00)
To: Christopher deBellis <cdebellis@carmelunified.org>

Thank you!!!

You are the best teacher ever!!!

Please let me know how I can support your class.

I generally don't do anything else all year for Judaism (Rosh Hashanah is our big holiday) but I've done something for Saint Valentine's Day in the past where we talk about it's Roman origins and the students learn about different types of chocolate. I'm also happy just to go shopping or pick up things you need for class or just send out room parent emails.

Also, what is your birthday or other special occasions? I want to make sure that they aren't missed!

Warmest,

Shel

On Fri, Sep 3, 2021, 8:24 AM Christopher deBellis <cdebellis@carmelunified.org> wrote:

Sounds good! See you then, Mr. dB

On Fri, Sep 3, 2021 at 7:25 AM <blank> wrote:

I'll be there a couple minutes before 9 but will wait in the hallway until you are ready.

    Thank you,

    Shel

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Never mind! We just got emails from the photographer.

Melissa

On Thu 9. Sep 2021 at 08:02, Melissa Ullom wrote:

Dear Connie,

We were trying to purchase school photos, but need to input __________ Where can I find those?

Also, any headway on making a donation to the science program?

Kind regards,
Melissa
Thanks!

From: Melissa Ullom <Myah Gunn <mgunn@carmelunified.org> Thu, Oct 21, 2021 at 11:09 AM PDT (GMT-07:00)

Thanks for the great lesson!

Let me know if there is anything I can research for you to support the science program.

I was thinking about proposing a project to build a solar power sun/rain shade over the area where the kids eat lunch and/or the teacher parking lot. It’s a big project that’s probably expensive and involves a lot of permits. I’ll start talking to the PTA to see what process I should follow to propose it.

Kind regards,
Melissa Ullom
Shelter in place

From: [Redacted]  
To: Daniel Morgan <dmorgan@carmelunified.org>  

Mon, Oct 25, 2021 at 10:12 AM PDT (GMT-07:00)

Dan,

I hope you are aware of the bank robbery near CMS. River and CHS just went under a shelter in place. I'm hoping that CMS will, too, or that they know they are safe.

Thanks for taking care of our students and staff!

Shel
Dear Mr. Morgan,

FYI only -- direct replies to ParentSquare bounced back.

Shel

---------- Forwarded message ----------
From: ParentSquare AutoReply <donotreply@parentsquare.com>
Date: Mon, Nov 15, 2021 at 10:01 AM
Subject: Automated reply from ParentSquare Re: CMS Challenge Success Survey: Information and Opt Out Option
To: <dmorgan@carmelunified.org>

Hi,

*************** THIS IS AN AUTOMATED RESPONSE ********************

We are sorry. Your email did not reach the intended recipient. This mailbox is not monitored. Please contact your school directly with questions or comments, or visit the ParentSquare website (http://www.parentsquare.com/signin) to post comments.

Thanks,
Team ParentSquare
Re: Follow-Up on Signage

From: Melissa Ullom <[redacted]> To: Jessica Hull <j hull@carmelunified.org>

I saw that the signs were down last night. Thanks very much for your proactive approach!

On Mon, Nov 15, 2021 at 1:37 PM Melissa Ullom <[redacted]> wrote:
Sounds good, thanks!

On Mon, Nov 15, 2021 at 1:36 PM Jessica Hull <jhull@carmelunified.org> wrote:
Very weird on the phone. I do want to look into that a bit more to see where the phone issue may lie - it could be with us and that's concerning if there's an emergency.

Jessica Hull (she/her/hers)
Director of Communications and Community Relations
Carmel Unified School District
P.O. Box 222700, Carmel, CA 93922
jhull@carmelunified.org
office (831) 624-1546 ext. 2022
cell (209) 679-4858
CalSPRA President-elect
NSPRA Southwest Region Front-Runner 2021

On Mon, Nov 15, 2021 at 1:19 PM Melissa Ullom <[redacted]> wrote:
Dear Jessica,

Thanks so much for letting me know and kudos for going above and beyond what I imagine your typical day is.

We've been through AT&T and CUSD tech support. Not sure what else to do. Thankfully we can receive emergency messages through Parent Square.

Kind regards,
Melissa

On Mon, Nov 15, 2021 at 1:04 PM Jessica Hull <jhull@carmelunified.org> wrote:
Good afternoon,

I attempted to call you back on the number provided but it leads to a recording that the number is out of service. This email is connected to your number in our system, so I hope it works.

For your information, the signage questioned is placed on CalTrans land. We have contacted them and notified signs are posted on their property. They confirmed the signage was not approved through their system and we have put in a maintenance request to have them removed.

Thank you so much for bringing these to our attention. Have a great day.

Jessica Hull (she/her/hers)
Director of Communications and Community Relations
Carmel Unified School District
P.O. Box 222700, Carmel, CA 93922
jhull@carmelunified.org
office (831) 624-1546 ext. 2022
cell (209) 679-4858
CalSPRA President-elect
NSPRA Southwest Region Front-Runner 2021

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Link to CUSD Nondiscrimination Notice

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Link to CUSD Nondiscrimination Notice
Dear Veronica,

Thank you for putting together such a thoughtful project. Please let us know if we can help in the future.

Kind regards,
Melissa

On Fri, Nov 19, 2021 at 11:45 AM Veronica Craft <info@signupgenius.com> wrote:

Hello, Melissa Ullom!

Thank you so much for your generosity!!!!
I made one sock and shoe delivery trip to Highland Elementary School yesterday, and the kids and staff send a sincere "Thank you" and are very appreciative of your support and love.

Please know that If you haven't had a chance to drop off the shoes or socks you will be donating, I will be making a second drop off the week we return after Thanksgiving break.

“Piglet noticed that even though he had a Very Small Heart, it could hold a rather large amount of Gratitude.” A.A. Milne

Have a wonderful Thanksgiving!

-Veronica Craft
Try these Thanksgiving day games for the whole family.

See Games
Re: PTA agenda next week

Mon, Nov 29, 2021 at 5:44 PM PST (GMT-08:00)

From: <someone@camrenuried.org>  
To: Jay Marden <jmanden@carmelunified.org>; Tricia Zarevich <tzarevich@carmelunified.org>  
Cc: Ted Knight <tknight@carmelunified.org>; Professor Scott R. Woodruff Lyons <someone@camrenuried.org>; Karl Pallasrini <kpallastrini@carmelunified.org>; Tess Arthur <tartar@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Seaberry Nachar <snachar@carmelunified.org>; Anne-Marie Rosen <aronen@carmelunified.org>; Bill Schrier <bschrier@carmelunified.org>; Vlad Kaykin <vkhaykin@adl.org>; spencer <someone@camrenuried.org>; Appel, Nancy <NAppel@adl.org>

Dear Tricia,

Please add this to the agenda for the next meeting. If there is no meeting before the Christmas tree lighting, please add a special meeting.

I want a decision from the board as to whether the racial/religious discrimination at River is against the board policy. Is the board going to allow a school wide Christmas tree decorating project (being actively promoted by Jay Marden to all students on a PA where he is telling young and impressionable students to all bring Christmas ornaments to school) when River School principal, the CUSD Superintendent, and the entire board has prohibited (or refused to hear in a board meeting despite multiple requests from me) and in other ways, including attorney/legal action threats actively worked to prevent a menorah or a menorah lighting (or any Hanukkah traditions) from being at River on a school wide level! Now, in addition to Santa, Santa's sled, and other endless Christmas promotions at River, River school is instructing every child on the PA system to bring a decoration to decorate the River Christmas tree that River school is going to light in a school wide lighting ceremony. How is this appropriate? It's in direct conflict with the Board policy that prohibits favoring one religion over another, discriminating against minorities, and excluding kids.

I am formally requesting a board decision on whether the board finds this latest action by Jay to finally be against board policy that prohibits this exact promotion of one religious tradition (Christmas and Christmas trees) at the expense of all others.

Thanks,

Shel

On Mon, Nov 29, 2021, 5:17 PM shelyons@gmail.com <shelyons@gmail.com> wrote:

There is a River school Christmas tree now?

Can I get an update on that?

I'm a bit agasth that you won't allow a menorah (an 8-prong candle holder -- not religious!) on River school campus (I've asked to bring a large one to put outside or in the auditorium) and not hidden in the office where no students see it) but now the students are all being asked to decorate a Christmas tree?

On top of the huge Santa parade and every thing else that River does to blatantly promote Christmas and Christian holidays at the expense of all other traditions from other races and religions? You don't think that doing more -- adding decorating a Christmas tree AND lighting it -- which is definitely religious (at least as religious as lighting a menorah) -- is asking for trouble?

You can't make this stuff up.

Someone needs to go to River asap and teach some anti-discrimination training. I am highly concerned.

And please do not humiliate yourself by aiming that a Christmas tree lighting is somehow "inclusive". You couldn't be more alienating to minorities if you tried. River is a public school -- someone needs to stop the constant barrage of pro-Christian-only holidays. If there is now a Christmas tree lighting, there absolutely should be a menorah lighting with a menorah of comparable height to the tree.

On Mon, Nov 29, 2021, 4:58 PM Jay Marden via ParentSquare <donotreply@parentsquare.com> wrote:

Carmel River Elementary School
Jay Marden posted in Carmel River Elementary School

PTA agenda next week

Good Afternoon River Parents,

Next week, December 8th, 3:15 pm in our Ottertoreum, our PTA will host its next meeting.

The agenda is as follows:

1. Welcome and norms
2. Treasurer report
3. Teacher appreciation week report of breakfast and lunch
4. Field trips update
6. River School Tree Lighting and Holiday Store
7. Principal report

We hope you can join us!

Majo Spencer, PTA President
Melissa Anderson, PTA Vice President

Please do not reply to this email.

Stay involved with your child’s learning and activities at school.

You received this email because you are a ParentSquare user in Carmel River Elementary School. If you received this email in error or wish to disable your account, click here to unsubscribe.

ParentSquare Inc · 3905 State St, Suite 7502 · Santa Barbara, CA 93105
Attachments

- Screenshot_20211129-171731.png
Ted,

There is no way that a court is going to see Jay's Christmas tree as anything but a Christmas tree -- it's not a "holiday" tree. While a Christmas tree in a government setting may be secular, it is 100% promotion of one religion's tradition (Christmas) and will not be allowed in a public elementary school where there are young impressionable children. The rules are much stricter there, as I'm sure you know.

The Supreme Court has stated "By placing the menorah with the Christmas tree, she believed that the city is representing the pluralism of the freedom of religion."

Here, there is only "one" religion being promoted -- just Christian one -- and NOT pluralism of religions. I'm sorry to say that while River was on thin ground before, that line has definitely been passed as every single time that I have asked for a menorah, it has been vocally and strongly denied. And now they are adding yet another Christmas/Christian tradition to the same school.

The law and the board policy are clearly against this clear discrimination by River school and CUSD -- a menorah is denied but a Christmas tree is promoted?

I hope you are able to sort this discrepancy out asap. I am completely aghast by the active discrimination on this campus again and again and again. This latest and greatest, where every student us being instructed by the elementary school principal on a PA system to bring Christmas ornaments to decorate a Christmas tree that the school is then going to light in a Christmas tree lighting ceremony, is just the most recent in a string of examples of bias and discrimination on this campus by this administration.

Thank you.

Warmest,

Shel

Attachments

- Screenshot_20211129-171731.png
Public Records Request

From: [REDACTED]  
To: Tricia Zaravich <tzarevich@carmelunified.org>  
Cc: Ted Knight <tknight@carmelunified.org>; Paul Behan <pbehan@carmelunified.org>

Tue, Nov 30, 2021 at 8:33 AM PST (GMT-08:00)

Dear Tricia,

I hope you are well.

In light of Jay's brand-new Christmas tree decorating and lighting ceremony announcement after he has denied my request for a menorah for years, I am making a public records request for all emails to and from Jay Marden from August 1, 2021 to November 30, 2021 with *any* of the following terms: "Christmas", "ornament", "River tree", "holiday tree", "tree lighting", "holiday store".

I think it should be a very quick and easy one for Paul Behan to search since I have it limited to Jay Marden (only one custodian), to only four months, and to only 6 unique search terms, so I am copying him to make the process quicker. Obviously in light of the time-sensitivity of this issue since Hanukkah ends this Sunday, I would appreciate if you can get me these emails as soon as possible.

Thank you for everything you do for this school district! You are greatly appreciated!!!

And I have been sincerely trying to avoid PRAs, but the latest move from Jay takes the cake ;)

I hope you had a great Thanksgiving. Happy Holidays!

Warmest,

Shel
Re: Attorney Review ASAP

From: <name>
To: Ted Knight <tknight@carmelunified.org>
Cc: Professor Scott R. Woodruff Lyons <name>

Tue, Nov 30, 2021 at 9:30 AM PST (GMT-08:00)

One more addition --

I forgot to add that there is also a brand-new "Holiday" store that Jay has also started at River school that is conveniently not going to open until after Hanukkah is over. In other words, it is just a "Christmas" store masking as "inclusive" when it is anything but. Let's call a spade, a spade.

On Tue, Nov 30, 2021 at 9:18 AM <name> wrote:

Ted,

Please have the CUSD attorney review this legal opinion from the U.S. Department of Justice immediately:

https://www.justice.gov/olc/file/1355846/download

It establishes quite clearly that a Christmas tree and a Hanukkah menorah are both secular objects of holidays from different religious groups -- one is a Christian holiday (Christmas) and one is a Jewish holiday. You already have acknowledged and admitted that a menorah is secular so that is not disputable. It therefore establishes that there is no basis to deny one over the other.

The U.S. Department of Justice opinion goes into further analysis, however, and establishes quite clearly using binding law that that promotion or preference for one holiday for one group (here, Christmas) over another is illegal discrimination.

As you know, I have requested a menorah for years at River and have been systematically and continuously denied a menorah, most recently by Jay Marden and you just this August, even though there has been Santa Claus/St. Nicolaus, elves, reindeer, and candy canes as part of a "holiday" parade at the school every year -- all secular symbols of the Christian holiday of Christmas. The school board then refused to put this item on the agenda just this year when I requested it in a denial by your attorney in September 2021. Yet, now River school is having a Christmas tree which it is decorating in a schoolwide event/program where every student was directed by the school principal over the loudspeaker to bring Christmas ornaments to decorate it. There is also going to be a Christmas tree lighting at River.

Despite the fact that a menorah has been denied by the same school for multiple years, the school is now allowing a new addition of a Christmas tree, Christmas tree decorating events, Christmas tree promotion by the principal, and a Christmas tree lighting. These are all clear signs of preference for the Christmas holiday.

I am once again respectfully requesting a menorah at a schoolwide assembly. As Hanukkah ends this Sunday, I am requesting to do the menorah no later than this Friday, December 3rd at a Friday morning assembly at River School. Please let me know today if I will be allowed to present a menorah this Friday no later than 5 PM today, November 30, 2021.

Thank you for your time and attention to this matter.

Warmest,

Shel Lyons
Dear Ms. Medina,

Attached please find a formal complaint against CUSD. It states that it should be filed with the CTO, Paul Behan, who is retired, so I have no idea who I am supposed to send it to.

I would like it resolved as soon as possible.

Thank you.

Warmest regards,

Shel Lyons

Attachments

- Uniform_Complaint_Filing_Form_Jan_2020.pdf
Thank you!!!

You are such an asset to the school, so responsive, and very appreciated!

I tried calling this morning -- if you are in, can you call me at [redacted]?

Thanks,

Shel

On Tue, Nov 30, 2021 at 10:09 AM Tricia Zaravich <tzarevich@carmelunified.org> wrote:

Thank you, Shel.

Sorry for the delay in response on the various emails, just trying to accumulate it all and get you a response. I am in receipt of your emails. Just a quick note that we are in the process of updating all information from Paul Behan to Ted Knight on UCP and for PRAs it will be Jessica Hull and myself. Paul has retired as of November.

Thank you!

Tricia Zaravich (she/her/hers)
Confidential Administrative Assistant to the Superintendent
CARMEL UNIFIED SCHOOL DISTRICT
P.O. Box 222700, Carmel, CA 93922
tzarevich@carmelunified.org
office (831) 624-1546 ext. 2021
Fax (831) 626-4052

On Tue, Nov 30, 2021 at 10:04 AM [redacted] wrote:

Dear Ms. Medina,

Attached please find a formal complaint against CUSD. It states that it should be filed with the CTO, Paul Behan, who is retired, so I have no idea who I am supposed to send it to.

I would like it resolved as soon as possible.

Thank you.

Warmest regards,

Shel Lyons

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Re: Formal Legal Complaint

From: [Redacted] Tue, Nov 30, 2021 at 10:29 AM PST (GMT-08:00)
To: Anna Medina <amedina@carmelunified.org>; Paul Behan <pbehan@carmelunified.org>; Rob Perry <rperry@carmelunified.org>; Manuel Carrera <mcarrera@carmelunified.org>; Peter Locatelli <plocatelli@carmelunified.org>; Pancho Naveja <fnaveja@carmelunified.org>; Tricia Zarevich <tzarevich@carmelunified.org>
Cc: Ted Knight <tknight@carmelunified.org>; Karl Pallastrini <kpallastrini@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>

Adding the right attachment.

On Tue, Nov 30, 2021 at 10:08 AM [Redacted] wrote:

Dear Ms. Medina,

Attached please find a formal complaint against CUSD. It states that it should be filed with the CTO, Paul Behan, who is retired, so I have no idea who I am supposed to send it to.

I would like it resolved as soon as possible.

Thank you.

Warmest regards,

Shel Lyons

Attachments

- Uniform_Complaint_Filing_Form_Jan_2020.pdf
Re: Formal Legal Complaint

From: [Redacted]  Thu, Dec 2, 2021 at 7:00 AM PST (GMT-08:00)
To: Ted Knight <tknight@carmelunified.org>
Cc: Anna Medina <amedina@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Karl Pallasstrini <kpallasstrini@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Tricia Zarevich <tzarevich@carmelunified.org>

Ted,

Thanks for your response.

Please clarify. I think what you are saying is that your position is that unless there is a legal or Board policy violation that your lawyer says is clear (black/white, open/shut), you will not get involved and Jay Marden can do whatever he wants no matter how many kids are hurt. Is that correct? That's been your stance in the past and it sounds like that is the same as what you are saying now. I'm sure Jay Marden has his arguments as to why his latest "holiday" tree is "multicultural" as apparently he has been announcing that it is a "multicultural" tree that kids will get hot chocolate if they come to decorate it and stay for his "multicultural" tree lighting ceremony. (Meanwhile, of course, him and you have both actively denied me the right to bring a multicultural, holiday menorah to similar River programs. Apparently only Christmas secular objects are allowed.) I don't deny that he's been saying that so there's no reason to spend the legal money if your plan is to do nothing until he basically gets his "holiday" nativity scene on campus.

Yes, it's clear preference and it's in an elementary school where kids are literally held hostage to hearing Jay promote the Christmas tree and bribing them with hot chocolate to participate. I'm sure your lawyer is just going to rehash the same stuff from his last very well analysis that didn't even mention preference. Below is the exact quote from him to save CUSD time and money.

***** FROM WILL START *****

First, courts have consistently held “the Christmas tree, Santa Claus, reindeer, candy canes, gingerbread boys and girls, tinsel garlands, strings of lights, not to mention Christmas wreaths, candles, stars, and presents,. are now widely accepted as secular symbols of a holiday that is celebrated even by people of no faith.” (Skoros v. City of New York (2nd Cir. 2006) 437 F.3d 1, 29, fn. 24; Kreisner v. City of San Diego (9th Cir. 1993) 1 F.3d 775, 776-77 [describing a holiday display that included “a Santa Claus, reindeer, a Christmas tree, and numerous festive colored lights” as “a secular holiday display”].) Second, courts have found that the menorah is “a religious symbol of the Jewish faith”. (Skoros, 437 F.3d at p. 20; American Jewish Congress v. City of Beverly Hills (9th Cir. 1996) 90 F.3d 379, 383 [menorah is religious symbol].)

***** FROM WILL END *****

In other words, he basically says that all Christmas symbols are fine but not a single Hanukkah symbol is. If all you want is Will's take, just see above and the kindest course of action would be to deny the complaint so I can appeal to the State Department of Education and get an actual decision. As you know, I need to wait for a district decision on the complaint to do so. That takes it out of your hands and you clearly aren't able to make any decision on matters, even those involving your own board policy, even those that protect children, unless a lawyer guarantees you that a court will find in my favor. It allows me to appeal it to the State Department of Education where I can actually get a real decision. And I would truly appreciate and respect you for that. If you agree, please deny my complaint first thing tomorrow so I can start the process with the State Department of Education.

So now there's no need to talk to Will or delay any longer!

Thank you!

Warmest,

Shel

On Wed, Dec 1, 2021, 9:11 PM Ted Knight <tknight@carmelunified.org> wrote:

Shel,
I am in receipt of your complaint. I believe that I have read through all of the emails on this topic and will be requesting a legal opinion on any board or legal violations. I can understand the timing of this request and will work to get an answer as soon as possible. With that being said, many of us, including most legal firms, are at a state level conference and I cannot guarantee that we will have an answer back from legal in the time period that you are requesting. As with past situations, I understand that you may want the board or me to make a decision, but we will be waiting for legal guidance on this issue as we have in the past.

Sincerely, Ted Knight

On Tue, Nov 30, 2021 at 10:26 AM [Redacted] wrote:
I apologize. This attachment is right and completed and signed.

On Tue, Nov 30, 2021 at 10:29 AM [Redacted] wrote:
Adding the right attachment.

On Tue, Nov 30, 2021 at 10:08 AM [Redacted] wrote:
Dear Ms. Medina,

Attached please find a formal complaint against CUSD. It states that it should be filed with the CTO, Paul Behan, who is retired, so I have no idea who I am supposed to send it to.

I would like it resolved as soon as possible.

Thank you.

Warmest regards,

Shel Lyons

E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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I'm hesitant to send this email because I want a decision and feel like after waiting four years, my kids are owed a decision. If you felt like you'd make a different decision if there had been a uniform complaint in August, you should have told me 4 months ago to write one. You made it quite clear that you'd let Jay get away with murder if the attorney said it was okay. And the attorney said it was okay so what's the delay? Just deny my complaint and let me appeal it.

On the other hand, in case you can actually do what's right, you should know that Will's analysis was misleading to the point of being unethical. I think you know that, though because I told you before you started that Will Tunick wasn't going to protect you at CUSD. Here, Will's babble about including everything for Christmas being okay and excluding everything for Hanukkah being okay was garbage.

As just one example, the American Jewish Congress case does not stand for the holding that a menorah is a religious symbol. It merely cites to ACLU v Allegheny where the Supreme Court comes to the opposite conclusion and finds the menorah can be secular (even more so today!). (Even when it admits that a menorah is a hybrid, it says it counts as secular to he used by government and schools to fairly include Hanukkah when Christmas secular symbols are being used.) The American Jewish Congress court holding states: "[A] law or policy permitting communication in a certain manner for some but not for others raises the specter of content and viewpoint censorship. This danger is at its zenith when the determination of who may speak and who may not is left to the unbridled discretion of a government official... [W]e have often and uniformly held that such statutes or policies impose censorship on the public or the press, and hence are unconstitutional, because without standards governing the exercise of discretion, a government official may decide who may speak and who may not based upon the content of the speech or viewpoint of the speaker.". In other words the actual holding by the court is that what Jay is doing is illegal and what the Board is doing in allowing him to impose censorship without standards is equally illegal. If he denied a holiday menorah, then he had no basis to approve the Christmas tree or the Christmas Santa parade. If he is including Christmas secular objects, he needs to include Hanukkah ones or he is imposing viewpoint censorship (this is exactly what he is doing).

Will's interpretation of Skyros is similarly misleading. He claims that it also holds that a menorah is religious. What he is quoting is a quote of another case where just a menorah is displayed (like just a Christmas tree being allowed -- in other words, the issue in the actual case being quoted was favoritism, too where a menorah seems religious, and completely distinguishable from this situation where dozens of Christmas secular symbols are being displayed and the menorah is being denied -- in that case, a menorah is secular). Instead, the Skyros case actually finds thay the menorah is "not" a religious symbol and therefore it's inclusion at the school with the Christmas tree does not violate the establishment clause (but just Christmas would have). It holds: "We conclude only that the defendants do not violate the Establishment Clause when, in pursuing the secular goal of promoting respect for the City's diverse cultural traditions, they represent Christmas through a variety of well recognized secular symbols at the same time that they represent Chanukah through the menorah and Ramadan through the star and crescent."

If you read that opinion, you'll also read a great quote that paraphrases what I've been saying for years: "We must remind ourselves that we are dealing with "impressionable children" who are likely to "perceive, however wrongly," the imprimatur of state approval of religion. Tribe, supra § 14-6, at 1178-79." Here, the schoolchildren are perceive that the school is approving Christianity and disapproving of all others. After all, only one religious holiday is celebrated and kids only get hot chocolate if they come to the decorating and lighting ceremony and they only get candy canes if they visit Santa Claus. Combined with the fact that every other religion's and ethnicity's secular symbols are forbidden and excluded, it looks like the school is trying to get kids to celebrate only Christmas (and here, it's so strong that it look that way to adults and not just the impressionable children. It also paraphrases some of my other gems: "The second prong ... asks whether "a reasonable observer of the display in its particular context [would] perceive a message of governmental endorsement or sponsorship of religion." Here, we know the observers -- such as my children -- 100% see Jay's constant favoritism of Christmas as a government sponsorship and endorsement of Christianity. It also says that "the Establishment Clause prohibits "making adherence to a religion relevant in any way to a person's standing in the political community". In other words the problem here is that Jay is only celebrating one holiday -- Christmas and the kids are
is wrong. And I don't need to be a lawyer or consult one to know that -- it's common sense.

Or Ashkenazi kids, I am worried about kids of all races and ethnicity and they are being actively discriminated against and it is a direct result of board policy. Maybe the message should have been that you were going to the right and ethical thing for all kids instead.

You message you gave in August was that you wouldn't interfere no matter how many kids were hurt unless it violated law or lives. I should have known that if I stood by and did nothing, it would just get worse and worse and worse because the Jewish children are falling on my shoulders. I need to appeal your obviously upcoming denial and make a positive difference in this children's lives at school.

We need to participate in to feel accepted but holiday menorahs are "just for Jews". We need to start including all students and their heritage. We need to put an end to the blatant ignorance and bias that is hurting our children and contrary to the entire purpose of education. We need to stop telling students that Christmas trees are "multicultural" celebrations that all students can participate in to feel accepted but holiday menorahs are "just for Jews". Perfect example is myself! I am atheist and have absolutely no faith! And just as true as the fact that the Hanukkah menorah, dreidels, gelt, sufganiyot are "now widely accepted as secular symbols of a holiday that is celebrated even by people of no faith." Perfect example is myself! I am atheist and have absolutely no faith! And there is an entire movement now of people just like me who are racially, ethnically, ancestrally or otherwise Jewish but have absolutely no faith. I was a part of Secular Humanistic Judaism, which is growing. In 2013, almost a decade ago, 22% of Jews had no faith:

https://www.pewforum.org/2013/10/01/jewish-american-beliefs-attitudes-culture-survey/

And more and more non-Jews are celebrating Hanukkah. The annual menorah lighting in Carmel that happens this Friday is attended by more non-Jews than Jews (the same cannot be said about Christians attending the tree lighting) and many non-Jews put a menorah in their house as a stance against anti-Semitism. It was an entire movement in Pittsburgh after the shootings -- none of them are doing it for religious reasons. And all of these percentages is more than anything I could find about no-faith people who celebrate Christmas. The closest that I could find is 35% say Christmas is "not too religious" which isn't no faith: https://news.gallup.com/poll/272378/americans-celebrating-secular-christmas.aspx

In other words, even of the people who celebrate Christmas, they all think it has at least some religious component, even if they only decorate and light a tree. Not one person sees a tree and doesn't get reminded that it's a symbol of the birth of the Christian god. In fact, that is the entire reason that the tree lighting ceremony was started by Martin Luther -- the same religious tree lighting ceremony that Jay wants at our kids public school where all kids should feel welcome and safe:


So even under the one quote that Will uses to support River's celebration of every single Christmas secular symbol, he conveniently doesn't apply to Hanukkah secular symbols. A court, however, will apply both equally and will see that there is a bigger percentage of Jews of no faith that celebrate Hanukkah than of Christians of no faith that celebrate Christmas. It's just a fact. Besides the fact that Hanukkah is a historical holiday, not the birth of a savior -- the reason Jews celebrate Hanukkah is to celebrate the freedom of religion, and historians have taught us that it's celebrated for 8 days due to the week-long harvest festival being delayed as Jews, a people who had already existed for a millennia, fought for this right for the freedom of religion (all very American, very July 4th, and not very religious). The reason Christians celebrate Christmas is because they believe a superior being was born on that day (literally the creation of their entire religious foundation).

I think very highly of Will in terms of his kindness and I get why you may have a good relationship with him as he comes across as the sweetest guy ever. But he is really a horrific attorney so going to him when you know he's a sub-par lawyer, a quick check tells you that the law says the exact opposite and he's quoting cases that don't apply is truly doing CUSD a disservice. If you want to hide behind an attorney advice, use a halfway decent one but that one is going to come to the same conclusion that I am -- CUSD has continuously and illegally shown preference for Christianity. Will is great for telling you whatever you want to hear because he either doesn't actually read the case or he cannot understand basic court holdings, and relies on non-binding 2nd circuit cases over the binding Supreme Court ones. He's not able to handle nuanced areas of law, because he's truly not a great lawyer, to put it lightly. And the other board members could tell you the same thing -- CUSD only uses him because the named partner is supposedly really good. I've never interacted with him so I can't tell you, but that makes sense because he must be that good to make up for making you use Will most of the time. And I'm tired of doing all the decent legal analysis work for CUSD. If you want legal analysis from me, you should hire me. I do all the work and Will isn't able to comprehend it anyway.

And if all this wasted your time, please just deny my complaint. The sooner I get an answer from you, the sooner I can actually appeal it so our district stops discriminating against people on the basis of their race, ethnicity, and ancestral heritage. We need to put an end to the blatant ignorance and bias that is hurting our children and contrary to the entire purpose of education. We need to stop telling students that Christmas trees are "multicultural" celebrations that all students need to participate in to feel accepted but holiday menorahs are "just for Jews". We need to start including all students and ending this anti-Semitism. We actually need to stand up for what is right. And I don't think you are going to do it so it's falling on my shoulders. I need to appeal your obviously upcoming denial and make a positive difference in this children's lives. I should have known that if I stood by and did nothing, it would just get worse and worse and worse because the message you gave in August was that you wouldn't interfere no matter how many kids were hurt unless it violated law or board policy. Maybe the message should have been that you were going to the right and ethical thing for all kids instead. But it isn't what you care about. So that's going to be my message. Because I am not just worried about the racially Semitic or Ashkenazi kids, I am worried about kids of all races and ethnicity and they are being actively discriminated against and it is wrong. And I don't need to be a lawyer or consult one to know that -- it's common sense.
And the fact that Jay waited to make the announcement that there would be a Christmas tree until you’d be at a conference and it’d be "too late" for you to do anything is not coincidental. He knows exactly what he is doing by making it an issue where it’s just too late. That's his MO.

Thank you for your time and attention.

Warmest,

Shel
Jay,

One more thing -- please include in the flyer that it is a holiday tree and menorah lighting so everyone knows it is a diverse and multicultural event. And I think it's fine if kids want to bring drawings that we tape to the menorah, too, so that way people who feel uncomfortable decorating the holiday tree (which everyone knows is a Christmas tree but I love calling it the River Tree and River Menorah if you prefer) can still decorate something. I can bring painter's tape so it holds up the kids drawings but doesn't ruin the menorah. I cannot believe how much progress has been made overnight! YAY!

I am incredibly grateful to everyone who has been involved!!!

This is such great news!!!

Yay!!!

Shel

On Thu, Dec 2, 2021 at 4:08 PM [redacted] wrote:

Dear Jay,

Thank you. All we needed was your approval!! I think Majo and I both misunderstood and thought you wanted the District to get involved. I apologize to you!

Since everyone is finally in agreement, I will bring the secular holiday menorah! It is a fun blow-up one that lights up electrically (just like Christmas tree lighting). So there are no candles and it is safe! Not only can the school keep it for the entire time that the tree is going to be decorated so that there is a menorah right next to the tree), I have spoken to Majo and decided to donate it to the District so there is a holiday menorah every year without any cost at all to the District!!! A picture of it is attached, so you can see that there is no question of it being religious or unsafe. And, it comes with weights and ties so it stays to the ground. It's a lot of fun and indisputably not religious at all (it's not even a real menorah). This is WONDERFUL news and HUGE progress!!! I'm thrilled!

When will the tree lights be added to the Christmas tree on the lower playground? I just need to know so I know when to bring and donate the menorah. Thank you!!! Yay!!!

Also, I have no idea what you mean by telling people to bring religious objects to the tree & menorah lighting. I hope you don't mean that you are telling people to bring bibles and nativity scenes. I didn't think that this was going to be a religious event -- I thought it was a secular tree and secular menorah lighting, so I am now a bit wary. But, that being said, I do think that it is an issue that you can work out with the Superintendent and the Anti-Defamation League together, and I do not need to be a part of it. I'm just so happy that we are going to have an awesome fun wonderful menorah at River School next to the tree *finally*! It obviously will not be as big as the tree, which I heard is giant, but it will be at least comparable so kids know that it is a diverse event! YAY!!! This is truly the best news ever and HUGE progress for River School!

Warmest,

Shel

P.S. Ted, please call me because I think I can withdraw that complaint but I don't know the process. I'm thrilled!!!!

On Thu, Dec 2, 2021 at 3:43 PM Jay Marden <jmarden@carmelunified.org> wrote:

Ted,

I am responding to Shel's email to provide an accurate account of my involvement in this matter:
• Throughout the process, I have been fully supportive of including a Menorah or any other secular or religious symbol at the tree lighting
• The tree lighting has not been described as a Christmas Tree Lighting
• On the intercom, I never used language that referred to decorating, with ornaments, a Christmas Tree
• On the intercom, I communicated to the students and staff, after wishing them a "Happy Hanukkah," that the PTA was going to host a "Tree Lighting on December 10" and that their "families are invited to decorate the tree with an ornament or item that reflects their family, heritage, and/or faith."

The PTA flyer will be distributed tomorrow and will contain the above language in the invitation.

As Principal, I remain committed to ensuring that our students receive a diverse and culturally rich and appropriate education. This includes honoring the different customs and traditions that our families celebrate during the holiday season. This week, for example, our kindergarten classes are learning about the significance of Hanukkah and the Menorah as taught by one of our instructional assistants who is of Jewish faith. This is but one of many examples that I can provide to demonstrate our commitment to this ideal.

Sincerely,
Jay Marden
Principal

On Thu, Dec 2, 2021 at 9:53 AM [Email Address] wrote:

Ted,

I think there is some sort of confusion.

Jay told the PTA president, Majo Spencer, when she separately asked if the menorah could be included, that Jay just wants to be left out of it and doesn't want to make the decision. He told her that if you send an email that okays it, he is fine with it. Of course, you already told me since you started in July that you are 100% okay with it and sent multiple emails that said as such. And the CUSD lawyer gave Trisha Delli a length analysis back in June (that she gave you) that said that a menorah is allowed to be included.

Can you just quickly circulate an email that confirms that you are okay with it to everyone on this chain? It's just Jay, the PTA president, and the representative from the Anti-Defamation League who is working on this issue (and your secretary). I think that may just solve the problem that easily! If I don't hear from you, I will include it since we've been working on this issue since Monday and I know you are busy (and you already okayed it so I feel like it's a bit silly)!
Thanks!

Also, the district is paying for the Christmas lights and for the Christmas lights to be installed on the Christmas tree which is going to be kept on the lower playground on the school campus during school hours. While I understand that everything is so last minute that I will need to lend the District a holiday menorah this year to be displayed during that same period, it does seem like the District should be investing in its own diverse holiday decorations since it's doing it for Christmas and the District has plenty of funds to represent all other cultures and their different holidays too.

Either way, I'm so glad to hear from our PTA president that Jay is no longer against the menorah and will allow it if you allow it! That's the exact opposite from what I've experienced with him for years! Inclusion is exactly what we need!

Warmest,

Shel

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You are doing a great job!!!!

I think the transparency and communication at CHS is amazing and while I didn't read that email in that way -- I was at the PTA meeting so I was expecting the email -- I even love how quick you are to apologize in such a sincere and wonderful manner.

Anyway, I just wanted you to know that the parents at CHS are thrilled and think you are doing great. I personally have been incredibly impressed with the transparency and your openness at PTA meetings. The CHS meetings are my absolute favorite part of the month!

Thank you!

Shel

On Thu, Dec 2, 2021, 5:30 PM Jonathan Lyons via ParentSquare <donotreply@parentsquare.com> wrote:

Carmel High School

Jonathan Lyons posted in
Carmel High School, CUSD
Cabinet

Sincere Apology
Regarding My Prior Communication

Good Evening,

It is with sincere apology that I send this email to you all to acknowledge the stress and worry that my email sent earlier today may have caused. As a response to the shooting in Michigan at a high school this week, it was my intent to bring comfort and a reminder of emergency response protocols with my communication this morning. The email should have addressed this intent with a clear message that there was
no emergency in our school. In
the title of the communication, I
also used a very poor choice of
words that may have caused
recipients concern and anxiety
that there may be an issue on
site. I apologize, take full
responsibility for this and vow to
take more care in how I
communicate with all of you so
that I do not cause undue stress
or worry. This subject matter is
sensitive, emotional and any
future communications on this
matter will be more carefully
and collaboratively constructed.

The physical and psychological
safety of our students and staff
is paramount to our school and
our district and I will continue to
work to ensure all students and
staff are cared for and our
communication is clear.

Thank you,
--
Jonathan Lyons
Principal, Carmel High School

View or Reply

Please do not reply to this
e-mail.

Stay involved with your child’s
learning and activities at school.

Download on the App Store
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You received this email because you are
a ParentSquare user in Carmel High
School. If you received this email in error
or wish to disable your account, click
here to unsubscribe.

ParentSquare Inc · 3905 State St, Suite
7502 · Santa Barbara, CA 93105
Re: Apology

From: [Redacted] Fri, Dec 3, 2021 at 10:15 AM PST (GMT-08:00)
To: Jay Marden <jmarden@carmelunified.org>
Cc: Ted Knight <tknight@carmelunified.org>; Appel, Nancy <NApel@adl.org>; spencer [Redacted]

Jay,

Thank you for your email.

I am a bit confused -- I don't care if you are limiting faith artifacts (that is religious objects) or faith ornaments (that is, more religious objects) -- if Ted is allowing you to display all these religious objects, which my guess is that he will not -- to a "lunch paper bag" size at the River holiday tree and holiday menorah program. That has nothing to do with the size of the menorah.

If you are saying that a menorah has to be so tiny that it has to fit inside a lunch paper bag, I don't even own a menorah that tiny and it wouldn't even fit normal menorah size candles, and that is just absurd. The PTA president and I specifically discussed the inflatable menorah that I am bringing so she knows that it is not that small. I sent photos to both of you when you responded that you are allowing it in the last email.

In any case, as you clearly know, the menorah has equally been ruled to be a secular object, and even more so here where the menorah isn't even displayed during Hanukkah, isn't even a real menorah, and doesn't even have real candles so there cannot even be an argument that the holiday menorah is a religious symbol even one bit more than the tree. The PTA president has already approved both of the larger size. If you are allowing the even larger (30-foot???) Christmas tree and vetoing the large (6-foot?) holiday menorah, what is your non-discriminatory reason for doing so? Remember that it has to be viewpoint neutral so it cannot be because the tree is a secular symbol of Christmas and the menorah is a secular object of a non-Christian holiday. If you allow a secular object of a Christian holiday and veto a secular object of a non-Christian holiday, that sounds like discrimination which is illegal, unethical, immoral, and really bad educational practice for young impressionable schoolchildren.

Why don't we just agree that the menorah and the tree is not being vetoed by you and that you'll allow it? I really don't understand why you are insisting on being racist again when I just want us to get past this dispute and get along! Can't we be on the same side? If you agree, please make sure the flyer says that it will be a River Tree and River Menorah Program. I want to make sure that everyone knows! I am so excited!!!!

(I really hope you don't disagree but if you do, you need to pause the flyer business until you speak with Ted -- it sounds like there area lot of legal issues that you are causing because you keep insisting on only showing secular objects of Christmas and denying equal display of secular objects of minorities).

Thank you!

Shel

On Fri, Dec 3, 2021, 9:30 AM Jay Marden <jmarden@carmelunified.org> wrote:

Good Morning Shel,

In regard to the PTA hosted Tree Lighting, I am again supportive of families bringing any artifact they wish to the tree lighting that represents their values. This includes any item that represents their heritage or faith. I do know that the PTA will be communicating, however, that they wish for families to bring an item that can "fit in a lunch paper bag" because they want to ensure that items are equitably and equally represented to the greatest extent possible. This is also due to size/capacity issues. I understand your concern about the perception of the tree lighting, but as you know the tree has been ruled to be a secular symbol. I'm informing you of this because I don't want you to be surprised that the PTA's expectation does refer to the size of the objects.

I do think there is an opportunity here that we can seize and commit to for the future to better address your concern and the spirit and regulations embedded in our policy. In our school office, we annually exhibit secular symbols such as reindeer, a Christmas Tree, and a Menorah. It would be festive and community building to more publicly display larger symbols on the exterior of school. Whether they are in front of the office or elsewhere it would be a welcome addition to our school. It would also be the environment where the size of a larger object would be better suited and displayed
On Thu, Dec 2, 2021 at 4:32 PM [REDACTED] wrote:

Jay,

I just wanted to separately apologize to you in front of Ted. I wrongly assumed that you would not allow a menorah to have a similar place as the tree in this party. I made that assumption based upon the fact that it was called only a tree lighting, only advertised it with the kids as a tree lighting, and were telling the kids to all decorate it even kids who would feel uncomfortable since, while it is a secular object, it represents a very religious holiday. And, you hadn't asked me to bring a menorah, even though I had asked you to include one on a schoolwide basis in the same way that you include and promote secular Christmas symbols. I didn't want it to be a tiny one or one hidden in your office or one only in one classroom or only one grade, but just treated exactly the way you treat the secular symbols of Christmas (the Santa parade, the tree lighting, etc).

I wrongly didn't think you would ever agree that a secular symbol of Hanukkah should get the same treatment as a secular symbol of Christmas. I sincerely wish that you had come to me and told me that a menorah was going to be allowed and that you were willing to call it a menorah and tree lighting, and that it was finally going to be multicultural program at River and not just lip service where all the kids were going to gather around and decorate a “holiday” tree but a holiday menorah was going to be some tiny thing hidden on the side. I think coming to me would have been the right thing to do, knowing that there was no way for me to know that you were supportive of including a menorah. But, on the other hand, I equally should have gone to you before involving Ted or filed a complaint with the District. So, I am sincerely sorry and hope that we can work together from now on to make River more inclusive for everyone. I'd love to be on the same side as you for once! And, this event is going to be spectacular and really multicultural!

And, Ted, I apologize for involving you even though you are incredibly busy. I obviously made a very easy issue into a very dramatic one. Can you please call me so you can let me know how I withdraw the complaint and donate this blow-up menorah to the District so it's displayed at the River school lower playground next week (and the week after if the tree decorations are staying up)?

While I do hope you talk to Jay about what religious objects he is including in this school program, I feel like my own personal issue -- to have a holiday menorah (a secular symbol of Hanukkah) treated on par with the holiday tree (a secular symbol of Christmas) is resolved, so I think that these religious objects that Jay is including is a completely different issue.

Please both accept my apology. I am sincerely sorry for thinking that the tree lighting would be just like the Santa parade and that a menorah would not be welcomed and invited at that same level!

Thank you.

Warmest regards,

Shel

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Re: Resolution/Complaint Withdrawal

From: [redacted]  
To: Tricia Zarevich <tzarevich@carmelunified.org>  
Cc: Ted Knight <tknight@carmelunified.org>; Appel, Nancy <NAppel@adl.org>

Fri, Dec 3, 2021 at 10:16 AM PST (GMT-08:00)

It's fine. Jay just replied that he's not going to allow the menorah after all. I don't get it. I hope it's all a misunderstanding but obviously there is no resolution at all at this point.

On Fri, Dec 3, 2021, 9:49 AM Tricia Zarevich <tzarevich@carmelunified.org> wrote:

Good Morning Shel,

We are at a State Conference and I will read all emails in detail later, just wanted to share there may be a delay in a response.

Thank you so much,
Tricia

Sent from my iPhone

> On Dec 3, 2021, at 9:31 AM, [redacted] wrote:
> 
> Hi Tricia,
> 
> How are you? I hope you heard the good news!
> 
> Jay is allowing me to bring in a menorah that's comparable to the tree! It's a 6-foot tall (so much smaller than the tree), self-inflatable (so minimum installation cost) image of a menorah (not a real menorah) without any real candles (no fire hazard or potential religious use) to be displayed the entire time that the tree is displayed (not during Hanukkah) that I am donating to the District (so no physical cost to CUSD at all). It's such a great start to actual diversity at River!!! And it shows a viewpoint-neutral decision since Christmas and Hanukkah secular symbols are both being allowed to be major symbols at the River activity! I'm sending you a photo so you can see it and how cute and fun and festive (and absolutely not religious!) it is! I could not be happier.
> 
> With so much progress, I want to withdraw my complaint once I get a written email response from the District that shows this agreement -- basically that there will be this holiday menorah (or another holiday menorah of comparable size -- in other words, not smaller size) at the River holiday tree lighting to be displayed this year and every year whenever the River holiday tree is decorated with lights (in other words, not for a shorter period of time and not just this year). Ted seems super busy and unresponsive so can you just confirm with him that this is acceptable, and then confirm with me and withdraw the complaint, and update the board? I want the Board to know the good news too -- that there is inclusion and that the complaint is withdrawn -- but I wanted a confirmation from Ted or you (after confirming with Ted) first. I have been asking again and again for this issue to be resolved since it's so time sensitive. It's Friday and it's been since Monday, so maybe you can just quickly check with him. I don't want to have this weekend stressed that Ted or Jay is going to renege on the agreement. It is my last weekend of Hanukkah and I would like it to be stressfree and celebratory!
> 
> Can you also make sure that Ted knows that I want this decision to be completely separate from any refusal by Ted to allow actual religious objects? I only mention that because Jay said that he is going to allow any religious objects at the River program. I was told by a parent that those objects may be limited to a small size, tho, so they will not be comparable to the River School official holiday menorah or the River School official holiday tree, representing the secular symbols of Hanukkah and Christmas respectively. I am expecting that there will be possibly crosses, bibles, nativity scenes, and images of Jesus, as well as other very religious objects. Jay also said that he is inviting people to bring faith-based ornaments, which I expect will be more religious objects and since Christmas ornaments of a "faith" nature are mostly sold for Christians, I am guessing that these will be mostly Christian religious objects too -- creche, wisemen, jesus, crossed, etc. The secular holiday menorah (indisputable since it's not even a real menorah but just a picture of one and not even during Hanukkah and not even having real candles and no prayers) is being displayed at a much larger size (not the size Jay may be limiting the other objects), and its inclusion should not be changed even if the District forbids Jay from including the religious objects that Jay wants included.
On a side note, Jay also said he having a religious Jewish employee teach the religious significance of a holiday menorah to the kindergarten classes. I am concerned that Jay is teaching impressionable schoolchildren that there is a "miracle" where one day of oil lasted 8 days, without also teaching these kids that science tells us that there was 8-days of oil or that historians tell us that Hanukkah is not a religious holiday at all (since it occurred a millennia after the invention of the religion and racial group) but a historical holiday that was fought by a group of Judeans for the freedom of religion in Judea and that the holiday was observed for 8 days due to the postponement of the 8-day Judean harvest festivals (Sukkot & Shemini Atzeret) that couldn't be observed due to the battle. The story of "oil" was invented centuries after the holiday was observed so it’s clearly just a child story (like Santa Claus for Christian children). The only reason oil is a part of the holiday is because all candles were lit by oil back then (another historical fact). The way Jay is teaching these kids about the holiday menorah is like teaching kids that the holiday tree is because Jesus is a light for the whole world (which is the reason that Christians light up Christmas trees). In other words, he is giving a secular symbol of a religion's holiday a religious meaning, which is completely inappropriate for a kindergarten class (I can see how middle schoolers could understand an academic lesson on comparable religions). I declined to address this issue with Jay, though, because I know Jay is trying and just doesn't get that teaching religion in that non-academic way by a religious person isn't helpful in increasing diversity and inclusion. I think that Ted can carefully address that issue himself, with the help of the Anti-Defamation League. I obviously don't want Jay disciplined for finally trying to be inclusive but he's going at it the wrong way and creating more problems.

And if it's easier, please call!

Thank you!!

Warmest,

Shel

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*Link to CUSD Nondiscrimination Notice  
<https://www.carmelunified.org/Page/10>
Re: Formal Legal Complaint

Fri, Dec 3, 2021 at 12:33 PM PST (GMT-08:00)

From: [email protected]  
To: Ted Knight <tknight@carmelunified.org>  
Cc: Anna Medina <amedina@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Karl Pallastrini <kpallastrini@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Tricia Zarevich <tzarevich@carmelunified.org>; Appel, Nancy <NAppel@adl.org>

Ted,

I know you said that you were going to get back to me.

As a gentle reminder, Jay has said that the advertisement is going out today and that the event is in one week. He has also said that he is going to limit the menorah to the size of a paper lunch bag, which, as the attached photo shows means that I will be effectively banned from bringing any menorah. And not only is the Christmas tree not similarly limited, I was told it is 30 feet tall (possibly taller).

He’s trying to say that it’s just a PTA event but it’s a River school tree and River school is paying for all the lighting installation for the tree. And Jay is using the intercom during school hours to advertise it. Plus the PTA president has repeatedly okayed the inflatable 6-foot menorah so it’s obviously not a PTA event. If it was just up to the PTA, the menorah is included. It’s that Jay is controlling the entire event and that it’s really a River school hosted program.

Can you please try to get back to me sometime today? The delay is really impacting my legal rights if you decide to deny it.

Thanks!

Shel

On Wed, Dec 1, 2021, 9:11 PM Ted Knight <tknight@carmelunified.org> wrote:

Shel,

I am in receipt of your complaint. I believe that I have read through all of the emails on this topic and will be requesting a legal opinion on any board or legal violations. I can understand the timing of this request and will work to get an answer as soon as possible. With that being said, many of us, including most legal firms, are at a state level conference and I cannot guarantee that we will have an answer back from legal in the time period that you are requesting. As with past situations, I understand that you may want the board or me to make a decision, but we will be waiting for legal guidance on this issue as we have in the past.

Sincerely, Ted Knight

On Tue, Nov 30, 2021 at 10:26 AM [email protected] wrote:

I apologize. This attachment is right and completed and signed.

On Tue, Nov 30, 2021 at 10:29 AM [email protected] wrote:

Adding the right attachment.

On Tue, Nov 30, 2021 at 10:08 AM [email protected] wrote:

Dear Ms. Medina,

Attached please find a formal complaint against CUSD. It states that it should be filed with the CTO. Paul Behan, who is retired, so I have no idea who I am supposed to send it to. I would like it resolved as soon as possible.

Thank you.

Warmest regards,

Shel Lyons
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Link to CUSD Nondiscrimination Notice

Attachments

- PXL_20211203_190852697.jpg
Re: Tree Lighting

From: [Redacted]  Fri, Dec 3, 2021 at 1:41 PM PST (GMT-08:00)
To: Jay Marden <jmarden@carmelunified.org>
Cc: Ted Knight <tKnight@carmelunified.org>

Jay,

Please don't send emails from the PTA email address pretending like it was from the entire board. The entire board doesn't even have access to that email or even knew about your email.

Please stop. It is childish. And I was on the phone with the PTA president when I read it so it's physically impossible, too. I get that you want to pretend that I don't have support but I do.

Thanks,

Shel

On Fri, Dec 3, 2021, 12:59 PM River School PTA <riverschoolpta@gmail.com> wrote:

Shel,

We are very much looking forward to our first ever tree lighting that we are hosting next Friday, December 10th.

We have been informed of conversations that are occurring regarding you bringing a 6ft blow up menorah to the River School tree lighting event. You will see on the flier that will be going home today, we have asked all families to participate in decorating the tree with an item that reflects their families values, heritage and/or faith. This item must be within the size parameters that we are requesting, it must be able to fit inside a student lunch size paper bag.

Thank you for respecting our request and event!

Sincerely,
The PTA Board

Attachments

- Screenshot_20211203-133431.png
Shel,

We are very much looking forward to our first ever tree lighting that we are hosting next Friday, December 10th.

We have been informed of conversations that are occurring regarding you bringing a 6ft blow up menorah to the River School tree lighting event. You will see on the flier that will be going home today, we have asked all families to participate in decorating the tree with an item that reflects their families values, heritage and/or faith. This item must within the size parameters that we are requesting, it must able to fit inside a student lunch size paper bag.

Thank you for respecting our request and event!

Sincerely,
The PTA Board
Cease and Desist

From: [redacted]
To: Ted Knight <tknight@carmelunified.org>
Cc: Tricia Zarevich <tzarevich@carmelunified.org>

Fri, Dec 3, 2021 at 2:22 PM PST (GMT-08:00)

Dear Ted,

I am heartbroken to be writing this email. But now that Jay (or another River staff member at Jay’s direction) is using the PTA Board email account to bully me and pretend to come from the PTA Board even though non-employees do not have access to that account, I don't have a choice.

Please see below and accept service immediately (otherwise it needs to be sent to an attorney but you asked me to send it to you).

Thank you,

Shel

December 3, 2021

RE: Cease and desist from harassing/excluding

Dear Superintendent Knight:

This CEASE AND DESIST ORDER is to inform you that CUSD's and CUSD employees' persistent actions including but not limited to -- (1) excluding my children's equal participation in the River tree lighting ceremony by allowing them to bring a comparable size menorah to the Christmas tree lighting event; (2) excluding my Jewish children from displaying a secular symbol of their holiday except through a Christmas tree decoration that is contrary to their beliefs; and (3) sending harassing emails pretending to have support of the entire PTA board on these issues -- have become unbearable. You are ORDERED TO STOP such activities immediately as they are being done in violation of the law.

I have the right to remain free from these activities as they constitute harassment and violations of my rights and my children's rights, and I will pursue any legal remedies available to me against you if these activities continue. These remedies include but are not limited to: contacting law enforcement to obtain criminal sanctions against you, and suing you civilly for damages I have incurred as a result of your actions.

Again, you and/or your employees must IMMEDIATELY STOP sending emails pretending to be the PTA Board and STOP excluding my children from participating equally in the River programs and send me written confirmation that you will stop such activities. You risk incurring some very severe legal consequences if you fail to comply with this demand.

This letter acts as your final warning to discontinue this unwanted conduct before I pursue legal actions against you. At this time, I am not contacting the authorities or filing civil suit against you, as I hope we can resolve this matter without authoritative involvement. I am not under any circumstances, however, waiving any legal rights I have presently, or future legal remedies against you by sending you this letter. This order acts as ONE FINAL CHANCE for you to cease your illegal activities before I exercise my rights.
To ensure compliance with this letter, and to halt any legal action I may take against you, I require you to fill in and sign the attached form and mail it back to me within 5 days of your receipt of this letter. Failure to do so will act as evidence of your infringement upon my legal rights, and I will immediately seek legal avenues to remedy the situation.

Sincerely,

Shel Lyons

CEASE AND DESIST COMPLIANCE AGREEMENT

I, Jay Marden, do hereby agree to stop (1) excluding the 6-foot menorah, (2) limiting participation to Christmas tree decorating, and (3) sending emails from the PTA board email account that do not have the PTA board president's knowledge and approval, which are in violation of Michele Woodruff Lyons' [redacted] rights. I understand that this is my final chance to cease these activities. I understand that Michele Woodruff Lyons potentially has the right to pursue legal action against me relating to my engagement in these activities, but she will not pursue those rights in contemplation of my compliance with this written demand. I further understand that Michele Woodruff Lyons has not waived her rights and may pursue legal remedies against me if I fail to abide by this agreement. I understand that this agreement is not specifically limited to the activities named herein. I will not engage in any activity now or in the future done for the purpose of harassing Michele Woodruff Lyons or her children. I furthermore agree not to engage in any activity, regardless of its official title, that is done in violation of Michele Woodruff Lyons' or her children's legal rights. If I fail to cease performing these activities, Michele Woodruff Lyons may pursue legal action against me in accordance her and her children's legal rights. This agreement acts as a contract between Jay Marden and Michele Woodruff Lyons. Forbearing enforcement of legally enforceable remedies is sufficient consideration to support this agreement. This agreement represents the entire agreement between the parties. Any statements made orally, written, or otherwise which are not contained herein shall have no impact on either parties' rights or obligations elaborated in this agreement.

Date ___________________
_________________________ Jay Marden
_________________________ Jay Marden's signature

Attachments

- Screenshot_20211203-133431.png
Shel,

We are very much looking forward to our first ever tree lighting that we are hosting next Friday, December 10th.

We have been informed of conversations that are occurring regarding you bringing a 6ft blow up menorah to the River School tree lighting event. You will see on the flier that will be going home today, we have asked all families to participate in decorating the tree with an item that reflects their families values, heritage and/or faith. This item must be within the size parameters that we are requesting, it must be able to fit inside a student lunch size paper bag.

Thank you for respecting our request and event!

Sincerely,
The PTA Board
Re: Formal Legal Complaint

From: [redacted]  
To: Ted Knight <tknight@carmelunified.org>  
Cc: Anna Medina <amedina@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Karl Pallastrini <kpallastrini@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Tricia Zarevich <tzarevich@carmelunified.org>; Appel, Nancy <NAppel@adl.org>

Sat, Dec 4, 2021 at 4:46 PM PST (GMT-08:00)

Ted,

I got both a text from you and a voicemail from you yesterday that said that you got the legal opinion yesterday afternoon and were sending an email with your decision last night.

I didn't get that email. My guess is that you accidentally sent it to the wrong email address. Will you please resend it? It's causing a lot of anxiety as I wait for your decision.

Thanks,

Shel

On Fri, Dec 3, 2021, 12:33 PM [redacted] wrote:

Ted,

I know you said that you were going to get back to me.

As a gentle reminder, Jay has said that the advertisement is going out today and that the event is in one week. He has also said that he is going to limit the menorah to the size of a paper lunch bag, which, as the attached photo shows means that I will be effectively banned from bringing any menorah. And not only is the Christmas tree not similarly limited, I was told it is 30 feet tall (possibly taller).

He's trying to say that it's just a PTA event but it's a River school tree and River school is paying for all the lighting installation for the tree. And Jay is using the intercom during school hours to advertise it. Plus the PTA president has repeatedly okayed the inflatable 6-foot menorah so it's obviously not a PTA event. If it was just up to the PTA, the menorah is included. It's that Jay is controlling the entire event and that it's really a River school hosted program.

Can you please try to get back to me sometime today? The delay is really impacting my legal rights if you decide to deny it.

Thanks!

Shel

On Wed, Dec 1, 2021, 9:11 PM Ted Knight <tknight@carmelunified.org> wrote:

Shel,

I am in receipt of your complaint. I believe that I have read through all of the emails on this topic and will be requesting a legal opinion on any board or legal violations. I can understand the timing of this request and will work to get an answer as soon as possible. With that being said, many of us, including most legal firms, are at a state level conference and I cannot guarantee that we will have an answer back from legal in the time period that you are requesting. As with past situations, I understand that you may want the board or me to make a decision, but we will be waiting for legal guidance on this issue as we have in the past.

Sincerely,

Ted Knight

On Tue, Nov 30, 2021 at 10:26 AM [redacted] wrote:

I apologize. This attachment is right and completed and signed.

On Tue, Nov 30, 2021 at 10:29 AM [redacted] wrote:

Adding the right attachment.
On Tue, Nov 30, 2021 at 10:08 AM [REDACTED] wrote:

Dear Ms. Medina,

Attached please find a formal complaint against CUSD. It states that it should be filed with the CTO, Paul Behan, who is retired, so I have no idea who I am supposed to send it to.

I would like it resolved as soon as possible.

Thank you.

Warmest regards,

Shel Lyons

E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

The information contained in this email may be personal and confidential and is intended only for the recipients named above (and any of the recipient’s authorized designees). If the reader of this message is not the intended recipient of this message or of any attachments to the message, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message, including any attachments, is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Link to CUSD Nondiscrimination Notice
Monday Announcements/Intercom

From: [Redacted] <jmar@redacted>
To: Jay Marden <jmarden@carmelunified.org>
Cc: Ted Knight <tknight@carmelunified.org>

Sun, Dec 5, 2021 at 12:50 PM PST (GMT-08:00)

Jay,

You stated, "Throughout the process, I have been fully supportive of including a Menorah . . . at the tree lighting." Thank you! I took your words are their face value and decided to include a Menorah at the PTA lighting! You used the intercom to tell students about the tree lighting and to invite them to decorate the tree. Please use it to announce the following to show your full support:

1) There will be a Menorah Lighting on December 10 at the PTA lighting.
2) Families are invited to bring a menorah or a drawing of a menorah that reflects their family, heritage, and/or faith.

Yay! We are actually including any multi-pronged candelabra so both a Hanukkah (the correct term for a Hanukkah candelabra) Kinara (the correct term for a Kwanzaa candelabra), or any other multi-pronged candelabra are included.

While I wish you (or your employees) did not send threatening emails from the PTA board pretending to have full PTA Board support to try to scare and bully me illegally, I decided to focus on your exact words which is that a menorah was allowed (and a menorah is *not* a Christmas tree ornament and does not fit in a lunch paper bag so I know you were not limiting it to a Christmas tree ornament of a lunch paper bag size).

Thank you! I really do hope we can move past this issue and work together and that you will promise not to send or allow River employees to send emails from the PTA board email address again without PTA president's knowledge and approval.

Shel
Bullying by Jay

From: [redacted] 
To: Ted Knight <tknight@carmelunified.org>

Sun, Dec 5, 2021 at 1:23 PM PST (GMT-8:00)

Ted,

I spoke to another parent this weekend who also mentioned that Jay is bullying her. I just wanted to show you the proof that this is Jay’s event. He (or his employees) created the Christmas tree lighting advertisement on October 1st and he edited the advertisement on December 3rd and then he circulates the advertisement on December 3rd. He (or his employees) then sends out anonymous emails using the PTA board email address to write threatening emails to tell me a menorah is not wanted and that it won’t be included because it “must” fit in a paper lunch bag and only be used for a Christmas tree decorating. He is hiding behind the PTA but the PTA president okayed the menorah and then asked him to include the menorah (he told her that he wanted to but the district wasn’t allowing it) and is telling me to bring it and ignore the PTA email since he wrote that he is “fully supportive” of it. Separate from the aggressive manner is which Jay (and his employees) treat me as discrimination because I am racially Jewish, he (and his employees) bully me on top of it and then try to send you emails to act as if I was disruptive (I wasn’t) to try to scare me away from even being on campus. The idea that Jewish (or other non-Christian) holidays are limited to being taught in a classroom setting restricted to only one grade (kindergarten) but Christian holidays are observed as schoolwide celebrations for all grades in a full event with hot cocoa is offensive and illegal. And to try to bully me against bringing a menorah [redacted] can also participate is also offensive and illegal. And the now entire week delay (possibly longer) as you wait for a legal opinion and watch the way Jay treats minorities is just depressing. He created the Google slide on October 1st. He knew you were busy this week so he waited to let anyone know so that he could advertise it as a tree-only event.

Anyway, I just wanted to send an email to let you know that the other parent is telling the truth. He is a bully and tends to discredit anyone who raises legitimate issues with name-calling. He’s called me so many names -- unhinged, crazy, difficult. It’s just his MO.

Thanks,

Shel

Attachments

- Screenshot_20211204-055211.png
- Screenshot_20211203-133431.png
Shel,

We are very much looking forward to our first ever tree lighting that we are hosting next Friday, December 10th.

We have been informed of conversations that are occurring regarding you bringing a 6ft blow up menorah to the River School tree lighting event. You will see on the flier that will be going home today, we have asked all families to participate in decorating the tree with an item that reflects their families values, heritage and/or faith. This item must be within the size parameters that we are requesting, it must be able to fit inside a student lunch size paper bag.

Thank you for respecting our request and event!

Sincerely,
The PTA Board
Hi fellow Gillooly alum families,

I'm sorry if we lost touch in the past two years with Covid, especially because that was the best class ever!

Anyway, I'm putting on a little menorah lighting this Friday at 4:30 PM at the already existing Carmel River PTA lighting. Please bring a menorah that represents your family's culture, values, and/or faith. If you don't have a menorah and want to participate, please just have your family make a menorah (or Kinara or Hanukkiah) drawing for the menorah table and we will tape it to the edges of the table. It can be a multi-pronged candelabra with any number of candles (e.g., Kwanzaa Kinara has 7, Hanukkiah has 9).

https://docs.google.com/presentation/d/1-yLOML2adjyrZsHBO1N4kYqNixygjJbfTLhUmtxVMNl/edit?usp=drivesdk

I made the menorah lighting for 4:45 so it doesn't conflict with the tree still at 5:15. We hope families go to the entire event starting at 4:30 and get to see all lightings to support River students. Also, I do know there are a lot of other families that don't celebrate Christmas, Hanukkah, or Kwanzaa, and I hope they also do a separate celebration or lighting at the PTA event so it's even more inclusive.

Please feel free to forward to more River families and staff!

Thank you!

Shel Lyons
I'm so glad the PTA listened! Great way to have a positive impact!

Melissa

On Sun, Dec 5, 2021 at 12:19 PM [REDACTED] wrote:

Dear River families,

Please see the attached flyer for more information about the River School Menorah Lighting this Friday at 4:30 PM on the lower playground (at the PTA lighting). Please come to the already existing PTA lighting and bring a menorah (or two!) of any size that represents your family's culture, values, and/or faith. If you don't have a menorah and want to participate, please just have your family make a menorah (or Kinara or Hanukkiah) drawing for the menorah table and we will tape it to the edges of the table. It can be a multi-pronged candelabra with any number of candles (e.g., Kwanzaa Kinara has 7, Hanukkiah has 9).

https://docs.google.com/presentation/d/1-ylOML2adjyrZsHBO1N4kYqNixygjBfTLhUmtxVMMI/edit?usp=drivesdk

Please forward this invitation to all other River families and staff who may not have access to this Google group so they know there will be a menorah lighting at the PTA lighting. If you received this invite as a forward from someone else and want to join the River Families Google Group, please go to:

[REDACTED]

Our family does not own Xmas ornaments, felt extremely uncomfortable with sacrilegiously changing a Hanukkah object into a Xmas ornament, and was offended that the only way to share a culture or heritage was Xmas tree decorating. So I decided to make a positive difference and make the PTA lighting also a Menorah Lighting so it's more inclusive. If your child still feels excluded, please circulate another flyer (Diwali, Eid, etc) to add to the PTA lighting. It doesn't need to be a December holiday. In fact, Hanukkah which is our family's holiday, will be completely over by Friday. With both Kwanzaa and Hanukkah using multi-pronged candelabrum, though, I felt like it was the best one for our family to be inclusive. For families who don't celebrate holidays, Human Rights Day is on the 10th so one family could do a Human Rights Day celebration. We can make a difference at River! There's more than enough room at River lower playground for everyone to be included! Let's make it beautiful for our kids!

Please come and support this menorah lighting at the Carmel River PTA event. If you want to do more, please email Nancy Appel, copied here, of the Anti-Defamation League and let her know that you want all kids to be and feel included at all River School events! Her email is NAppel@adl.org.

Thank you!

Warmest,

Shel Lyons
(River Parent and PTA member)

P.S. I 100% support our hard-working PTA! I just think they accidentally left out a bunch of other holidays except for Xmas so I'm just adding to it. I made the menorah lighting for 4:45 so it doesn't conflict with the tree still at 5:15. We hope families go to the ENTIRE event starting at 4:30 and get to see both lightings! Let's support River School!

---

RiverParents is an internal email group for sharing resources and information inside the River School community. Neither CUSD nor the River School PTA endorses or sponsors any activity or information presented in this email.

---

You received this message because you are subscribed to the Google Groups "RiverParents" group.
Re: River PTA Tree Lighting

From: [Redacted] Mon, Dec 6, 2021 at 7:50 AM PST (GMT-08:00)
To: Ted Knight <tknight@carmelunified.org>; Appel, Nancy <NAppel@adl.org>
Cc: Bill Schrier <bschrier@carmelunified.org>; Karl Pallastrini <kpallastrini@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>

Ted,

You know what -- the principal said in writing that he is "fully supportive" of me bringing a menorah. The PTA president okayed it multiple times in writing over text message. So I'm not even violating a directive from the principal or the PTA president. Thank goodness! Because I already sent everyone I know at that school an invitation and dozens of people are bringing their own menorahs and Kinaras, and drawings of them for the table. It's going to be awesome!

https://docs.google.com/presentation/d/1-yLOML2adjyrZsHBO1N4kYqNixyjJbfTLhUmtxVMML/edit?usp=drivesdk

I hope you make it! It's going to be a wonderful and multicultural event!

I was scared for a minute that I had done something wrong and was going to get in trouble! I'm so glad that the menorah is being included and you are supportive! And that I'm not violating any law or policy so I don't need to be worried about whatever vague discipline you were threatening me! Thank goodness! I almost had a panic attack!

Please call! I want us to be working together!

Warmest,

Shel

On Mon, Dec 6, 2021, 7:14 AM [Redacted] wrote:

Hi Ted,

I'm so confused. Can you call me?

Are you saying that even though both the school principal and the PTA president said that I can bring a menorah, you are deciding unilaterally that I cannot bring a menorah? Or are you just saying not a blow-up menorah? (No menorah fits in a paper lunch bag. A menorah is not the same thing as a Christmas ornament. It's offensive to make a menorah into a Christmas ornament anyway. The flyer limits it to items that will be used as Christmas ornaments only so in any case, then no menorah would be allowed if that's the rule.)

Also, what do you mean that I have to follow the PTA parameters because it's against district policy and the law to violate the school/principal's direction? Is the PTA and the school/principal now the same thing? What law are you citing to get to that conclusion? I think you are trying to bully me not to bring a menorah to an after school PTA event when the campus is open and I can legally bring a menorah. I think I'm exercising my 1st amendment rights and you are trying to quash them illegally and against the clear district policy to be objective and inclusive. You are not being objective or inclusive, and I am allowed to exercise my 1st amendment rights on an after school campus event. It's not during school, campus is open, the PTA is not the school nor the principal, and a menorah is not religious. If you really don't want me to bring the menorah (which is sounds is your issues), you need to tell me what law or policy I'm breaking and the actual consequences. If you'll have me arrested, obviously I don't want that, but if you are just going to write me an email after that says that I violated some imaginary policy in your head that every parent has to follow PTA directives even though that policy doesn't actually exist, that's okay with me.

Just as a heads up, I'm sure many people will be bringing purses and backpacks and other items that won't fit inside a paper bag, and it's after school when campus is open to the public. No one else knows your draconian decision so you'd need to make it known to the public and also make it viewpoint neutral to make sure no one brings anything larger than a lunch size paper bag and only brings things that they will use to decorate the tree (there's going to be a lot of car keys and wallets hanging from that tree!). Obviously that's not your decision so obviously I can bring a menorah.
Sadly, your email came after I already told everyone I know on campus that I am bringing a menorah to the PTA event. At that time, it had already been okayed by the principal and the PTA, I told you that I would be bringing one and telling others if you didn't reply by Friday like you said all last week that you would, and I waited until Sunday afternoon. Since telling others, I got dozens of emails, phones calls, and text messages that applaud it and are so incredibly grateful for inclusion! My son knows and is finally happy that he's being included! He's jumping for joy after being heartbroken that he wasn't going to be included with any chance to share his culture, values, or faith (we would not let him decorate a Christmas tree). I already spent last week crying for him. I'm not going to renege on this -- it would kill him. So I guess I'm going to have to disappoint you and bring the menorah. I don't have a choice.

What discipline are you planning? How about if others bring one too? Are you going to discipline anyone who brings a menorah to the PTA event? Are you going to discipline anyone who brings anything larger than a paper bag size to the event? Will staff be disciplined if they bring a menorah? Does Bill Schrier know this decision of yours to discipline staff (some parents are also staff and some staff are separately coming) for bringing a menorah to campus? Bill is a lawyer and the union representative -- shouldn't you have at least have included him in your decision that changes the reasons for discipline in the union contract to include randomly violations of any PTA directives without negotiation? I think the union does have a right for additional compensation if CUSD is now having additional requirements for teachers, even though I don't think those requirements are legal since they violate the First Amendment rights of those teachers.

I guess the bottom line is that I'd appreciate a phone call. You kept saying that you would call but you never did. I think it could have been resolved a lot quicker if you have called.

Thanks!

Shel

On Sun, Dec 5, 2021, 10:58 PM Ted Knight <tknight@carmelunified.org> wrote:

Ms. Lyons,

I am writing to you this evening to share with you the legal advice that I have received in reference to your complaint about the River PTA tree lighting. I have been informed that the River tree lighting, and the decision to include items that reflect family values, heritage, and/or faith, does not violate district policy or law. Additionally, the PTA's decision to limit the size of the item to something that fits into a paper bag does not violate district policy or law, this includes not allowing the large blowup menorah that you are requesting to be included. Therefore, as we have discussed before, I will not intervene on this issue as it does not violate district policy or the law. It is, however, my expectation that you follow the parameters that the River PTA has set forth as not following a school/principals direction could be a violation of district policy and law. Additionally, I have spoken with school board leadership and we will not be granting your requested board agenda item as your request does not fall within the purview of the school board. I will be following up on your formal complaint but please consider this email as my final decision on this matter and a formal directive to follow all applicable requests from the principal at River Elementary.

Sincerely, Ted Knight

--

E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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Link to CUSD Nondiscrimination Notice
Re: River PTA Tree Lighting

From: <blank>
To: Ted Knight <tknight@carmelunified.org>

Mon, Dec 6, 2021 at 8:48 AM PST (GMT-08:00)

Ted,

You just did a 180. You now sound like you are fine with me bringing a menorah and that you don't think bringing a menorah violates law or policy. Which one is it?

Jay says that I can bring a menorah. His words were:

"Throughout the process, I have been fully supportive of including a Menorah or any other secular or religious symbol at the tree lighting."

You were on that email so I don't know why you claim you didn't get it. We all know that a menorah and a Christmas tree ornament are two totally different things. The attached flyer says only tree decorations are allowed. So obviously Jay was not talking about the tree ornament when he said he was supportive of a menorah. And I'm attaching the text where the PTA president says it's okay, separately.

In any case, it's after school when the campus is open to the public and the campus is open to a bunch of non-River students and non-River parents coming at that time and bringing whatever they want -- I know that tons of other non-River families told me that they were invited by the PTA -- no one else is going to be subject to a random rule. It's an open forum. I'm not even sure what the rule is except that I'd you want to bring a Christmas ornament (which we do not!), it has to be smaller than a lunch bag. We won't bring a Christmas ornament at all so we won't break the PTA rule that a Christmas ornament has to be smaller than a paper lunch bag! Like I said, everyone else is bringing tons of things bigger than a paper bag anyway including purses, bags, cameras, jackets, blankets.

If you are saying that I'm not allowed to bring a menorah, you need to make it a lot clearer, as well as say what the policy or law you claim I'm breaking.

Thanks!!

Shel

On Mon, Dec 6, 2021, 8:26 AM Ted Knight <tknight@carmelunified.org> wrote:

Ms. Lyons,

I want to attempt to be as clear as possible in this email. I am not making or advocating for any decision in relation to this event. I am simply saying, as I have during my tenure in this district, that I will not overrule a school principal or their PTA unless they are violating district policy or law. In addition, I am not threatening you, I am simply saying that it is my expectation that as a parent and community member that you would follow the rules imposed by the principal, as they are lawful. I received legal advice that the plan that was communicated by the principal was legal and did not violate policy. If you and the PTA, or principal, have a different arrangement that I am not aware of, then similarly I will not be involved unless it violates district policy or law. I have not been told, by anyone other than you, that the Principal and PTA have agreed to your proposal, in fact I have heard the opposite. In that spirit, I believe that this situation is best handled by you, the principal, and the PTA. I would suggest, as I often do when conflict arises, that all of you get in a room together and have this conversation so there is no confusion.

Sincerely, Ted Knight

On Mon, Dec 6, 2021 at 8:14 AM [blank] wrote:

Hi Ted,

I'm so confused. Can you call me?

Are you saying that even though both the school principal and the PTA president said that I can bring a menorah, you are deciding unilaterally that I cannot being a menorah? Or are you just saying not a blow-up menorah? (No menorah fits in a paper lunch bag. A menorah is not the same thing as a Christmas ornament. It's offensive to make a menorah
into a Christmas ornament anyway. The flyer limits it to items that will be used as Christmas ornaments only so in any case, then no menorah would be allowed if that's the rule.)

Also, what do you mean that I have to follow the PTA parameters because it's against district policy and the law to violate the school/principal's direction? Is the PTA and the school/principal now the same thing? What law are you citing to get to that conclusion? I think you are trying to bully me not to bring a menorah to an after school PTA event when the campus is open and I can legally bring a menorah. I think I'm exercising my first amendment rights and you are trying to quash them illegally and against the clear district policy to be objective and inclusive. You are not being objective or inclusive, and I am allowed to exercise my 1st amendment rights on an after school campus event. It's not during school, campus is open, the PTA is not the school nor the principal, and a menorah is not religious. If you really don't want me to bring the menorah (which is sounds is your issues), you need to tell me what law or policy I'm breaking and the actual consequences. If you'll have me arrested, obviously I don't want that, but if you are just going to write me an email after that says that I violated some imaginary policy in your head that every parent has to follow PTA directives even though that policy doesn't actually exist, that's okay with me.

Just as a heads up, I'm sure many people will be bringing purses and backpacks and other items that won't fit inside a paper bag, and it's after school when campus is open to the public. No one else knows your draconian decision so you'd need to make it known to the public and also make it viewpoint neutral to make sure no one brings anything larger than a lunch size paper bag and only brings things that they will use to decorate the tree (there's going to be a lot of car keys and wallets hanging from that tree!). Obviously that's not your decision so obviously I can bring a menorah.

Sadly, your email came after I already told everyone I know on campus that I am bringing a menorah to the PTA event. At that time, it had already been okayed by the principal and the PTA, I told you that I would be bringing one and telling others if you didn't reply by Friday like you said all last week that you would, and I waited until Sunday afternoon. Since telling others, I got dozens of emails, phones calls, and text messages that applaud it and are so incredibly grateful for inclusion! My son knows and is finally happy that he's being included! He's jumping for joy after being heartbroken that he wasn't going to be included with any chance to share his culture, values, or faith (we would not let him decorate a Christmas tree). I already spent last week crying for him. I'm not going to renege on this -- it would kill him. So I guess I'm going to have to disappoint you and bring the menorah. I don't have a choice.

What discipline are you planning? How about if others bring one too? Are you going to discipline anyone who brings a menorah to the PTA event? Are you going to discipline anyone who brings anything larger than a paper bag size to the event? Will staff be disciplined if they bring a menorah? Does Bill Schrier know this decision of yours to discipline staff (some parents are also staff and some staff are separately coming) for bringing a menorah to campus? Bill is a lawyer and the union representative -- shouldn't you have at least have included him in your decision that changes the reasons for discipline in the union contract to include randomly violating any PTA directives without negotiation? I think the union does have a right for additional compensation if CUSD is now having additional requirements for teachers, even though I don't think those requirements are legal since they violate the First Amendment rights of those teachers.

I guess the bottom line is that I'd appreciate a phone call. You kept saying that you would call but you never did. I think it could have been resolved a lot quicker if you have called.

Thanks!

Shel

On Sun, Dec 5, 2021, 10:58 PM Ted Knight <tknight@carmelunified.org> wrote:

Ms. Lyons,

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Sincerely, Ted Knight
The information contained in this email may be personal and confidential and is intended only for the recipients named above (and any of the recipient’s authorized designees). If the reader of this message is not the intended recipient of this message or of any attachments to the message, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message, including any attachments, is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Link to CUSD Nondiscrimination Notice

Attachments

- Screenshot_20211206-083419.png
Re: River PTA Tree Lighting

From: [Name] <tknight@carmelunified.org>  
To: Ted Knight <tknight@carmelunified.org>  
Cc: Appel, Nancy <NAppel@adl.org>; Bill Schrier <bschrier@carmelunified.org>; Karl Pallastrini <kpallastrini@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>

Mon, Dec 6, 2021 at 9:38 AM PST (GMT-08:00)

Dear Ted,

Thank you for clarifying! Yay!

It sounds like it's a go! I am thrilled to have your support, too! I hope you, the Board, and all the CUSD teachers and staff make the Menorah (Hanukkah and Kinara and any other multi-pronged candelabra) and Tree Lighting on the 10th! It's going to be fantastic, inclusive, and multicultural! The principal and the PTA president have said that they support it and I sent you those communications in a separate email so we can all be on the same page since you said that you didn't get them even though you were copied on them.

Yay! I am just so happy and want to thank everyone for being fully supportive! It means the world to me! I've received so many emails and phone calls and text messages of support from parents, grandparents, community members, staff, and students, too, so I think we have a consensus here that we are doing the right thing!

Thank you! Your clarification and support are incredibly appreciated!

Warmest,

Shel

On Mon, Dec 6, 2021, 8:26 AM Ted Knight <tknight@carmelunified.org> wrote:

Ms. Lyons,

I want to attempt to be as clear as possible in this email. I am not making or advocating for any decision in relation to this event. I am simply saying, as I have during my tenure in this district, that I will not overrule a school principal or their PTA unless they are violating district policy or law. In addition, I am not threatening you, I am simply saying that it is my expectation that as a parent and community member that you would follow the rules imposed by the principal, as they are lawful. I received legal advice that the plan that was communicated by the principal was legal and did not violate policy. If you and the PTA, or principal, have a different arrangement that I am not aware of, then similarly I will not be involved unless it violates district policy or law. I have not been told, by anyone other than you, that the Principal and PTA have agreed to your proposal, in fact I have heard the opposite. In that spirit, I believe that this situation is best handled by you, the principal, and the PTA. I would suggest, as I often do when conflict arises, that all of you get in a room together and have this conversation so there is no confusion.

Sincerely, Ted Knight

On Mon, Dec 6, 2021 at 8:14 AM [Name] wrote:

Hi Ted,

I'm so confused. Can you call me?

Are you saying that even though both the school principal and the PTA president said that I can bring a menorah, you are deciding unilaterally that I cannot bring a menorah? Or are you just saying not a blow-up menorah? (No menorah fits in a paper lunch bag. A menorah is not the same thing as a Christmas ornament. It's offensive to make a menorah into a Christmas ornament anyway. The flyer limits it to items that will be used as Christmas ornaments only so in any case, then no menorah would be allowed if that's the rule.)

Also, what do you mean that I have to follow the PTA parameters because it's against district policy and the law to violate the school/principal's direction? Is the PTA and the school/principal now the same thing? What law are you citing to get to that conclusion? I think you are trying to bully me not to bring a menorah to an after school PTA event when the campus is open and I can legally bring a menorah. I think I'm exercising my first amendment rights and you are trying to quash them illegally and against the clear district policy to be objective and inclusive. You are not being objective or inclusive, and I am allowed to exercise my 1st amendment rights on an after school campus event. It's not during school, campus is open, the PTA is not the school nor the principal, and a menorah is not religious. If you really
don't want me to bring the menorah (which is sounds is your issues), you need to tell me what law or policy I'm breaking and the actual consequences. If you'll have me arrested, obviously I don't want that, but if you are just going to write me an email after that says that I violated some imaginary policy in your head that every parent has to follow PTA directives even though that policy doesn't actually exist, that's okay with me.

Just as a heads up, I'm sure many people will be bringing purses and backpacks and other items that won't fit inside a paper bag, and it's after school when campus is open to the public. No one else knows your draconian decision so you'd need to make it known to the public and also make it viewpoint neutral to make sure no one brings anything larger than a lunch size paper bag and only brings things that they will use to decorate the tree (there's going to be a lot of car keys and wallets hanging from that tree!). Obviously that's not your decision so obviously I can bring a menorah.

Sadly, your email came after I already told everyone I know on campus that I am bringing a menorah to the PTA event. At that time, it had already been okayed by the principal and the PTA, I told you that I would be bringing one and telling others if you didn't reply by Friday like you said all last week that you would, and I waited until Sunday afternoon. Since telling others, I got dozens of emails, phones calls, and text messages that applaud it and are so incredibly grateful for inclusion! My son knows and is finally happy that he's being included! He's jumping for joy after being heartbroken that he wasn't going to be included with any chance to share his culture, values, or faith (we would not let him decorate a Christmas tree). I already spent last week crying for him. I'm not going to renege on this -- it would kill him. So I guess I'm going to have to disappoint you and bring the menorah. I don't have a choice.

What discipline are you planning? How about if others bring one too? Are you going to discipline anyone who brings a menorah to the PTA event? Are you going to discipline anyone who brings anything larger than a paper bag size to the event? Will staff be disciplined if they bring a menorah? Does Bill Schrier know this decision of yours to discipline staff (some parents are also staff and some staff are separately coming) for bringing a menorah to campus? Bill is a lawyer and the union representative -- shouldn't you have at least have included him in your decision that changes the reasons for discipline in the union contract to include randomly violating any PTA directives without negotiation? I think the union does have a right for additional compensation if CUSD is now having additional requirements for teachers, even though I don't think those requirements are legal since they violate the First Amendment rights of those teachers.

I guess the bottom line is that I'd appreciate a phone call. You kept saying that you would call but you never did. I think it could have been resolved a lot quicker if you have called.

Thanks!

Shel

On Sun, Dec 5, 2021, 10:58 PM Ted Knight <tknight@carmelunified.org> wrote:

Ms. Lyons,

I am writing to you this evening to share with you the legal advice that I have received in reference to your complaint about the River PTA tree lighting. I have been informed that the River tree lighting, and the decision to include items that reflect family values, heritage, and/or faith, does not violate district policy or law. Additionally, the PTA’s decision to limit the size of the item to something that fits into a paper bag does not violate district policy or law, this includes not allowing the large blowup menorah that you are requesting to be included. Therefore, as we have discussed before, I will not intervene on this issue as it does not violate district policy or the law. It is, however, my expectation that you follow the parameters that the River PTA has set forth as not following a school/principals direction could be a violation of district policy and law. Additionally, I have spoken with school board leadership and we will not be granting your requested board agenda item as your request does not fall within the purview of the school board. I will be following up on your formal complaint but please consider this email as my final decision on this matter and a formal directive to follow all applicable requests from the principal at River Elementary.

Sincerely, Ted Knight

--
E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020
of any attachments to the message, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message, including any attachments, is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Link to CUSD Nondiscrimination Notice

--
E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

The information contained in this email may be personal and confidential and is intended only for the recipients named above (and any of the recipient’s authorized designees). If the reader of this message is not the intended recipient of this message or of any attachments to the message, you are hereby notified that you have received this document in error and that any review, dissemination, distribution, or copying of this message, including any attachments, is strictly prohibited. If you have received this message in error, please notify the sender immediately and delete the original message. Thank you.

Link to CUSD Nondiscrimination Notice
River menorah Lighting

From: [Redacted]  
To: Ted Knight <tknight@carmelunified.org>; Bill Schrier <bschrier@carmelunified.org>; Appel, Nancy <NAppel@adl.org>

Mon, Dec 6, 2021 at 2:16 PM PST (GMT-08:00)

Ted,

I spoke to Tricia and she said that you are not going to stop me from bringing a menorah, so thank you! I will be bringing one.

If that was inaccurate and you are going to ban me (or other River families, or non-River families, or River staff or teachers, or anyone else) from bringing a menorah (a Hanukkah, Kinara, or any other multi-pronged candelabra) to the lower playground after school hours when the campus is open to the public and the public are bringing all sorts of other objects, please put your ban in writing and state the discipline that you will administer if I (or any other CUSD families or non-CUSD persons) disobey your ban and choose to exercise my (or their) First Amendment rights as protected under the Constitution of the United States of America.

If you chose to have a ban, let's meet today at 4 PM when the campus is open to the public, and I will bring a menorah (Hanukkah, Kinara, or other multi-pronged candelabra) so you can discipline me in your chosen way. Let's not wait to make a scene in front of [Redacted] on Friday and try to embarrass him (or the River children of other parents who are bringing a menorah having relied on the information that I had received from Jay that bringing a menorah was fully supported -- or the only other option was an ornament). Please call me and I can show up there to receive whatever discipline you decide. If you decline to enforce any ban on me today, then I will take it as your agreement that you will not enforce any ban on me on Friday [Redacted]

Please don't put this on Jay, the PTA president, or Nurse Melissa. None of them have the authority to ban me (or anyone else) from bringing a menorah (Hanukkah or Kinara or other multi-pronged candelabra) to River after school hours when the school has posted signs that it's open to the public. Plus, it's totally unfair to Jay when he has made it clear to both you and me in a written email that he has been "fully supportive" (his exact words) with me (or whoever else) bringing a menorah the entire time. You saw that the PTA president said that she's okay with it too. (Nurse Melissa is not the PTA president or the Principal so including her when you know that she's was aggressive and verbally attacked me on campus for, as she accused me, demanding "special treatment" for being Jewish, is just inciting more hate from her, a staff member who has already abused her power -- either her or another CUSD staff member also illegally abused the PTA Board anonymous email address to bully me. There was no legitimate reason to add her to the chain at all. You don't include any other staff members so it's bizarre.) None of these people can make a decision or enforce any discipline on me for bringing a menorah (a safe, secular, non-offensive and non-disruptive object) when campus is open to the public and they are not in charge. (I know students from the local private and non-CUSD public schools have been invited -- Jay clearly doesn't have authority over these people -- he cannot ban them from bringing a menorah or Kinara to a campus or enforce any discipline on them. If he were to call the police, who do have authority, what would his reason for calling be? That they are Jewish or black? The police aren't going to arrest someone for being Jewish or black, even if that's what Jay wants.) If his ban is only against me, I will have another person -- not me -- bring the menorah if that solves the issue. If it doesn't, then you just answered your own question -- Jay doesn't have authority here.

I know you don't want to make a decision but only you have the authority to make it into a ban against menorahs (and Kinaras) during the time that the school campus is open to the public (and the Dance Center and/or other non-River organizations have already been invited, as well as non-River students and parents and community members, and bringing things larger than a lunch paper bag). As such, it will need to be a ban of a menorah specifically in order for my bringing a menorah to be a "violation" and you will need to provide your non-discriminatory reason for doing so. (I agree that the Christmas tree ornament needs to be the size of a lunch paper bag and that only Christmas tree ornaments were invited on the flyer. I am not bringing a Christmas tree ornament and by the definition of a menorah, it cannot be a Christmas tree ornament.)

I honestly am sorry that you it got to this position. I thought that I had your okay. You said you would tell me by Friday if you weren't okay with it and I waited until Sunday afternoon to let people know that they could bring a menorah (a lot of families were upset about the Christmas tree decoration limitation in Jay's flyer and I've been told that multiple people have called Jay to complain and are being represented by a local community leader). You then sent multiple emails implying that you just didn't want to be involved or intervene. I was under the impression that it is your way of "approving" it was that you weren't going to "disapprove" it.

I really want to be working on the same side!
Thanks,

Shel
Re: New issue

From: [email address]  Mon, Dec 6, 2021 at 2:52 PM PST (GMT-08:00)
To: Jay Marden <jmarden@carmelunified.org>
Cc: Ted Knight <tknight@carmelunified.org>; Appel, Nancy <NAppel@adl.org>

Do NOT tell the River families to disregard my menorah lighting flyer created for the River Families Google Group. You can tell them that it's SEPARATE from the PTA tree lighting event if you wish but I never told them to disregard your flyer! In fact, I specifically asked them to go to your Christmas tree lighting!

This is your flyer --
https://docs.google.com/presentation/d/1L-Xn1K8FyfPgFtHkvMXCQda3q_OkKwBfo2KinZo0sBc/edit?usp=drivesdk

It has NOT been edited or changed in any way. You cannot cancel my menorah lighting -- you have no authority to do so! It's like canceling a weekend birthday party that happens to be using River's campus during non-school hours when it's open to the public. You allow them all the time. You do not have authority over the River Parents Google Group.

On Mon, Dec 6, 2021, 2:40 PM [email address] wrote:
Okay, there doesn't seem to be any actual ban and I did NOT change the flyer. It's still right here:
https://docs.google.com/presentation/d/1L-Xn1K8FyfPgFtHkvMXCQda3q_OkKwBfo2KinZo0sBc/edit?usp=drivesdk

I created a SEPARATE flyer which is allowed. It is SEPARATE FROM the PTA event. I'm allowed to bring a menorah to campus if there is not a real ban.

On Mon, Dec 6, 2021, 2:20 PM [email address] wrote:
Are you banning a menorah (which, by definition, is not a tree decoration) or just saying that the tree lighting isn't changing? I wasn't participating in the tree decorating so the size of that object is irrelevant. If you aren't banning a menorah, I and other families will be bringing one. If you are, what happens if I and other families bring a menorah to the open campus on Friday? Are you going to have us arrested?

Thanks,

Shel

On Mon, Dec 6, 2021, 2:01 PM Jay Marden <jmarden@carmelunified.org> wrote:
It is my understanding that the PTA is not changing its position regarding the tree lighting as communicated to River families this past Friday. Consequently, there will be no Menorah lighting and any item that will decorate the tree must be small/fit in a lunch paper bag. Unfortunately, there is a modified PTA invitation that has been sent to dozens of River families, which reflect the changes to the event that Ms. Lyons desires. The flyer was changed without permission. The River parent body will be informed to disregard the altered invitation per River PTA request.

Sincerely,
Jay Marden

On Mon, Dec 6, 2021 at 8:36 AM [email address] wrote:
Jay is saying that he's not involved. It's a PTA event. You are saying that it's a school/principal event. I'm just confused. Is it a school/principal event or a PTA only event? I feel like you are cherry picking.

And no, Jay, definitely does not know the law on this issue. When my kid was in kindergarten, they only learned Christmas songs. It's unfair to expect Jay to be a lawyer. And I don't think the music teacher is involved at all.

On Mon, Dec 6, 2021, 8:29 AM Ted Knight <tknight@carmelunified.org> wrote:
Ms. Lyons,
As I suggested in my previous email, on another issue, I believe that this would be best handled at the school level. I believe that the Principal and music teacher are aware of laws surrounding musical performances around a holiday and will follow those laws. After you have spoken with both, please let me know if you still believe that there is a law or policy violation.

Sincerely, Ted Knight
On Mon, Dec 6, 2021 at 9:09 AM [REDACTED] wrote:

I was just informed him that there is a Christmas music performance and only Christmas songs will be performed -- there is no Hanukkah or any other holiday song at all included. The music performance has a much stricter legal rule, as you know. There needs to be at least one Hanukkah or other holiday represented. That's the law for musical performances. Will you be including a single Hanukkah song? I heard that it is a compilation of dozens of songs but only Christmas.

Thanks,

Shel

--
E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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Link to CUSD Nondiscrimination Notice
From: <redacted>  
To: Ted Knight <tknight@carmelunified.org>; Appel, Nancy <NAppel@adl.org>
CC: Karl Pallastrini <kpallastrini@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Sara Hinds <shinds@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>; Jay Marden <jmarden@carmelunified.org>; Bill Schrier <bschrier@carmelunified.org>  

Mon, Dec 6, 2021 at 3:49 PM PST (GMT-08:00)

All,

I was told that the last email was confusing because it made it sound like I was changing or altering the PTA event or editing their flyer. I am not! I am adding to it! I’m just being inclusive!

I hope this is less confusing! Please come in Friday and see both!!! Both flyers are included! Please forward THIS email and not the prior one so it’s clear that the menorah is NOT part of the PTA program but an addition to it! I’m NOT altering the PTA program. I’m adding to the spirit of inclusivity at River. The PTA tree ornament still needs to be the size of a lunch paper bag or smaller! The menorah (Hanukkah, Kinara, or any multi-pronged candelabra) does NOT have a size limitation. Please also add your own celebration if you celebrate other holidays and still feel excluded!

The more, the merrier! A Hanukkah and a Kinara do not threaten the tree celebration!!!

Please forward this email to as many people as possible and ask them to reach out to Nancy Appel. We can make a difference!!!

Yay!!!

Shel

-------- Forwarded message --------

From: <redacted>  
Date: Mon, Dec 6, 2021 at 3:26 PM  
Subject: [RiverParents] River Menorah and River Tree Lighting  
To: <riverparents@googlegroups.com>  
CC: Appel, Nancy <NAppel@adl.org>  

All,

If there was any confusion, the River menorah lighting does *not* change the River tree lighting flyer.

This is the menorah (Hanukkah and Kinara) flyer:

https://docs.google.com/presentation/d/1-yIOML2adjyrZsHB01N4kYqNixygjJbftLhUmtxVMMI/edit?usp=drivesdk

This is the tree flyer:

https://docs.google.com/presentation/d/1L-Xn1K8FyfPgfTlhKvMxCQda3q_OkKwBfo2KiNzO0sBc/edit?usp=drivesdk

This menorah lighting does NOT conflict with the tree lighting or subtract from it! Come to both!

Please email Nancy Appel at NAppel@adl.org and tell them that you want your voice heard and your child included! We can include Muslim, Buddhist, Hindi, Sikh, Shinto, and others!

Yay!

Shel

RiverParents is an internal email group for sharing resources and information inside the River School community. Neither
CUSD nor the River School PTA endorses or sponsors any activity or information presented in this email.

---
You received this message because you are subscribed to the Google Groups "RiverParents" group. To unsubscribe from this group and stop receiving emails from it, send an email to riverparents-unsubscribe@googlegroups.com.
To view this discussion on the web visit https://groups.google.com/d/msgid/riverparents/CA%2B3SxD751hWomXyXTJRYvW0LMqpeTm%3DRVmyf%3Djhsr368P_8Ylg%40mail.gmail.com.
Re: Friday tree lighting - important update

From: [Redacted]  
To: Jay Marden <jmarden@carmelunified.org>  
Cc: Ted Knight <tknight@carmelunified.org>; Appel, Nancy <NAppel@adl.org>  

Mon, Dec 6, 2021 at 4:15 PM PST (GMT-08:00)

Jay,

It sounds like you are still "fully supportive" of a menorah (which, we agree that by definition is different from a Christmas tree ornament) being included in Friday's event as you told me in writing last week and as I relied upon to send an email to other parents, but that you felt like I had changed your event. I know that PTA is NOT hosting the tree lighting! I truly and sincerely apologize if that's how it sounded! I have now clarified it in a new email (which I already sent on the River Parents list *before* you sent yours so I had already clarified):

This is the menorah (Hanukkah and Kinara) flyer:
https://docs.google.com/presentation/d/1-yIOML2adjyrZsHB01N4kYqNixygtJbfTLhUmtxVMMI/edit?usp=drivesdk

This is the tree flyer:
https://docs.google.com/presentation/d/1L-Xn1K8FyfPfHkvMXCQda3q_OkKwBfo2KINzO0sBc/edit?usp=drivesdk

This menorah lighting is NOT being hosted by the PTA and does NOT change the Christmas tree lighting being hosted by the PTA!

Please email Nancy Appel at NAppel@adl.org and tell them that you want your voice heard and your child included! We can include Muslim, Buddhist, Hindi, Sikh, Shinto, and others!

Thanks!

Shel

On Mon, Dec 6, 2021, 3:30 PM Jay Marden via ParentSquare <donotreply@parentsquare.com> wrote:
without approval, to change the nature of this event.

Unfortunately, this altered invitation has been sent to dozens of river school parents with this falsified information.

Again, we are wholly committed to embracing all of our families regardless of their faith or creed in this community building event. We hope you will join us on Friday for our holiday celebration.

Please see our attached flier with the correct event details:
https://docs.google.com/presentation/d/1L-Xn1K8FyfPgFtHkvMXCQda3qOkKwBfo2KiNzO0sBc/edit?usp=sharing

Sincerely,

Majo Spencer, PTA President
Melissa Anderson, PTA Vice President
Alex Sanchez, PTA Secretary
Jenny Panziera, PTA Treasurer

Please do not reply to this email.
Attachments

- Screenshot_20211206-161039~2.png
I apologize that my email was confusing yesterday! Below is the clarifying email! There will be a menorah lighting NOT hosted by the PTA -- the PTA event is NOT changing!!! The menorah lighting is NOT changing. I hope that is helpful!

Jay,

It sounds like you are still "fully supportive" of a menorah (which, we agree that by definition is different from a Christmas tree ornament) being included in Friday's event as you told me in writing last week and as I relied upon to send an email to other parents, but that you felt like I had changed your event. I know that PTA is NOT hosting the tree lighting! I truly and sincerely apologize if that's how it sounded! I have now clarified it in a new email (which I already sent on the River Parents list "before" you sent yours so I had already clarified):

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https://docs.google.com/presentation/d/1-yIOML2adjyrZsHBO1N4kYqNixygjJbfTLhUmtxVMMI/edit?usp=drivesdk

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Thanks!

Shel
On Mon, Dec 6, 2021, 3:30 PM Jay Marden via ParentSquare <donotreply@parentsquare.com> wrote:
Carmel River Elementary School Carmel River Elementary School

Jay Marden posted in Carmel River Elementary School

Friday tree lighting - important update

Dear River Parents,

Please know that the River PTA tree lighting will occur on Friday as originally advertised. PTA will not be hosting a menorah lighting. This is a secular/non-religious holiday celebration. It is our understanding that our original invitation sent out this past Friday has been altered, without approval, to change the nature of this event.

Unfortunately, this altered invitation has been sent to dozens of river school parents with this falsified information.

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Sincerely,

Majo Spencer, PTA President
Melissa Anderson, PTA Vice President
Alex Sanchez, PTA Secretary
Jenny Panzier, PTA Treasurer

View or Reply  Appreciate

Please do not reply to this email.

Stay involved with your child’s learning and activities at school.
Download on the App Store  Get it on Google Play

You received this email because you are a ParentSquare user in Carmel River Elementary School. If you received this email in error or wish to disable your account, click here to unsubscribe.

ParentSquare Inc · 3905 State St, Suite 7502 · Santa Barbara, CA 93105 n

---------- Forwarded message ----------
From: [Redacted] ParentSquare Carmel River Elementary School
Date: Mon, Dec 6, 2021, 4:15 PM
Subject: Re: Friday tree lighting - important update
To: Jay Marden <jmarden@carmelunified.org>
Cc: Ted Knight <tknight@carmelunified.org>, Appel, Nancy <NAppel@adl.org>

Jay,

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Shel

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Carmel River Elementary School

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Please see our details:
https://docs.google.com/presentation/d/1-ylOML2adyrZsHBO1N4kYqNixygjJbfTLhUmtxVMMI/edit?usp=sharing

On Sun, Dec 5, 2021, 2:00 PM [redacted] wrote:
Hi fellow Gillooly alumni families,

I'm sorry if we lost touch in the past two years with Covid, especially because that was the best class ever!

Anyway, I'm putting on a little menorah lighting this Friday at 4:30 PM at the already existing Carmel River PTA lighting. Please bring a menorah that represents your family's culture, values, and/or faith. If you don't have a menorah and want to participate, please just have your family make a menorah (or Kinara or Hanukkah) drawing for the menorah table and we will tape it to the edges of the table. It can be a multi-pronged candelabra with any number of candles (e.g., Kwanzaa Kinara has 7, Hanukkah has 9).

https://docs.google.com/presentation/d/1-ylOML2adyrZsHBO1N4kYqNixygjJbfTLhUmtxVMMI/edit?usp=sharing

I made the menorah lighting for 4:45 so it doesn't conflict with the tree still at 5:15. We hope families go to the entire event starting at 4:30 and get to see all lightings to support River students. Also, I do know there are a lot of other families that don't celebrate Christmas, Hanukkah, or Kwanzaa, and I hope they also do a separate celebration or lighting at the PTA event so it's even more inclusive.

Please feel free to forward to more River families and staff!

Thank you!

Shel Lyons (redacted), PTA President
Alex Sanchez, PTA Secretary
Stay involved with your child’s learning and activities at school.

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Attachments

- Screenshot_20211206-161039~2.png
Re: PTA Update

From: Melissa Ullom
To: Ted Knight <tknight@carmelunified.org>
Cc: Erin Moses, Jillian Heisman, Leti Parnell Moses, Lindsay Peelman, Michael Ullom

Wed, Dec 8, 2021 at 10:19 PM PST (GMT-08:00)

Dear Mr. Knight,

Thank you for taking the time to examine this issue. I feel relieved that you are engaged on the important topic of inclusion and don’t want to waste your time given how busy you are.

We’re a group of parents at Carmel River Elementary School who are supporting the school’s students seeking to rename the Father-Daughter Family Dance and the Mother-Son Family Carnival, and to invite all of the children and guardians to attend.

Please let us know how we can communicate with the counsel efficiently. Jay Marden told the PTA on September 15 that the issue was already vetted by the district’s counsel, so we thought there was an existing legal memoranda we could refer to.

If you are asking counsel to conduct a new legal analysis, please ask them to consider not only federal law, but California law regarding gender, sexual expression, and sexual orientation, as such language can be interpreted differently under the state statute. Even the same statutory language is interpreted differently in California courts.

We are particularly concerned that only children identified by the school as girls are given an invitation to the dance and only those identified as boys to the carnival. This actively excludes those boys who wish to dance, girls who wish to go to the carnival, as well as children who do not identify with either gender. Additionally, many families have only one parent, foster parents, same sex parents, or are raised by other guardians.

At present the situation seems like a missed opportunity to embrace your eloquent message on inclusion, but I hope we can turn it around just as the other schools in the district have.

Thank you,
Melissa

On Wed, Dec 8, 2021 at 12:50 PM Ted Knight <tknight@carmelunified.org> wrote:

Ms. Ullom,

Thank you for your email. I am currently serving as the non-discrimination coordinator for the district. We do not routinely grant access to our outside legal counsel but I would be happy to get legal advice on the legality of the father-daughter dance and the mother-son carnival.

Sincerely, Ted Knight

On Tue, Dec 7, 2021 at 2:56 PM Melissa Ullom wrote:

Dear Mr. Knight,

I wanted to take the opportunity to follow up on this message. Please put me in touch with the CUSD counsel and non-discrimination coordinator so that I may have access to the documentation and decision regarding the legality of the father daughter family dance and mother son family carnival.

Thank you,
Melissa Ullom

On Mon, Nov 29, 2021 at 10:18 PM Melissa Ullom wrote:

Dear PTA Board and CUSD Employees,

Thank you for your response to the students’ request to change the name of Carmel River’s Father Daughter Family Dance and the Mother Son Family Carnival. I believe I finally understand the intent of the dance and carnival.
However, my thanks end there. You see, at first I thought the names of the events were from a bygone era that had not caught up to modern understanding of gender roles and family dynamics. In an effort to avoid making you feel defensive or embarrassed, I reached out to you privately to change the name, as you had already done when this campaign began six years ago. I tried to say it was for the children, but truly, I thought you would be embarrassed about how out of touch you are with the very student body you are supposed to support. I thought once you heard the extremely reasonable request and understood all the trauma that discrimination causes, you would act swiftly and in the interest of the children. Now, I see clearly that it was always your intent to suppress the voices of the children you disagree with in order to retain your antiquated agenda.

Let me be clear, so that you do not misunderstand me. It is neither your place, nor your right to choose which students or relationships deserve the school's celebration, and which do not. These are private relationships and you are a public school. You can not use public resources for the purpose of exclusion and discrimination. Elementary school children understand this. I agree with them, and because you have failed them, I will now take up their cause as my own.

I do not think you listened to what the children had to say, so I will summarize it here in writing for you:

- Nobody wants to get rid of the events, just change the name and invite all children and guardians. The children want to help plan and execute these events, and have ideas on themes and accommodation for the larger size.
- The students outlined their remarks on Carmel River's character pillars: trustworthiness, respect, responsibility, fairness, citizenship, caring, and perseverance.
- They noted that there are kids who don't have parents, lost parents, have parents who are deployed, live with grandparents or other guardians, have single parents, or have same-sex parents. Additionally, they noted that there are kids who may not identify as a gender, and boys who want to go to the dance and girls who want to go to the carnival. Only those identified by the school as girls receive invitations to the dance on their desks and only those who are identified as boys are invited to the carnival.
- All should be respected and included regardless of their gender, gender identity or expression, and/or parental status.
- By being excluded in elementary school, it will shape how they grow in middle school and in high school.
- They told the story of a girl's trauma after receiving the invitation and how it affected her self esteem.
- They described how they came to write the petition and circulate it.
- They asked the PTA to empathize with the trauma that students feel when they are excluded from such events by reigniting the pain of loss or disrespecting their self identity.
- Carmel River Elementary is the only school in the district that has not changed the name of events to be more inclusive.
- They are going to persist in their advocacy out of love and respect for their peers and the character pillars.

Seven parents also spoke for and against changing the events:

- Foster children are deeply traumatized by events like this which exclude them and remind them that they can not be with their parents. There are over 400 foster children in Monterey County and the average age is 6 and a half years old. To protect their identity, schools are not told who is a foster child. Carmel River Elementary has foster children enrolled in it.
- A parent spoke about growing up as a queer foster child and how her progressive school was a lifeline for her. She wants to make sure that Carmel River does not add to the already existing trauma of being a foster child.
- A PTA member spoke about the exceptional events the school promotes, including the recent Fall Festival. He participates in the Dads' Club and helped create the mother son carnival ten years earlier as an alternative to the father daughter dance. He noted that both events are well attended and that parents and children have one-on-one time together. He recognized that there are different families. He appreciated what the kids said, but knows that these events are not done at a snap of a finger. He stated his support for the executive board of the PTA and Jay Marden.
- A parent and teacher at the high school spoke about the district's focus on inclusion. At the high school, they have eliminated many of the gender stereotypical events of the school such as "Battle of the Sexes" and "Homecoming Queen." High school students have told her that they have felt trauma from exclusion from events such as these.
- A parent asked the PTA to consider what it means to teach our children to be activists, and what kind of message it sends for "us to allow them" to speak. This is their school, and we should support them.
- A parent said he brings his daughters to these events because his boys are older and get more attention. He understands that there is disability and death, but that young girls should get more attention. He's seen mothers that have brought children to the event, and they are included. He feels that the community is already inclusive. He also noted that the event is extremely well attended. He called on parents to guide their children to understand why we do what we do. He argued that people are allergic to honeybees, but we don't get rid of honey. He said he supports the school.
• A father recognized that all the parents in attendance were working to support their children and that these events were started as a way to bond. He noted that he has two boys, one who wants to go to the father daughter dance with him, and another who is ashamed because he has the impression that it is only for girls. He feels saddened that these stereotypes are already affecting his kids.

Not only is your reasoning lacking, but your procedural obstructions are underhanded. I am particularly aggrieved that you sent these children on a wild goose chase, knowing full well that you would crush them anyway. The children are heartbroken, angry, and distrustful of you and the process of democracy now. This is truly a terrible lesson in civics. My sons are particularly disappointed that you didn't even speak to them as you promised to at the meeting. Instead, you stalled until the first day of a week-long holiday. I was the one that had to explain your decision. Frankly, I couldn't.

As you know, several 5th graders created a petition to change the names of the dance and carnival and circulated it. After the confrontation by Marden, which they found humiliating, they convinced a parent to bring it up at a PTA meeting. If she had not, none of the PTA members would have even heard about it. Marden was quick to say that CUSD counsel had already vetted the issue and found it legal. As a new parent, I was continually told the wrong amount of dues to become a PTA member. We were not permitted to have a copy of the PTA bylaws until after we became PTA members so that we could even understand how to make a motion or create an agenda item.

Finally, Marden promised we could have an agenda item at the PTA meeting, but then published the PTA agenda without any mention of it. The PTA went so far as to change the meeting format to in-person instead of online like the last meeting, and moved the time to 3:15 instead of 6:00, making it difficult for parents who work, and unnecessarily risky for the children who did not yet have access to COVID vaccines. Despite all this, we moved our work schedules, masked up our kids, and came. Yet you only allowed the children to speak in open comments. You did not allow us to make a motion or move for a vote. Regardless, 6 children spoke for the change, none spoke against; 5 parents spoke for the change, and only 2 against. It is likely that had we been able to vote, the change would have been made. You may have suppressed the majority opinion on that day, but we persist.

I have added Ted Knight and Jessica Hull to this discussion. I am hopeful after Ted Knight's message to parents specifically about inclusion, that he will see the value in what the children are proposing. I hope he can steer you toward the decision to change the name of these events and begin inviting all children of all genders and all family dynamics to them. In addition, I request that you provide me the name and contact information for your legal counsel and the district’s coordinator for nondiscrimination (if it is no longer Ted Knight).

I believe there is still time for you to rectify this situation before it becomes yet another embarrassing stain on CUSD's reputation. I am tired of reading about racism and legal scandals involving my school district. I want to be proud of this community which should embrace rather than obstruct diversity and inclusion.

Most sincerely,
Melissa Ullom

On Sat, Nov 20, 2021 at 6:23 AM River School PTA <riverscholpta@gmail.com> wrote:

Good Morning,

As you are aware, there is a request before the PTA Board to change the name of the Father/Daughter Family Dance and the Mother/Son Family Carnival to, for example, the River School Dance and River School Carnival. The Board understands that the primary reason for the request is because those desiring the name change feel that the events are not inclusive of all students. Before sharing the Board's decision, we would like to recognize and thank the [blurred], who spoke to the PTA to communicate their sincere opinions regarding this topic. They are courageous, thoughtful individuals who should be celebrated for taking the time and energy to compose and present their position.

It is important for those who desire name changes to understand why the events were originally created. The rationale was that River School parents wished to honor and celebrate the relationships between Fathers and Daughters and Mothers and Sons and chose these particular events for parents and their children to enjoy a special afternoon/evening with one another. The parents have also expressed to the various Boards a desire to create a memorable experience for parents and their children to bond before the children enter adolescence when they gain greater independence from their parents.

It has been communicated to the Board that omitting reference to Fathers, Mothers, Sons and Daughters would still ensure that the events would remain intact - we disagree. Changing the names of the events changes the essence and purpose of them as described above. The Board recognizes that there are students whose family dynamics might not align with the names of the events, and the Board fully embraces and invites
those students to attend the events as is annually written in its invitations. The Board appreciates the sensitivity of the issue, but it is inevitably up to each family to navigate their particular set of circumstances to decide whether it will attend the optional events (e.g. bring a family member, family friend, etc.). The word "Family" is also included in the event names to convey that all are welcome at the events.

These events have enjoyed tremendous and positive feedback through the years, and the exceptionally high attendance at both events speaks volumes about how well received they are by the parents and students who participate. To advance one group's own interests by potentially abolishing events cherished by hundreds of participants annually is simply wrong and not something we will support. For the reasons cited above, the Board unanimously has voted to retain the names of the events as currently title. Please know that if any parent is interested in creating an additional community building event that addresses the concerns that have been shared with the Board, the PTA would be wholly open to such proposals.

Sincerely,
PTA Board

Sent from my iPhone

On Nov 19, 2021, at 12:18 PM, Melissa Ullom wrote:

Dear Majo and Melissa,

I hope you had a productive and fruitful meeting yesterday. Can you tell us your decision and the next steps?

Kind regards,
Melissa

On Fri, Oct 29, 2021 at 8:58 PM Melissa Ullom wrote:

Dear Majo, Melissa, and jay,

I’m so sorry to bring this up. As Melissa knows, there is a positive COVID-19 case in our classroom. Could we please reopen the discussion of allowing online participation in the meeting?

My children are self isolating and negative on rapid antigen tests thus far. We’ve signed them up for PCR, but it’s a sad reminder that CDPH guidelines only lower risk so much.

Thank you for your understanding,
Melissa

On Thu, Oct 28, 2021 at 8:38 PM Melissa Ullom wrote:

Dear Majo,

I see, I thought CDPH guidelines would go farther in limiting indoor events for children.

Can you say more about what the original dance was all about? Why couldn’t boys and mothers and grandparents and non-binary children be invited without changing the intent? What was the original intent from before I arrived?

Kind regards,
Melissa

On Thu, Oct 28, 2021 at 10:40 AM Majo Spencer wrote:

Hi Melissa,

I assure you that we are following CDPH guidelines in regard to the hosting of meetings and that all participants are masked, and that with such mitigation we feel that our students are safe to attend the meeting.
The room will be well ventilated and due to its spaciousness we can also safely distance, although distancing is not a requirement. We have had a lot of parents request that the meeting time be right after school for convenience. Melissa there is no "minor misunderstanding" as long time members of the school community we are well aware that the request is to rename the events, but this does essentially eliminate the intent of both events, which amounts to elimination of events that have enjoyed exceptional historical support. Lastly, as Melissa Anderson previously wrote, we are allowing Zoom so that parents can virtually attend, but they must be present to address a topic - this is just what the CUSD school board does. This allows for parents to be in-the-know about PTA business and promotes healthy communication between PTA members (in-person that is) because when in a remote environment the desired connections and healthy communication is greatly compromised.

Thanks,
Majo

Sent from my iPhone

On Oct 27, 2021, at 8:34 PM, Melissa Ullom wrote:

Dear Melissa, Majo, and Jay,

Ah! I think I see where the misunderstanding lies. Amy requested that the children be on the agenda 14 days ahead in order for the PTA to be able to call for a vote in the upcoming meeting (if there is a quorum). If the children only speak during open comments, are you willing to allow us to move for a vote even though they are not on the agenda?

Regarding the in person meeting at 3:15, I do not understand why we can not follow the safety and convenience measures of the September 15th meeting which was virtual and at 6:00pm. Can you say more about that so I understand?

Kind regards,
Melissa

On Wed 27. Oct 2021 at 16:33, Melissa Anderson <manderson@carmelunified.org> wrote:

They will be able to speak during open comments so no need to have it on the agenda. We will follow CUSDs protocol and allow others to zoom in for listening purposes only.

Melissa Anderson, LVN
School Nurse
Carmel River School
(831) 624-4609 Ext. 2293

On Oct 27, 2021, at 3:54 PM, Melissa Ullom wrote:

Hi All,

Sorry for the redundancy, but I just wanted to check in on the PTA meeting since it is approaching quite quickly. When will we have the revised agenda with the kids’ request to change the name of the dance and carnival listed?

Also, can we know if it will be virtual or hybrid, so we can plan our work schedules?

Thanks again,
On Tue 26. Oct 2021 at 10:08, Melissa Ullom[redacted] wrote:

Dear Jay and Majo,

Thanks for the reply. I’m re-adding all the other original discussants so that we stay on the same page. I still don’t have the emails of Alex and Jenny, so please feel free to add them and any other interested parents.

I think that there’s been a minor misunderstanding. Nobody is trying to do away with the dance or carnival -- just make it inclusive to all genders. While it’s clear that some parents think the dance is already inclusive, several students say they feel excluded because of the names and the fact that they do not receive invitations while others do.

Also, as I said in my first email we welcome all PTA board members and any other concerned parents you wish to invite to a pre-meeting. My understanding is that you already changed the name ~6 years ago without a full PTA meeting with an agenda item. I’m proposing we do that again. It’s less intimidating for the little ones, and less likely to give them COVID from an in-person event in the Ottertorium.

If you are not interested in doing it the same way as before, then I think we should officially add this as an agenda item as was originally promised, and make the meeting virtual and in the evening so that more parents can participate and the kids are not at risk of infection unnecessarily.

Thank you for your understanding and support of our students,
Melissa Ullom

-------- Forwarded message --------
From: Jay Marden <jmarden@carmelunified.org>
Date: Tue, Oct 26, 2021 at 9:33 AM
Subject: Re: Dialogue on Dance/ Carnival ahead of PTA Meeting
To: Melissa Ullom[redacted]

Hi Melissa,
Please know that the kids are going to speak at the meeting and that they'll be able to speak closer to the beginning of the agenda. I agree with Majo that the discussion about the topic should take place at the PTA meeting as opposed to a small group discussion outside the PTA that essentially would only include one collective voice on the topic that feels a particular way. Being new to the community, I do feel that you should be aware that there are very strong and differing opinions on the subject and that these particular events have been exceptionally well attended and the feedback to the school has been overwhelmingly positive. This does not mean that traditions can't be changed or improved, but it does mean that we need to carefully consider all sides and perspectives to arrive at a decision as a school community. I believe Majo will get back to you regarding whether parents will be able to Zoom into the meeting.
In the end, it will be a PTA decision that determines the outcome, and I will support whatever needs the PTA has to facilitate the events.
I look forward to the discussion.
Jay Marden

On Mon, Oct 25, 2021 at 7:14 PM Melissa Ullom[redacted] wrote:

Dear Majo and Jay,

I read through the PTA agenda and see that the dance/carnival was not added as an agenda item. Can you catch us up on the discrepancy? My understanding was that Amy made the request in plenty of time and Jay agreed to have the children speak at the meeting. Please let me know if there is some kind of misunderstanding.

Where do you stand on meeting ahead of time? I want to stress that the children do not what to cancel the dance or the carnival, just to rename them and invite all the children.
If you’d like to think through this with a third party, we can meet up with the principle from Tularcitos on how they made the change.

Kind regards,
Melissa

On Mon, Oct 25, 2021 at 12:29 PM Melissa Ullom wrote:

Dear Majo and Jay,

As you may know, I am a new parent at Carmel River Elementary with [redacted] in 2nd grade. I have been really impressed with the academics at Carmel River, the beautiful campus, and especially the teachers. I’ve been volunteering with the science teacher since Majo suggested it.

I attended my first River PTA meeting on September 15th, where I learned about the student concern on inclusivity for the dance and carnival. I reached out to learn more about it and spoke with some of the parents of the [redacted] who wrote the petition as well as other concerned parents such as Jillian Heisman, Amy Melton, Erin and Leti Moses, and Lindsey and Jim Peelman.

Based on those discussions, my understanding is that the students wish to rename the Father/ Daughter Family Dance and the Mother/ Son Family Carnival to simply Carmel River Dance and Carmel River Carnival. In addition, they would like all children to be invited to both events, rather than extending gendered invitations.

This is a concept that I very much support as the mother of [redacted], who love to dance. They danced at the Carmel Dance Center before we moved abroad, and will return after they are able to receive vaccines. That being said, I wondered if we might meet in a small group to discuss this before the next PTA meeting so that the children can raise their concerns privately outside the spotlight of official PTA minutes. I understand that Amy Melton has already reached out to put it officially on the agenda, but if we could address student concerns ahead of the official meeting it might keep things more lighthearted and calm some nerves.

The students are available to meet with you, the rest of the PTA board, and other concerned parents you may wish to invite at the following times:

Tuesday, October 26: 3:00-8:00pm
Wednesday, October 27: 3:00-8:00pm
Thursday, October 28: 3:00-8:00pm
Friday, October 29: 5:00-8:00pm

If this can be resolved ahead of the PTA meeting, then we can withdraw the agenda item and stay focused on the other business of the day. If you do not wish to meet ahead of the next PTA meeting, then we’ll keep the item on the agenda as the students have said they wish to speak regardless.

Thanks for hearing us out. I really appreciate your dedication to our students.

Kind regards,
Melissa Ullom

PS: Please share this with Alex Sanchez and Jenny Panzieria, as I do not have their email addresses.

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E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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Brown Act Violation -- Cure & Correct Notice

From: [Redacted]  
To: Ted Knight <tknight@carmelunified.org>; Tricia Zarevich <tzarevich@carmelunified.org>
Cc: Sara Hinds <shinds@carmelunified.org>; Tess Arthur <tarthur@carmelunified.org>; Karl Pallistrini <kpallistrini@carmelunified.org>; Seaberry Nachbar <snachbar@carmelunified.org>; Anne-Marie Rosen <arosen@carmelunified.org>

Sara Hinds, CUSD Board President  
Tess Arthur, Karl Pallistrini, Seaberry Nachbar, Anne-Marie Rosen, CUSD Board Members  
CUSD Board, Carmel, CA

Dear CUSD Board Members,

I am so incredibly disappointed to be writing this letter, but I know that there were approximately 40 people in attendance tonight and most of them were there to speak about the reported bigotry at Carmel High School that is being instilled in our students in elementary school due to a refusal by the Board to ensure that our schools are welcoming, inclusive, and safe places for all students.

So, this letter is to call your attention to what I believe were substantial and multiple violations of central provisions of the Ralph M. Brown Act in tonight's meeting.

The nature of the violations is as follows:

In its meeting of December 15, 2021, CUSD Board President Sara Hinds announced a recess at approximately 5:35 PM after closed session. Her announcement was, "Thank you everybody for being patient with us. We are unfortunately going to take a quick recess and then reconvene here back into open session shortly. So the Board will remove ourselves, we will go into recess and we will return." The entire Board was in the room at the time, no reason was provided, no recess time period was provided, and the Board video remained off even though the Board was in a recess during an open session. At approximately 7 PM, the Sheriff and Highway Patrol arrived with at least seven law enforcement vehicles in response to a report that an attendee at the session was not masked, but since the attendee had an uncontested lawful exemption to the mask requirement, the Sheriff explained that the issue did not even involve law enforcement since the attendee was within her legal rights. So there was no reason to contact law enforcement, for a recess, or for a delay at all. At approximately 7:43 PM, Ted Knight walked into the room and closed the Board meeting for the alleged reason of lack of quorum. At 9:19 PM, Ted Knight then sent an email changing his reasoning to be "safety of attendees" even though the attendees were all left with the unmasked attendee for the 90 minutes as they awaited law enforcement, law enforcement that were improperly called and admitted that they had no jurisdiction on this issue at all so the entire recess, delay, police report, and meeting closure all appear to be a farce to thwart the intention and spirit of the Brown Act.

1) First violation: Recess was improper. There was no agenda item for the recess. Board is not allowed to add a recess without a vote on adding a recess. There was no vote on the recess. The board was able to take a vote because the entire Board was in the room at the time. There needs to be a vote on the recess at the next meeting with the reason provided and the number of minutes for the recess. The action taken was not in compliance with the Brown Act because it occurred as the culmination of a discussion in closed session of a matter which the Act does not permit to be discussed in closed session and/or there was no adequate notice to the public on the posted agenda for the meeting that the matter acted upon would be discussed, and there was no finding of fact made by the CUSD Board that urgent action was necessary on a matter unforeseen at the time the agenda was posted. Here, an unmasked attendee, who had a legitimate and uncontested exemption, is foreseeable. Moreover, CUSD Board did not make any findings of fact. Indeed, urgent action was not required as even when the Sheriffs finally arrived, they did not even intervene except to ask that Ted Knight and the unmasked attendee resolve their personal issues that did not raise to the level of law enforcement.

2) Second violation: Video was off. Video needs to be turned on for all future meetings as soon as the closed session ends. Video cannot be off during recess. There needs to be a correction so that videos are turned while in open session including recesses. The action taken was not in compliance with the Brown Act because it effectively made open session into a matter of closed session, and a recess is not a matter which the Act permits to be discussed in closed session.

3) Third violation: Meeting was closed by Ted Knight even though all CUSD Board members were available and just outside. Board could have taken a vote, moved the meeting outside for extenuating circumstances, or moved the meeting to a Zoom session online. Instead, the meeting was closed without a vote. There needs to be a vote on the meeting being closed at the next meeting with the reason provided. Again, this action taken was not in compliance with the Brown Act.
because it occurred as the culmination of a discussion in closed session of a matter (meeting closing) which the Act does not permit to be discussed in closed session, and there was no finding of fact made by the CUSD Board that closing the session was necessary.

4) Fourth violation: Meeting of 3+ board members outside. All CUSD board members were outside discussing their decision not to reenter the meeting outside of open sessions. The board members cannot decide together to refuse to reenter. All the members were inside earlier, even when the one unmasked attendee was present, so they each did not have a problem with the unmasked attendee. As a group, however, the board members then decided that they all had a problem with the unmasked attendee, but that decision was made improperly as a Brown Act violation. The discussions and decisions made by the Board need to be public and must be shared at the next Board meeting. The action taken to discuss was not in compliance with the Brown Act because it occurred as the culmination of a discussion in closed session of a matter which the Act does not permit to be discussed in closed session.

5) Fifth violation: Public comment barred for action barring Zoom/online comments. After a delay of over 2 hours, CUSD Board prevented the public, of over 40 members of the public, from being allowed to make public comments due to its refusal to open up Zoom/online comments. The action taken was not in compliance with the Brown Act because it prevented the public from their legally protected rights to speak at CUSD Board Meetings of Open Session, including tonight's meeting. The CUSD School Board has decided to change the Zoom board meetings from last year to in-person only meetings for anyone who wants to make public comments. At the same time, the CUSD School Board will not allow disabled people to speak if their disability prevents them from wearing a face covering. The action taken was not in compliance with the Brown Act because it occurred to discriminate against disabled members of the public even when an easy and affordable alternative of Zoom sessions, which were used for the prior year and half, is available.

In the event it appears to you that the conduct of the CUSD Board specified herein did not amount to the taking of action, I call your attention to Section 54952.6, which defines “action taken” for the purposes of the Act expansively, i.e. as “a collective decision made by a majority of the members of a legislative body, a collective commitment or promise by a majority of the members of a legislative body to make a positive or negative decision, or an actual vote by a majority of the members of a legislative body when sitting as a body or entity, upon a motion, proposal, resolution, order or ordinance.”

As you are aware, the Brown Act creates specific agenda obligations for notifying the public with a “brief description” of each item to be discussed or acted upon, and also creates a legal remedy for illegally taken actions—namely, the judicial invalidation of them upon proper findings of fact and conclusions of law.

Pursuant to that provision (Government Code Section 54960.1), I demand that the CUSD Board cure and correct the illegally taken action as follows:

1) Put on the agenda, allow comment, and vote on the recess
2) Turn on the video for future meetings & disclose the comments/activities that occurred indoors during the recess when the video was off including the number of attendees
3) Put on the agenda, allow comment, and vote on the meeting closure (there was a quorum -- they were outside so the closure was improper)
4) Disclose the discussions and decisions that occurred outside when the Board met illegally in a continued closed session on issues improper for closed session, which appears to be issues related to Zoom sessions (suggested by the Sheriff and members of the public), moving the meeting outside, allowing the attendee with an exemption to call in or speak from the door, and closing the meeting/refusing to reenter
5) Resume Zoom and allow public comments to be made via Zoom for all subsequent meetings to prevent the issues of this meeting so that public comments are not prevented again

These actions are necessary to redress the illegality and provide the public the awareness and opportunity to comment of which it was deprived, including a full disclosure at the subsequent meeting of why individual members of the legislative body took the positions — by vote or otherwise — that they did, accompanied by the full opportunity for informed comment by members of the public at the same meeting, notice of which is properly included on the posted agenda. Informed comment must include any and all documents in the possession of the local agency related to the action taken, including any police reports, with copies available to the public on request at the offices of the agency and also at the meeting at which reconsideration of the matter is to occur. As the public comment has already been thwarted once, CUSD Board can not claim that the mask issue is unforeseeable and must allow comments to be made via Zoom to accommodate members of the public.

As provided by Section 54960.1, you have 30 days from the receipt of this demand to either cure or correct the challenged action or inform me of your decision not to do so. If you fail to cure or correct as demanded, such inaction may leave me no recourse but to seek a judicial invalidation of the challenged action pursuant to Section 54960.1, in which case I would also ask the court to order you to pay my court costs and reasonable attorney fees in this matter, pursuant to Section 54960.5. I have already spent 2.3 hours to observe the violations of the meeting and 1.7 hours to draft this letter for a total of 4 hours.
Please send this letter to CUSD legal counsel immediately. As a member of the California bar, legal counsel should be copied. I am not copying CUSD counsel under the specific instruction by Ted Knight, but can only continue to follow Ted's instruction if I receive a guarantee by Ted that he is sending legal communications to legal counsel so that CUSD is receiving legal advice and to ensure me that I am not violating California Bar rules of ethics.

Respectfully yours,

Shel Lyons
CBN 234821
Dear Mr. Palshaw & CHS Sandpiper student staff:

Thank you for the time and attention to this long letter.

I wanted to write to thank you from the bottom of my heart for the incredible reporting this month on issues of bigotry within CUSD, including the following articles:

https://thesandpiper.org/influx-in-hate-speech-on-chs-campus-shocks-students-staff/


I strongly feel that staff and families all agree that we want CUSD to be inclusive, welcoming, and safe places for all students, but we are sadly failing our younger generation in that mission. As a direct result of your reporting, I am gathering other parents/guardians and community members to organize a group of anti-bullying speakers at the January 26th meeting to bring more attention to this issue and to demand paid anti-discrimination training for staff and anti-hate curriculum incorporation for CUSD students. Your reporting has made a positive difference in our community and perhaps created the exact momentum needed to finally unite our entire District -- administrators, teachers, staff, students, parents/guardians, community members -- to recognize that these issues are critical and need immediate attention, because they have been wrongly ignored and swept under the wrong before and everyone is being hurt by them, including staff and students.

If it interests any of the Sandpiper staff, Nancy Appel of the Anti-Defamation League (ADL) may be willing to give an interview to follow-up on your reporting: NApell@adl.org. The ADL and most recently Nancy has been working behind the scenes with CUSD for over 2 years to counter anti-semitism and bigotry of all forms in our beautiful school district. ADL shares the Op-Ed opinion that education is the most effective antidote to hate and ADL has partnered with many K-12 public schools in California with anti-hate initiatives. Sadly, thus far, CUSD's current superintendent has refused to meet with the ADL, consider any suggestions, or incorporate any anti-hate education, but the CUSD former superintendent (BDV) was working very closely with ADL since December 2019 all the way until Covid hit and paused that cooperation. Nancy specifically has been working with a large group of parents on anti-Semitic, anti-black, and anti-LGBTQ+ issues at the elementary school level, so it is concerning (although perhaps unsurprising) that these were the same issues of hate speech graffitied at the high school, since hate speech doesn't just pop up when kids become teenagers; it was incultated by tone over years since these teenagers were young children.

Even if your staff chooses against additional articles, beautiful work! I could not be prouder to be a part of this District when I see the professional level of journalism by the Sandpiper and the Op-Ed from CHS students demanding anti-hate education. It makes me so incredibly grateful that we chose to live in Carmel and send our kids to CUSD! These student reporters are the future leaders of our nation and that cannot give me greater hope for tolerance and inclusion, and incredible high levels of professional journalism, winning in the end.

Great job! Please do not stop!

Warmest regards,

Shel Lyons (no relation to Principal Lyons)
THANK YOU for your transparency re tiktok warnings

From: [Redacted]                     Thu, Dec 16, 2021 at 4:00 PM PST (GMT-08:00)
To: Jon Lyons <jlyons@carmelunified.org>; Daniel Morgan <dmorgan@carmelunified.org>

Every time I get an email from either of you, I feel so incredibly fortunate that -- it really does make me feel safer! You are both such incredible principals and leaders and teachers, staff, and students all flourish on your campuses as a result!

Shel

P.S. Jon -- please investigate the swastikas & don't just provide lip-service as students already complain that's happening at CHS -- I am hearing from other parents that there are groups of white supremacy growing among the male baseball and football players, but ideally the anti-hate education is schoolwide anyway. Nancy Appel of the Anti-Defamation League is just an email away and she already had the entire background because parents have been reaching out to her & her colleagues at ADL for years -- NAppel@adl.org -- and she has already created curriculum/ideas on countering bigotry/hate in all forms. I'm adding that info here because I know you get billions of emails and don't want to send a separate one to flood your in-box.
You are the best!

Can you also ask if there is ongoing litigation with me and if so, what it involves? I want to speak today but many parents and staff are telling me that I have some ongoing litigation and there would be an ethical concern if I speak on that topic but I don't know about it so I don't even know what topic.

Thanks,

Shel

On Fri, Dec 17, 2021, 9:12 AM Tricia Zarevich <tzarevich@carmelunified.org> wrote:

Good Morning Shel,

I have received your email request and shared it with the Superintendent.

Wishing you a good December break.

Tricia Zarevich (she/her/hers)
Confidential Administrative Assistant to the Superintendent
CARMEL UNIFIED SCHOOL DISTRICT
P.O. Box 222700, Carmel, CA 93922
tzarevich@carmelunified.org
office (831) 624-1546 ext. 2021
Fax (831) 626-4052

On Thu, Dec 16, 2021 at 12:43 PM [reddacted] wrote:

Dear Tricia,

I hope you are well.

Please put mandatory paid anti-bias and anti-discrimination training for staff on the agenda for next month’s meeting.

As you know, I've been concerned for 4 years that our elementary school is teaching kids that Jews are foreigners (Israelis) in their kindergarten curriculum about Hanukkah (the only time in K-5 that they are introduced to any Jewish culture at all). I've had multiple beloved and kind-hearted teachers (Mrs. Robinson and Mrs. Barca Hall) tell me that Jewish and Israeli (foreign) is the same thing, and tell me specifically that Christmas is taught as American, implying that those who don't celebrate Christmas are not American.

The school just had a Christmas celebration where Hanukkahs (Jewish symbols) and Kinaras (African American symbols) were banned unless they were used to decorate a Christmas tree. (Note that lawsuit has been dropped and there is no active litigation on this matter).

After a federal judge found these exact issues to be "very serious" and "particularly troubling," the school decided to announce a full-week of Christmas-only fictional characters and Christmas-only colors so that on a schoolwide level, impressionable schoolchildren are taught that Rudolph, Grinch, Santa (who didn't wear a mask in the crowd, neither did Jay, and then we wonder why students won't wear one), red/green are ways of acceptable celebrating the holiday spirit but that Maccabees, dreidels, blue/white are "unacceptable" ways of holiday spirit. And then we wonder how we end up with anti-black and anti-Semitic hate speech at Carmel High? Our own administrators & teachers instilled it (or at least didn't try to educate against it) in elementary school.

Racism and exclusion doesn't just pop up. It is inculcated by tone over years. Someone doesn't just decide to do this, even if they are a teen doing it. A teen or someone else could have chosen lots of ways to shock. The foundation for
alienation is build over years and attitudes of inclusion are built over years. This hate speech that is happening for the past months at Carmel High School was taught and condoned at the elementary school level.

It doesn't matter if it's "legal" to teach hate or within Board policy to reach hate. It's wrong. There needs to be an investigation into the students who are doing it on the high school level and it needs to be combatted starting in elementary school. This Christians-welcome only, whites-welcome only attitude at River needs to stop. And that's exactly what all the attached is communicating to the students there -- if you are a minority, you are not included.

And, as a side note, the Christmas tree at River elementary school continues to be decorated with lights almost a week after the principal declared in a court document that all decorations would be removed before school, which amounts to perjury by a school official. (Photo attached as proof.)

I appreciate your support in getting this item on the agenda. I know it has universal support from the board members because I've raised it individually with each one of them and they all want anti-discrimination training. And the three articles that just published this week in the Sandpiper shows that we cannot wait any longer.

Thanks,

Shel

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Link to CUSD Nondiscrimination Notice
Thank you Ted,

I know you are managing several hot button issues. I hope you have a chance to recharge.

Melissa

On Fri, Dec 17, 2021 at 6:43 PM Ted Knight <tknight@carmelunified.org> wrote:
Thank you for reaching out Melissa, those tik tok situations are certainly concerning. We did have extra staff on scene at schools today. It was great to meet your children after the meeting. Please enjoy the winter break and I am sure that we will connect in the New Year. Ted

On Thu, Dec 16, 2021 at 3:43 PM Melissa Ullom wrote:
Dear Ted,

My sister is a [redacted] and works with schools. She reports that there is a new tik tok challenge involving school shootings on the 17th. You may already be aware of this.


I understand that you were unsettled last night, perhaps it may impact the new time of the CUSD board meeting? Can we hold it virtually?

Kind regards,
Melissa
gilroy_usd On Wednesday, December 15, District Office and @gilroyhighschool_ administrators received a number of alerts to report the threat of a school shooting that was posted on social media account earlier in the day. Communication was sent to GHS families and staff from Superintendent Flores to provide an update on the situation.

Classes at GHS, and all other schools in GUSD, are in session today, December 16, 2021.

Out of an abundance of caution, all classes at Gilroy High School have been cancelled Friday, December 17. **School is in session at all other GUSD campuses tomorrow (December 17, 2021).**

Superintendent's update, December 16, 2021: https://tinyurl.com/22f69y3s
Superintendent's message, December 15, 2021: https://tinyurl.com/2p9yyyp9y
Statement on CUSD Board Meeting of December 15, 2021

Dear Carmel Unified Staff, Students and Families,

Tonight before the beginning of the CUSD board meeting open session, a few members of the public in attendance were not masked during the indoor meeting. In response, I asked the Board President to take a recess and to sequester in another room. I then immediately contacted law enforcement to assist and ensure the safety of all in attendance, including several students. Due to a delay in law enforcement response, the recess lasted longer than I anticipated.

I sincerely apologize that the members of the public in attendance were not informed of the reason for the delay as I did not want to create an unsafe environment without the presence of law enforcement to ensure all in attendance, including students, were protected. The safety of our
attendees was at the forefront of my decision this evening and I am sorry so many of our District and community members were impacted.

Due to the lengthy delay until law enforcement arrived, the delay of the meeting due to the refusal by members in attendance to wear masks, and the lack of a quorum, I cancelled the meeting.

Our Board and our District are tasked with providing our students a high-quality education in a safe environment. Students are at the heart of every decision a school board and staff member makes. Part of our responsibility is to follow the rules and guidance set forth by the state and one of the fundamental regulations set forth by our state is masking.

Educators across the country are being subjected to online and in-person threats, abuse, intimidation and harassment which prohibits the essential work to be done within our district. We politely, but firmly ask our community to adhere to state mandates, as well as decorum, respect and kindness.

Sincerely,
Dr. Ted Knight
Superintendent

Please do not reply to this
Stay involved with your child’s learning and activities at school.

Download on the App Store
Get it on Google Play

You received this email because you are a ParentSquare user in Carmel Unified School District. If you received this email in error or wish to disable your account, click here to unsubscribe.

ParentSquare Inc · 3905 State St, Suite 7502 · Santa Barbara, CA 93105

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E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
4380 Carmel Valley Road
Carmel, CA 93923
(831) 624-1546 ext. 2020

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Link to CUSD Nondiscrimination Notice
Dear Jessica:

I hope you are well. Thank you for all your work on my requests and for our District as a whole. It is appreciated. I have another CPRA request and hope that you can prioritize this one over the two that you are working on for me. If that doesn’t make sense, please call me at 831-324-2240, but I am saying that you can put the other requests on hold if you can handle this one urgently. That means that I am temporarily waiving my rights through January 19, 2022, for all updates on all my CPRA requests with the understanding that you are focusing on finishing at least the “first part” as defined below by or before January 19, 2022. I sincerely apologize for all the legalese below but I needed help on wording the request. THANKS! Shel

I am requesting access to records in possession or control of the Carmel Unified School District for the purposes of inspection and copying pursuant to the California Public Records Act, California Government Code § 6250 et seq. (“CPRA”), and Article I, § 3(b) of the California Constitution. The specific records I seek to inspect and copy are listed below. As used herein, “Record” includes “Public Records” and “Writings” as those terms are defined at Government Code § 6252(e) & (g). I request access to inspect/copy:

Any record, including any document, homework assignment, or communication (including all emails) with any one of the following search terms: "Israel," "Israeli," "Israelis," "Hanukkah," "Jewish," "Menorah."

Please limit your search to the following dates: January 1, 2018 to December 19, 2021.

Please further limit your search to the following custodians: Jay Marden, Erica Barca-Hall, Yessenia Ruggerio, Mary Robinson, Natalie Kobza, Sarah Perkins (please include ParentSquare).

Please do not redact any records that have my, my husband (copied here), or my children.

For sake of time and priority, please (1) first produce the emails to/from Jay Marden from August 1, 2021 to present with "Israel" as the search term ("first part"), (2) second produce the emails to/from the teachers listed from August 1, 2021 to present with "Israel" as the search term ("second part"), (3) third produce all the emails with custodian Jay Marden ("third part"), (4) fourth produce all the emails with the teachers ("fourth part"), (5) lastly, produce all other documents ("fifth part").

If you contend that any portion of the records requested is exempt from disclosure by express provisions of law, Government Code § 6253(a) requires segregation and redaction of that material in order that the remainder of the records may be released. If you contend that any express provision of law exists to exempt from disclosure all or a portion of the records I have requested, Government Code § 6253(c) requires that you notify me of the reasons for the determination not later than 10 days from your receipt of this request. Government Code §§ 6253(d) & 6255(b) require that any response to this request that includes a determination that the request is denied, in whole or in part, must be in writing and include the name and title of the person(s) responsible for the City’s response.
Government Code § 6253(d) prohibits the use of the 10-day period, or any provisions of the CPRA or any other law, “to delay access for purposes of inspecting public records.”

In responding to this request, please keep in mind that Article 1, § 3(b)(2) of the California Constitution expressly requires you to broadly construe all provisions that further the public’s right of access, and to apply any limitations on access as narrowly as possible.

If I can provide any clarification that will help expedite your attention to my request, please contact me at [redacted] pursuant to Government Code § 6253.1. I ask that you notify me of any duplication costs exceeding $10 before you duplicate the records so that I may decide which records I want copied.

Thank you for your timely attention to this matter.

Sincerely,

Shel Lyons
Re: Response to PRAs

From: [Redacted]  Tue, Dec 21, 2021 at 10:50 AM PST (GMT-08:00)
To: Jessica Hull <jhull@carmelunified.org>

Jessica,

So sweet but remember that I waived my right for updates!

And please please ask Mr. Tunick to start calling me Shel. It's gotten silly!

Thanks,

Shel

On Tue, Dec 21, 2021, 10:09 AM Jessica Hull <jhull@carmelunified.org> wrote:

Dear Ms. Lyons,

I write in response to several recent emails requesting certain public records from the Carmel Unified School District ("District") pursuant to the California Public Records Act under Government Code section 6250, et seq. ("CPRA"). Specifically, I wanted to address your emails with requests on November 30, December 14, and December 19, 2021.

Previously, the District indicated that it had determined that it had records responsive to your November 30 request and would provide an update on December 23. Further, the District can also now indicate that it has determined that it has records responsive to your December 14 request. However, in your December 19 email you asked that the District "prioritize [that request] over the two that you are working on for me." Given this statement, the District will now turn its efforts from the other two requests to responding to your most recent request.

Specifically, you asked that the District focus on the first part of your December 19 request: "emails to/from Jay Marden from August 1, 2021 to present with 'Israel' as the search term." The District anticipates being able to provide disclosable records responsive to this request by January 19, or will provide a sooner response if there are no such records.

If you have any questions, please contact me.

Jessica Hull (she/her/hers)
Director of Communications and Community Relations
Carmel Unified School District
P.O. Box 222700, Carmel, CA 93922
jhull@carmelunified.org
office (831) 624-1546 ext. 2022
cell (209) 679-4858
CalSPRA President-elect
NSPRA Southwest Region Front-Runner 2021

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Re: Formal Legal Complaint

From: <person1>
To: Ted Knight <tknight@carmelunified.org>
Cc: William B. Tunick <wtunick@dwkesq.com>

Wed, Jan 26, 2022 at 1:41 PM PST (GMT-08:00)

Good afternoon, Ted:

Please let me know before 4 PM if:

1) You'll be providing a response to the Complaint before or by the 60 day deadline this Friday? (I'm fine with a response by Monday COB if that is easier for you.)
2) You're deciding that your written reply that you are in receipt of my complaint was sufficient. (I just need to know if that is your decision.)

I don't need your actual response by today but just whether or not you'll even be providing one. I wouldn't have asked for it by today because I expected that you were providing a full response with the 60 days but then yesterday you wrote to me to say that it was your full response. I don't want to be raising issues at public comment that aren't appropriate so I've been keeping my comments to other issues that weren't specifically raised in the complaint, and I don't know how to handle today.

If you still believe that you already provided a full response on this chain as you stated yesterday, please simply copy and paste that response to the complaint so I can have a copy of it since I didn't receive it. I am not trying to pin you down but whether or not I have an active complaint at CUSD is critical information. I believed you when you said that the complaint was already responded (and therefore no longer active), and I've relied upon that information with my conversations with other CUSD relationships and I need to correct if it's not true. I don't believe it is true but until you respond, I really don't know your perspective on that matter.

Thanks,

Shel

On Wed, Jan 26, 2022 at 8:02 AM <person1> wrote:

Good morning,

I haven't heard from you with your response to my complaint.

I now understand that what you meant by having provided a "reply in writing (email) to Shel" on this email string to mean your reply that said that you were in receipt of my complaint and would provide a response in the future. That is technically a "reply in writing" but it's not a response to the complaint. Will you please let me know if you plan to plan to stand on that written reply as your only response?

It is your decision but I'd like to know the standing ***before*** the board meeting today since it may change my comments or even whether it's appropriate to comment at all. I have a higher ethical standard that I must meet so I need your decision on whether you'll respond or not.

Moreover, since you considered that reply to be a response, I am even more confused why you were instructing Jay and Majo towards end of December (after the lawsuit was voluntarily dismissed without prejudice) that they were not allowed to talk to parents about the school Christmas-only party because there was still a "legal" action on that matter. If the "legal" matter that you were referred to involved me, which legal matter? The lawsuit was dropped and you considered your email promising a future response to be your final reply on the matter. It seems inappropriate to put a gag order on the PTA president ever but it makes less sense knowing that you considered the matter resolved.

Thanks,

Shel

On Tue, Jan 25, 2022, 9:35 PM <person1> wrote:

Dear Ted,

As a follow-up, I found the attached two emails.
On 12/5/2021, you wrote: "I will be following up on your formal complaint but please consider this email as my final decision on this matter and a formal directive to follow all applicable requests from the principal at River Elementary." However, I do not have any follow up for the formal complaint.

On 12/6/2021, you wrote: "I am not making or advocating for any decision in relation to this event [not mentioning the complaint at all]. ... In that spirit, I believe that this situation is best handled by you, the principal, and the PTA." However, I do not have your actual decision on the complaint on the racial discrimination that my children have faced over the years and in particular this year related to the various Christmas-only activities and programs at the school where menorahs and anything non-Christmas related are banned (even on a public street where First Amendment guarantees exist).

I do believe you that you made a decision but it is also possible that (1) you forgot to copy me on that email or (2) I didn't receive that email for other reasons. If you just resend it, I will consider the decision made. Or if you just provide the date of your decision, it may be helpful to know if I have any emails from you on that date. In general, I have seen them done as formal reports and sent more formally, and since mediation was offered, I expected that there would be some information provided on that issue, but I am fine however the school normally handles the complaint as long as I receive a response by or before this Friday.

Thank you.

Warmest regards,

Shel

On Tue, Jan 25, 2022 at 9:02 PM [name] wrote:

Dear Ted,

I apologize. I honestly didn't know that you had made a decision. Can you simply copy and paste it into your response?

All I have from you on this string is what you sent the next day:

"Shel, I am in receipt of your complaint. I believe that I have read through all of the emails on this topic and will be requesting a legal opinion on any board or legal violations. I can understand the timing of this request and will work to get an answer as soon as possible. With that being said, many of us, including most legal firms, are at a state level conference and I cannot guarantee that we will have an answer back from legal in the time period that you are requesting. As with past situations, I understand that you may want the board or me to make a decision, but we will be waiting for legal guidance on this issue as we have in the past.
Sincerely, Ted Knight"

The other emails that I received from you around that time stated that you wanted everything handled at the school level, but they are not on this same string. Here is one example:

"Ms. Lyons,
As I suggested in my previous email, on another issue, I believe that this would be best handled at the school level. I believe that the Principal and music teacher are aware of laws surrounding musical performances around a holiday and will follow those laws. After you have spoken with both, please let me know if you still believe that there is a law or policy violation.
Sincerely, Ted Knight"

Was that your decision on the UCC? Also, did you deny the request for mediation? If that is your decision, can you just confirm it in writing. I have been waiting 60 days for this decision, so I am glad that we have one.

Thanks,

Shel
On Tue, Jan 25, 2022 at 8:39 PM [Redacted] wrote:

Dear Ted,

I just realized that this Complaint has a 60-day resolution process and therefore I am due the report by or before this **Friday, January 28th**. As I'm sure you are aware, the Uniform Complaint Procedures state that the LEA must: "Resolves the complaint and completes a written report **within 60 calendar days of receipt** of the complaint unless extended by written agreement of the complainant." Can you confirm that you will have a written report to me by or before this Friday (i.e., within the 60 days)?

I know you have been acutely aware of these issues since May which Trish provided an update. Then in July, you said that you were investigating them at that time. In fact, you said that you had to investigate any claim of discrimination, so I believe that you may already have a report available already. I think you know that it is a real issue of discrimination and as other parents learn about it, they are aghast.

I have already almost all the documents to you, but I have started to collect the examples of racial discrimination my children have experienced at River, including the racially discriminatory curriculum, in a Google drive so it is more readily accessible. It shows everything that we’ve already discussed in the past: Jewish children are called "Israelis" by teachers and the school curriculum, Christian children are called "Americans", children have to celebrate Christmas to be included (and therefore be Christian). This year, once again, the school held a schoolwide Christmas Santa parade and passed out Christmas candies, and once again, menorahs and Hanukkah were banned from any inclusion at any school wide events, including the events during school hours. Once again, the students only received awards if they wore Christmas colors (red and green) and received zero awards if they wore Hanukkah colors (blue and white). The teacher confirmed that otter bucks are passed out for students who wear the Christmas colors and that the students receive nothing if they wear non-Christmas colors.

I'm copying Will because an attorney generally does those written reports, and I'm not even sure if he is aware that the complaint was received 57 days ago and an answer is due in just 3 days and I have received zero updates. For instance, I had requested mediation but so for that to occur within the timeline, I believe that it will need to occur this week and ASAP. If it is already scheduled, please let me know ASAP.

Thank you,

Shel

E. Ted Knight, EdD
he/him/his
Superintendent Carmel Unified School District
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Link to CUSD Nondiscrimination Notice
Re: Formal Legal Complaint

From: [Redacted]  Thu, Jan 27, 2022 at 11:27 PM PST (GMT-8:00)
To: Ted Knight <tknight@carmelunified.org>; Jessica Hull <jhull@carmelunified.org>; William B. Tunick <wtunick@dwkesq.com>

Dear Ted,

I am sending a follow-up email just so this point doesn't get lost:

I only chose to *voluntarily* dismiss the court case without prejudice *because* the court decision was so incredibly favorable for me that it is clear that I would win the Complaint. A Federal District Judge -- hearing just a small *fraction* of the issues raised in the Complaint -- found that River's programs were particularly troubling and very serious in a 10-page order on a TRO. (Just the fact that she wrote a 10-page order on a TRO in under 24 hours should have been a red flag to CUSD that they had a huge problem on their hands.) You 100% knew that there was discrimination happening at River since July. We discussed it. (Mrs. Robinson and Mrs. Barca-Hall are two examples.) I didn't want you to investigate it. You said that you had to because it was discrimination so I am guessing that you did but just did nothing about it.

Yes, the judge said that I wouldn't win the final case *if* you could prove that what I was saying was false. But it wasn't as you well know and as the dozens of pages of evidence that I've provided you show. If you need more proof, listen to the board meeting from yesterday and start on minute number 43. There's your four most powerful witnesses on anti-Semitism being taught at River: https://www.youtube.com/watch?v=htYeRMAnWU8.

Nothing could be clearer than that this Complaint should come out in my favor.

So to mention that the judge denied the motion when she made it clear that it didn't mean that I lost the case (and in fact, if my allegations were true, which they are, likely won the case), is the weakest argument that you could have possibly made for falsely pretending that you thought that I dropped my Complaint when knowing that I should win this Complaint (and will win if I'm forced to appeal it to the CDE) would be the only -- and I emphasize *only* -- reason that I chose to dismiss the lawsuit in the first place.

I just didn't want that point getting lost. The order from that motion came out in my favor even if I didn't reach the incredibly high standard of a mandatory injunction. Maybe that went over your head, but I can guarantee you that it didn't go over Mr. Tunick's head. And that judge did not even see the curriculum and other evidence that I have since gathered and provided to you in that Google drive.

At some point, someone with power is going to stand up against the anti-Semitism being condoned (and yes even taught and endorsed) at River school. I hope it will be you. But if not, it will be the CDE or a federal judge.

With that said, in all sincerity, I do hope you recover from Covid quickly.

Thanks,

Shel

On Thu, Jan 27, 2022, 11:08 PM [Redacted] wrote:

Dear Ted,

I hope you are feeling better.

I haven't heard from you unfortunately. Jessica says that you are sick and cannot respond so I am adding others to respond. Since you did not accept my gracious offer to extend the deadline through February 4th and refused to even admit that you made a mistake here but blamed it on me somehow, I revoke my incredible generous offer for any extension then. I expect the District's response no later than COB this Monday, January 31, 2022 per the CUSD Board Policy and the California Department of Education guidelines.

Despite your sudden allegation otherwise, I made it quite clear that I was pursuing that complaint. Again and again, I tried to find a way for a compromise (and drop the Complaint if you ALSO agreed to compromise which you didn't (even
though you were in the wrong) and you refused again and again, so that you knew that I never (and I mean never) was dropping this complaint. Each time, I said that if we reached a compromise or any inclusion of anything that was not Christmas (e.g., Maccabbee Blue Day or Dreidel White Day or allowing Hanukkah chocolate gelt to be passed out schoolwide like the Christmas candy canes are passed out schoolwide -- often with Christian sayings attached -- with Jay's full permission and endorsement) that I would drop the Complaint. Each time you refused. You even went as far as threatening me with legal action, and then, much to my complete shock, had the crazy enough chutzpah to ask for a sheriff's presence at the Christmas Tree lighting ceremony because a "disruptive parent" was going to show up -- the same Christmas party that you claimed was not a school-endorsed event (until you became unusually involved at it). You 100% knew that I did not and would not drop the complaint. When the Court agreed with me that CUSD's actions were "particularly troubling" and "very serious" and that there were legitimate concerns of racism happening, it was 100% clear that I would not be dropping the complaint because it is particularly troubling and very serious that CUSD continues to condone and even encourage racism in the Districts. Moreover, and the key issue is that you 100% admitted in the email below that you knew that I didn't drop my Complaint because you wrote: "I did reply in writing (email) to Shel." and you literally though that your email saying that you were in receipt of my complaint and that you would reply later was your response. Now suddenly you are taking a completely different turn. I loathe dishonesty. I loathe insincerity. I loathe poor leadership.

I think what really happened is that you got a uniform complaint and never bothered to send it to legal counsel and you improperly instructed me not to include legal counsel on emails even when they deal with legal matters. So what happened is that your legal counsel had no idea what was happening, never received the Complaint, and never calendared it. Then, you responded to me to tell me that your "receipt" of my email was enough or that your instruction to tell me to talk to Jay was enough -- not sure which you are claiming but clearly neither actually addressed my actual Complaint nor is responsive to the actual Complaint in any substantive matter. Then, instead of apologizing or taking any responsibility or acting in any role of leadership at all whatsoever, you basically blamed me as your scapegoat in the way that I watched what you did to Tracey Henderson when you acting improperly in that meeting. It's shameful.

Despite all of this misbehavior on your side, I was gracious in offering an extension and I expected some grace in response, but your behavior has been shameful. I really want you to succeed here -- believe it or not -- mostly because you are such a dear friend of our mutual friend who I cherish so much -- but until you learn that you are not in a big urban city like Denver but you are in a small town where we all know each other and manage to get along, it's just not going to work. You need to learn to be honest, take responsibility, and guess what? People are not going to attack you but they'll give you some grace. But the scapegoating, the dishonesty, the blaming others, and the refusal to take any responsibility has to end. It's truly disgraceful.

If I hear a different tune, I will reconsider providing the one-week extension again, but until then, I revoke it. I cannot believe I did not get an immediate email thanking me for my generosity, admitting that I was not to blame and it was your mistake, and agreeing to the 1-week extension. I hope to see an improvement in the future.

Again, I truly hope you feel better.

Thank you.

Warmest regards,

Shel Lyons

On Wed, Jan 26, 2022 at 4:23 PM [removed] wrote:
Ted,

Thank you. I'm happy to hear that you admit that you never replied to the Complaint in violation of CUSD policies.

I do not think an entire month extension is appropriate especially as I said multiple times that I would still be filing my complaint if the menorah (and therefore Jews) we're going to be banned. In the end, that's exactly what happened. It was therefore 100% clear that I was filing my complaint which you admitted just yesterday (when you falsely claimed you had already responded to it). I will, however, generously grant an extension until February 4, 2022 COB. Any further delay will just continue to thwart my children's rights as they are repeatedly discriminated against overtly at River School. I must take into consideration the appeal and other processes as well.

I look forward to a response to my complaint due this Friday by or before February 4, 2022.

Shel
On Wed, Jan 26, 2022, 3:39 PM Ted Knight <tknight@carmelunified.org> wrote:

Shel, my understanding is that you want an answer before today's board meeting starts at 4:00 pm. Please see the following response and let me know your thoughts. Ted

In reviewing the emails, I think there may have been some misunderstanding about the status of the uniform complaint.

The uniform complaint was filed in the middle of the ongoing conversation with you about your concerns regarding the River School event and the District understood the uniform complaint to be focused on that concern. Subsequent to the filing of the uniform complaint several events took place which appeared to resolve the matter. First, I provided you with my final decision regarding the event (in the previously referenced email). Second, you suggested in at least one email that you were withdrawing the uniform complaint. Third, the Court denied your request to alter the event. Finally, the District had not received any further communication from you regarding the uniform complaint until yesterday.

Given the combination of these events, it was not clear to the District that you were still pursuing the uniform complaint under the District's policies. While we now understand that you still seek a formal conclusion to the uniform complaint, as a practical matter, the District will need additional time to do so. Accordingly, notwithstanding my prior decision and the Court's ruling, if you still seek for the District to complete the formal process in response to the uniform complaint we would suggest that we agree that the District will conclude its process and response no later than February 25, 2022.

On Wed, Jan 26, 2022 at 1:41 PM [Name] wrote:

Good afternoon, Ted:

Please let me know before 4 PM if:

1) You'll be providing a response to the Complaint before or by the 60 day deadline this Friday? (I'm fine with a response by Monday COB if that is easier for you.)
2) You're deciding that your written reply that you are in receipt of my complaint was sufficient. (I just need to know if that is your decision.)

I don't need your actual response by today but just whether or not you'll even be providing one. I wouldn't have asked for it by today because I expected that you were providing a full response with the 60 days but then yesterday you wrote to me to say that it was your full response. I don't want to be raising issues at public comment that aren't appropriate so I've been keeping my comments to other issues that weren't specifically raised in the complaint, and I don't know how to handle today.

If you still believe that you already provided a full response on this chain as you stated yesterday, please simply copy and paste that response to the complaint so I can have a copy of it since I didn't receive it. I am not trying to pin you down but whether or not I have an active complaint at CUSD is critical information. I believe you when you said that the complaint was already responded (and therefore no longer active), and I've relied upon that information with my conversations with other CUSD relationships and I need to correct if it's not true. I don't believe it is true but until you respond, I really don't know your perspective on that matter.

Thanks,

Shel

On Wed, Jan 26, 2022 at 8:02 AM [Name] wrote:

Good morning,

I haven't heard from you with your response to my complaint.

I now understand that what you meant by having provided a "reply in writing (email) to Shel" on this email string to mean your reply that said that you were in receipt of my complaint and would provide a response in the
future. That is technically a "reply in writing" but it's not a response to the complaint. Will you please let me know if you plan to plan to stand on that written reply as your only response?

It is your decision but I'd like to know the standing ***before*** the board meeting today since it may change my comments or even whether it's appropriate to comment at all. I have a higher ethical standard that I must meet so I need your decision on whether you'll respond or not.

Moreover, since you considered that reply to be a response, I am even more confused why you were instructing Jay and Majo towards end of December (after the lawsuit was voluntarily dismissed without prejudice) that they were not allowed to talk to parents about the school Christmas-only party because there was still a "legal" action on that matter. If the "legal" matter that you were referred to involved me, which legal matter? The lawsuit was dropped and you considered your email promising a future response to be your final reply on the matter. It seems inappropriate to put a gag order on the PTA president ever but it makes less sense knowing that you considered the matter resolved.

Thanks,

Shel

On Tue, Jan 25, 2022, 9:35 PM [redacted] wrote:

Dear Ted,

As a follow-up, I found the attached two emails.

On 12/5/2021, you wrote: "I will be following up on your formal complaint but please consider this email as my final decision on this matter and a formal directive to follow all applicable requests from the principal at River Elementary." However, I do not have any follow up for the formal complaint.

On 12/6/2021, you wrote: "I am not making or advocating for any decision in relation to this event [not mentioning the complaint at all] .... In that spirit, I believe that this situation is best handled by you, the principal, and the PTA." However, I do not have your actual decision on the complaint on the racial discrimination that my children have faced over the years and in particular this year related to the various Christmas-only activities and programs at the school where menorahs and anything non-Christmas related are banned (even on a public street where First Amendment guarantees exist).

I do believe you that you made a decision but it is also possible that (1) you forgot to copy me on that email or (2) I didn't receive that email for other reasons. If you just resend it, I will consider the decision made. Or if you just provide the date of your decision, it may be helpful to know if I have any emails from you on that date. In general, I have seen them done as formal reports and sent more formally, and since mediation was offered, I expected that there would be some information provided on that issue, but I am fine however the school normally handles the complaint as long as I receive a response by or before this Friday.

Thank you.

Warmest regards,

Shel

On Tue, Jan 25, 2022 at 9:02 PM [redacted] wrote:

Dear Ted,

I apologize. I honestly didn't know that you had made a decision. Can you simply copy and paste it into your response?

All I have from you on this string is what you sent the next day:

"Shel, I am in receipt of your complaint. I believe that I have read through all of the emails on this topic and will be requesting a legal opinion on any board or legal violations. I can understand the timing of this request and will work to get an answer as soon as possible. With that being said, many of us, including most legal firms, are at a state level conference and I cannot guarantee that we will have an answer back from legal in the time period that you are requesting. As with past situations, I understand that you may want the board or me to make a decision, but we will be waiting for legal guidance on this issue as we have in the past. Sincerely, Ted Knight"
The other emails that I received from you around that time stated that you wanted everything handled at the school level, but they are not on this same string. Here is one example:

"Ms. Lyons,
As I suggested in my previous email, on another issue, I believe that this would be best handled at the school level. I believe that the Principal and music teacher are aware of laws surrounding musical performances around a holiday and will follow those laws. After you have spoken with both, please let me know if you still believe that there is a law or policy violation.
Sincerely, Ted Knight"

Was that your decision on the UCC? Also, did you deny the request for mediation? If that is your decision, can you just confirm it in writing. I have been waiting 60 days for this decision, so I am glad that we have one.

Thanks,
Shel

On Tue, Jan 25, 2022 at 8:53 PM Ted Knight <tknight@carmelunified.org> wrote:
William, as you can probably see from the email string, I did reply in writing (email) to Shel. If you think we need something more formal please let me know. If not, can you please let me know what our response should be? Thanks, Ted

On Tue, Jan 25, 2022 at 8:39 PM [REDACTED] wrote:
Dear Ted,

I just realized that this Complaint has a 60-day resolution process and therefore I am due the report by or before this **Friday, January 28th**. As I'm sure you are aware, the Uniform Complaint Procedures state that the LEA must: "Resolves the complaint and completes a written report **within 60 calendar days of receipt** of the complaint unless extended by written agreement of the complainant." Can you confirm that you will have a written report to me by or before this Friday (i.e., within the 60 days)?

I know you have been acutely aware of these issues since May which Trish provided an update. Then in July, you said that you were investigating them at that time. In fact, you said that you had to investigate any claim of discrimination, so I believe that you may already have a report available already. I think you know that it is a real issue of discrimination and as other parents learn about it, they are aghast.

I have already almost all the documents to you, but I have started to collect the examples of racial discrimination my children have experienced at River, including the racially discriminatory curriculum, in a Google drive so it is more readily accessible: [https://drive.google.com/drive/folders/1kUUyrlJi2vsCWwj78P4tXL_zP1TMrT?usp=sharing](https://drive.google.com/drive/folders/1kUUyrlJi2vsCWwj78P4tXL_zP1TMrT?usp=sharing). It shows everything that we've already discussed in the past: Jewish children are called "Israelis" by teachers and the school curriculum, Christian children are called "Americans", children have to celebrate Christmas to be included (and therefore be Christian). This year, once again, the school held a school-wide Christmas Santa parade and passed out Christmas candies, and once again, menorahs and Hanukkah were banned from any inclusion at any school wide events, including the events during school hours. Once again, the students only received awards if they wore Christmas colors (red and green) and received zero awards if they wore Hanukkah colors (blue and white). The teacher confirmed that otter bucks are passed out for students who wear the Christmas colors and that the students receive nothing if they wear non-Christmas colors.

I'm copying Will because an attorney generally does those written reports, and I'm not even sure if he is aware that the complaint was received 57 days ago and an answer is due in just 3 days and I have received zero updates. For instance, I had requested mediation but so far for that to occur within the timeline, I believe that it will need to occur this week and ASAP. If it is already scheduled, please let me know ASAP.

Thank you,
Shel
Re: 11/30/2021 CUSD Uniform Complaint

Mon, Jan 31, 2022 at 5:16 PM PST (GMT-08:00)

Dear Ted,

Thanks for your response.

I didn't previously understand your statement, because it was so confusing. Also, I had made quite clear that I did need your response so I was expecting a response indicating whether or not there was an agreement as to the extension.

However, I think I now understand that you would like an extension until this Friday, February 4, 2022, and will provide a response then. I agree with this timeline. If I am mistaken and you are not agreeing to the February 4, 2022 extension, please let me know ASAP. The extension date changes my deadline for an appeal. So if you disagree with the extension, my deadline to appeal is March 1 but if you agree to the extension, my deadline to appeal is also extended and so will be March 6.

If I don't hear otherwise, I'll understand that CUSD is agreeing to the February 4, 2022 deadline and therefore my deadline to appeal is also delayed.

Also, in the future, please just say that yes, you would like the extension and will respond by the new deadline so it's a bit clearer. It reduces the number of emails, which is my end goal.

I look forward to receiving the CUSD response on Friday.

Have a great week!

Thank you.

Warmest regards,

Shel

On Mon, Jan 31, 2022, 5:00 PM Ted Knight <tknight@carmelunified.org> wrote:

Shel,

As previously stated, I understood your January 26 email to agree to an extension until February 4 and it did not appear from that email that you were asking the District to affirmatively agree to your partial agreement to its extension request. Nonetheless, the District is currently working on preparing a formal response to the allegations in the uniform complaint and will provide the response to you as soon as possible.

Thanks, Ted

On Mon, Jan 31, 2022 at 4:36 PM [name redacted] wrote:

Dear Will and Ted:

As a gentle reminder, please let me know by COB if you would like an extension until this Friday (2/4/2022) to respond to the 11/30/2021 complaint that was received on 12/01/2021. Otherwise under the 60-day timeline, the response is due today and the 30-day appeal process starts tomorrow.

Thanks,

Shel Lyons

E. Ted Knight, EdD
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