



April 16, 2019

Don Austin, Superintendent
Palo Alto Unified School District
25 Churchill Ave.
Palo Alto, CA 94306

Re: Public Records Act Request & Brown Act Violation

Dear Dr. Austin:

This letter constitutes our request under the California Public Records Act for copies of all emails, letters, memos and other documents to and from Stanford University and the Palo Alto Unified School District between March 1, 2019 and today's date pertaining to negotiations or possible agreements between the two entities relating to Stanford University's pending general use permit and the issuance of the press release dated April 15, 2019.

This includes, but is not limited to, all documents created or conveyed in connection with your meetings with Stanford representatives and documents or updates sent to members of the Board of Education. In addition, this request is intended to apply to text messages and emails sent or received on both school district and personal devices.

Separately, we are very concerned that one or more violations of the Brown Act may have occurred in connection with this issue. The school board held no noticed meeting at which discussion of this proposed agreement was agendaized prior to yesterday's announcement that a tentative deal had been reached, yet a fully drafted agreement and press release were issued. Such actions strongly suggest that the school board either met and agreed to the terms of the agreement in closed session without properly notifying the public (and regardless, there is no Brown Act exception allowing such closed session discussion) or a consensus of the board regarding the deal points was achieved through serial conversations between you and board members.

As a result of the district's actions, the public was provided no opportunity to comment or provide input prior to the district and Stanford formalizing the agreement. This deprived the public of the chance to influence its elected representatives before they formed their conclusions on the merits of the agreement. Subsequent public review, as is intended for tonight's special meeting called with barely 24 hour notice, for such a complex matter where no urgency exists further deprives the public of its ability to participate and influence the outcome.

Whether or not the Brown Act was violated and regardless of the merits of the agreement, the district's handling of this matter lacked transparency for no discernable reason other than to make it more difficult for the public to be able to influence the agreement once it was announced. The best interests of the public would have been to hold an open meeting where the public and board members were both briefed on the progress of the negotiations at the same time and board direction was given to you after public input.

We remind you that the law requires identification of the specific statutory basis for withholding or redacting any responsive records. Given the importance and urgency of this matter, I hope you will make every effort to fully reply with the requested documents by the end of this week.

Sincerely,

A handwritten signature in black ink, appearing to read 'Bill Johnson', written in a cursive style.

William S. Johnson
Publisher