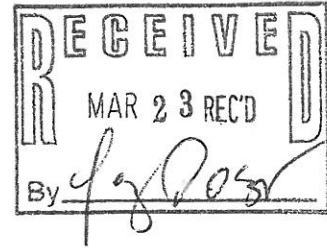


Central Unified School District Board
4605 N. Polk
Fresno, CA 93722



Cesar Granda, President
Ruben Coronado
Rama Dawar
Phillip Cervantes
Richard Solis
Richard Atkins
Terry Cox

Re: Brown Act Violations

Dear Board Members:

This letter is to address recent violations of the Ralph M. Brown Act. These violations may jeopardize the action taken by the Central School Board on February 27, 2018 to release Superintendent Mark Sutton from his contract.

The violations are as follows:

- 1) A majority of Board members planned together to not act on Superintendent Sutton's contract renewal and let it expire. They agreed to not engage into contract negotiations with Superintendent Sutton outside of regular meetings. The board also ignored requests from the public to add the matter to the agenda for consideration for several months.
- 2) In its meeting on February 27, 2018, during closed session, the Central School Board acted to release Superintendent Mark Sutton from his contract, without cause. Prior to this closed session this issue was discussed among a majority of Board members.
- 3) Five Board members regularly communicate through an intermediary to gain consensus on agenda items.
- 4) A majority of the board has decided outside of regular board meetings to install a permanent Superintendent prior to the November Elections. This was communicated to the media by the Board President immediately following the placement of an interim superintendent at the March 6, 2018 meeting.

The actions taken were not in compliance with the Brown Act because informal gatherings and serial meetings where Board business is discussed violates the law if not conducted in conformance with the Brown Act.

The Brown Act defines "action taken" for the purposes of the Act 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." The informal discussions meet this definition. (Cal. Gov. Code Section 54952.6).

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 the provisions of Government Code Section 54960.1, I demand that the Central Unified School Board cure and correct the illegally taken action as follows:

- 1) Withdraw the decision to terminate Superintendent Mark Sutton.

As provided by Government Code 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, I will seek a judicial invalidation of the challenged action pursuant to Government Code Section 54960.1, in which case I will ask the court for an award of attorney's fees and costs in this matter, pursuant to Government Code Section 54960.5.

Sincerely,

Aaren Rodriguez
aarenRodriguez@gmail.com