

**Hand-delivered to HR 9/6/23**

**Arlington Independent School District  
Public Complaint Form  
Level One**

Complete this form in accordance with District policy GF (LOCAL). Your complaint will be dismissed if it is submitted with incomplete information. Submit your Level One complaint via email to [HREmployeeRelations@aisd.net](mailto:HREmployeeRelations@aisd.net)

1. Name DAVID JARVIS
2. Address & Telephone Number 500 Dorcas Lane, Arlington, TX (817) 991-7153
3. The date of the event or action that gave rise to this complaint 8-18-23
4. A detailed factual description of all of the circumstance(s) that gave rise to this complaint. (Use additional pages if necessary)

See attached sworn affidavit dated 9-6-23.

5. Explain specifically how you were harmed or injured by the facts that you provided in response to item 4 above.

I have been harmed by the AISD Superintendent and AISD Board of Trustees refusing to honestly respond to two simple questions - thereby undermining my trust and confidence in the integrity, trustworthiness, and judgment of the AISD Superintendent and Board of Trustees.

6. Identify and attach any documents upon which you will rely during the complaint process and explain what those documents will prove.

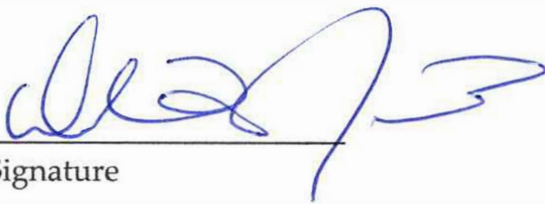
See attached sworn affidavit dated 9-6-23.

7. The district wants to have all complaints resolved informally or at the lowest possible level. Explain your efforts to informally resolve your complaint including whom you spoke with, when you met, and the response you received. If you did not attempt informal resolution, give a detailed explanation why not.

See attached sworn affidavit dated 9-6-23. Both AISD Interim Superintendent Dr. Steven Wurtz and the entire AISD Board of Trustees have ignored my emails and shown no interest in resolving this matter informally. Therefore, I have been forced to file this formal grievance.

8. Identify the remedy you seek for this complaint. In other words, what do you want us to do in response to your complaint?

I would like Dr. Wurtz or the Board of Trustees to provide responsive and truthful answers to my two simple questions listed in paragraph 5 of my attached affidavit.

  
Signature

9-6-23

Date Submitted

Name, address, and telephone and fax number of representative, if any.

email djarvis1776@icloud.com

## Sworn Affidavit

The State of Texas

County of Tarrant

David L. Jarvis, of Arlington, Texas, personally came and appeared before me, the undersigned Notary Public, and makes this his statement, testimony and General Affidavit under oath or affirmation, in good faith, and under penalty of perjury, of sincere belief and personal knowledge that the following matters, facts, and things set forth are true and correct, to the best of his knowledge:

1. On 7-15-23, I submitted a public information request to the AISD Legal Office for the following documents: the title and publisher of all materials used by AISD (from Jan 2022 to June 2023) to inform/train AISD employees and/or students in the following areas: gender identity/confusion; transgender issues generally; and gender affirming care. I also asked AISD to produce a copy of any AISD written guidance given to AISD counselors on how to handle counseling in these same areas.
2. On 7-27-23, Paralegal Aaron Boals (with the AISD Office of General Counsel) responded to my July 15 document request (PIA 2022-23\_498). In his response, Mr. Boals did not produce documents responsive to my request – in that he did not identify the publisher of these materials or the name of the company providing this training to AISD. However, he did provide what appeared to be screen shots of three training sessions with the following titles: “Making Schools Safe and Inclusive for Transgender Students”; “Making Schools Safe and Inclusive for LGBTQ+ Students”; and “Title IX and Gender Equity in Athletics”.

3. On 7-27-23, I emailed Mr. Boals and asked him how I was able to view the actual contents of the three courses identified in his July 27 email. Since Mr. Boals did not provide any documents relating to AISD guidance to AISD counselors in these areas, I also asked Mr. Boals “Are you saying that AISD gives no written guidance to counselors in these areas to maintain some form of consistency in guidance given by AISD counselors in these areas?”
4. On 7-31-23, Mr. Boals responded to my July 27 email by stating: “The Texas Public Information Act does not require the District to answer questions. The records released are those responsive to your request.”
5. On 8-10-23, (in view of Mr. Boals’ inadequate-response) I sent an email about this matter to AISD Interim Superintendent Dr. Steven Wurtz and to the AISD Board of Trustees (the Board). In this Aug 10 email, I asked Dr. Wurtz the following two questions:
  - How am I able to view the documents (lesson plans, hand-outs to students, etc.) used to provide the actual training summarized in the three pages attached in the PDF document marked “Non-Mandatory Training” (also referenced in paragraph 2 of this affidavit)?
  - Since Mr. Boals provided no documents to me which provide guidance to AISD counselors about how to counsel AISD students or employees in the areas of gender identity/confusion; transgender issues generally; and gender affirming care – I asked Dr. Wurtz the same question “Are you saying that AISD does not provide any written guidance to AISD counselors in these three

areas -- to maintain some form of consistency in guidance provided by AISD counselors in these areas?"

In this same email, I informed Dr. Wurtz (and the Board) that if Dr. Wurtz failed to respond to my questions by 8-18-23, I planned to file a formal grievance. The basis of the grievance would be a formal public complaint about the disturbing lack of transparency and honesty demonstrated by both Dr. Wurtz and the Board in response to questions relating to these very sensitive gender issues - matters of great importance to both AISD parents and taxpayers.

6. On 8-31-23, I sent an email to both the Board and Dr. Wurtz reminding them of my intention to file a formal grievance. Neither the Board nor Dr. Wurtz have responded to either my email dated 8-10-23 or 8-31-23. In my Aug 31 email, I also pointed out to both Dr. Wurtz and the Board that their current position of refusing to answer simple questions about AISD guidance to counselors "undermines public trust and strongly suggests that you are willfully concealing information from AISD parents and taxpayers."
7. Section 11.1512 (b)(3) of the Texas Education Code requires that **the Board and the Superintendent "work together to provide educational leadership for the district..."** (my bold) The refusal of both the Board and Dr. Wurtz to respond to my questions reflects a disturbing failure of their educational leadership responsibilities to AISD parents and taxpayers.
8. Section 11.201(a) of the Texas Education Code states that "the superintendent is the **educational leader** and the chief executive officer of the school district". Section

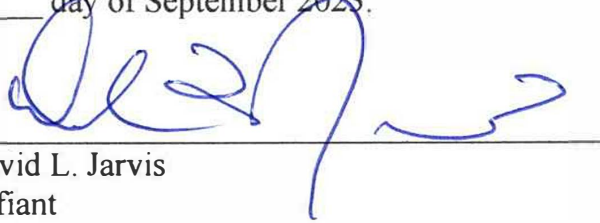
11.201(d)(1) of the Texas Education Code states (in part) that the “**duties of the superintendent include assuming administrative responsibilities and leadership** for the planning, organization, **operation, supervision,** and evaluation of the education programs, services, and facilities of the district”. (my bold)

9. The refusal of both the Board and Dr. Wurtz to respond to my two simple questions (see paragraph 5 of this affidavit) reflects a deeply troubling failure of their leadership responsibilities to AISD parents and taxpayers. On the Board’s website, they state that they see themselves as “guardians of the public trust”. Truly a noble goal – but why should the public trust the Board when the Board refuses to trust the public with the truth – with honest and responsive answers to these two questions?
10. If the AISD Board of Trustees believes any statements in this affidavit are not accurate or are misleading/incomplete, please inform me and I will take appropriate action as needed to revise this affidavit.

**[Remainder of Page Blank]**

All statements made are of my own knowledge and are true and correct.

Dated and executed this 6<sup>th</sup> day of September 2023.



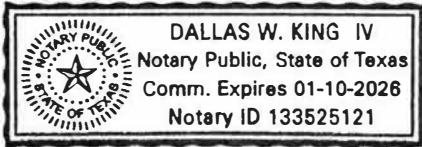
David L. Jarvis  
Affiant

The State of Texas

County of Tarrant

Before me, Dallas W. King IV, Notary Public, on this day personally appeared David L. Jarvis, known to me to be the person whose name is subscribed to the foregoing sworn affidavit under penalty of perjury, and acknowledged to me that they voluntarily executed this affidavit.

Given under my hand and official seal this 6<sup>th</sup> day of September 2023.



Dallas W. King IV, Notary Public, State of Texas  
My commission expires: 01-10-2026