

Hand delivered to HR
9-28-23

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

1. Name **DAVID JARVIS**
2. Address & Telephone Number **500 Dorcas Lane, Arlington, TX 76013**
(817) 991-7153
3. The date of the event or action that gave rise to this complaint **9-27-23.**
4. A detailed factual description of all the circumstance(s) that gave rise to this complaint. (Use additional pages if necessary)

On 9-14-23, I submitted four questions to the Board: a) asking for contact information for employees responsible for training in areas including equity and gender identity, b) asking if the Board approved of attorney Eichelbaum's targeted email prohibiting me from obtaining information from AISD administrators; c) asking for identifying information for any non-AISD parties providing training to AISD employees or students about equity and transgender issues; and d) asking for legal/policy authority for Trustee Chapa's statement that a grievant must show a "violation of law or policy".

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

Texas state law - Education Code, Sections 26.001(a) and 4.001(b) states that "parents are partners with educators". Parents cannot benefit from any partnership with the Board unless the Board provides truthful and timely responses to questions relevant to AISD parents. As a taxpayer and voter, I need to know if the Board is willing to truthfully respond to my questions. If the Board refuses to respond to my questions and trust me with the truth, why should I reward such conduct and trust them with my vote in future elections?

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


Notarized and sworn affidavit of David Jarvis - dated 9-28-23.

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.

I attempted to resolve this matter by sending two emails to the Board earlier in September 2023. In these emails, I requested that the Board provide answers to the questions listed in my emails. The Board ignored my emails.

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

Simply provide responsive and truthful answers to these questions.


Signature

9-28-23

Date Submitted

Name, address, 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. The Board of Trustees of the Arlington Independent School District (the Board) clearly has the responsibility to comply with all laws. One law relevant to this grievance is Chapter 26 of the Texas Education Code. Section 26.001(a) states that **“Parents are partners with educators, administrators, and school district boards of trustees in their children’s education.”** (my bold emphasis) Another relevant law is found in Chapter 4 of the Texas Education Code. Section 4.001 (b) lists the objectives of public education. This section states: **“OBJECTIVE 1: Parents will be full partners with educators in the education of their children.”** (my bold emphasis)
2. It is impossible for Texas parents to truly benefit from these state laws and adequately partner with the Board in the education of their children unless the Board is willing to be honest and transparent with AISD parents and taxpayers. As you know, the Texas Public Information Act does not require the AISD Legal Office to answer any of my questions – by law, their responsibility is limited to producing documents (not answering any questions). The AISD Board is the only place a

parent and/or taxpayer can go to obtain answers to questions. I also understand that the Board is not required to answer any questions from a parent or taxpayer. I am certainly not demanding that the Board answer any of my questions.

3. However, as elected officials – the Board is accountable to the voters who elected them to serve in their unique position of public trust. Since the Board serves in a position of public trust, I fully expect the Board to show respect and accountability to voters by answering these questions. As elected officials, the Board should demonstrate that they are worthy of the public’s trust by providing truthful and responsive answers to the important questions listed in this affidavit.
4. On 9-14-23, I sent an email to the Board listing several questions. On 9-19-23, I sent the Board a short clarifying email related to one of these questions. I informed the Board in these two emails that I would be forced to file a formal public complaint if the Board did not respond to my questions by my deadline date of 9-27-23. The Board did not respond to or even acknowledge my questions by my 9-27-23 deadline. The Board also did not request an extension of my deadline to provide more time to respond to my listed questions. In the following paragraphs, I will list the content of the specific questions I emailed to the Board.
5. Could you please provide me with the names and contact information for all AISD employees who have primary responsibility to provide training and instruction to AISD administrators, teachers, and students in the following subject areas: a) diversity, equity, and inclusion; b) abortion; c) same sex attraction; and d) gender identity/transgender related issues? I would like to speak with the appropriate AISD

administrators so I can gain a more complete understanding of AISD operations and programs in these four areas. I need the names and contact information of the relevant AISD administrators so that I can contact and speak with the right people.

Can you assist me in my efforts to contact the right people?

6. On 11-18-22, AISD General Counsel Dennis Eichelbaum sent me an email on behalf of AISD administrator (now Interim Superintendent) Steven Wurtz. In this email, Mr. Eichelbaum explained to me that all AISD administrators were simply too busy to answer any of my questions – and had no time to meet with me, speak with me on the phone, or reply to my emails. In an email, I asked attorney Eichelbaum if AISD sent the same type of email to all public inquiries, or only to my inquiries. Mr. Eichelbaum did not respond to my question. Question (to AISD): Is the above referenced email attorney Eichelbaum sent to me on 11-18-22 still in effect, or has it been rescinded? Does this email restricting my access to AISD administrators represent official AISD policy response to all public inquiries – or is it targeted to me alone? If the content of Mr. Eichelbaum’s 11-18-22 email represents official AISD policy – could you share with me when the Board took official action to approve this new policy? What legal/policy authority does attorney Eichelbaum have to issue such targeted emails designed to obstruct my effort to obtain information from AISD administrators?
7. During the past three years, has AISD hired and paid any non-AISD organizations to provide training to AISD administrators, teachers, employees, and/or students in the four areas of race relations/equity, abortion, same sex attraction, and gender

identity/transgender issues? Or has AISD allowed (at no expense to AISD) any non-AISD organizations to provide the above-listed training/instruction to AISD administrators, teachers, employees, and/or students in these same four areas?

8. At the end of the 6-8-23 Level IV consolidated public complaint/grievance hearing, Board Trustee and Vice-President Justin Chapa made the following comment on the record in open public session: “A grievant cannot prevail unless the grievant can show a “violation of law or policy”, or words to that effect. I am very familiar with both AISD Public Complaint/Grievance Policies: GF(LEGAL)-P; and GF(LOCAL)-LOCAL-X. I cannot find Mr. Chapa’s statement that every grievant must show a “violation of law or policy” in either of these two relevant AISD grievance policies. Could you please give me the legal/policy authority for Mr. Chapa’s statement?
9. In my view, the refusal of the elected Board to respond to the questions listed in this affidavit reflects a deeply troubling message – that the Board has refused to acknowledge their need to show the need for humility, accountability to and respect for AISD parents and taxpayers. On the Board’s website, the Board proudly states that “school board members are guardians of the public trust”. **This statement is truly a noble goal – but why should the public trust the Board with their future votes when the Board consistently refuses to trust the public with the truth? If the Board ignores public inquiries and refuses to trust the public with truthful and responsive answers to important taxpayer questions – the Board has proven to be both untrustworthy and disrespectful to AISD parents and taxpayers.**

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.

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

Dated and executed this 29th day of September 2023.



David L. Jarvis
Affiant

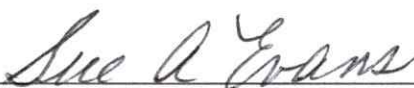
The State of Texas

County of Tarrant

Before me,

Sue A. Evans, 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 28 day of September 2023.



Sue A. Evans, Notary Public, State of Texas
My commission expires: 8/26/2027

