

Hand-delivered to HR  
10-3-23

**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 **10-2-23.**
4. A detailed factual description of all the circumstance(s) that gave rise to this complaint. (Use additional pages if necessary)

**On 9-22-23, I submitted five questions to the Board. All five questions relate to whether AISD plans to approve SB 763 and use chaplain counselors within AISD. I also asked the Board to explain the AISD vetting process for chaplain counselors. I also expressed concern that chaplain counselors from different faith traditions would likely give inconsistent and contradictory counseling on important and sensitive issues related to abortion, same sex attraction, and gender identity related issues.**

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 also 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 truthful answers, 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.

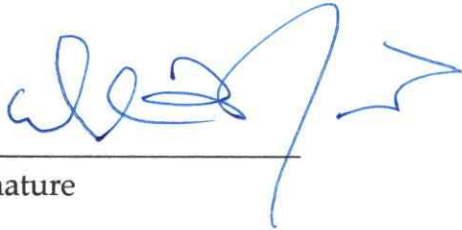
**Notarized and sworn affidavit of David Jarvis – dated 10-3-23.**

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 an email to the Board on 9-22-23. In this email, I respectfully requested that the Board provide answers to the five questions listed in my email. The Board did not request an extension of my 10-2-23 deadline and simply ignored my email.**

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

10-3-23

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. In this email, I informed the Board that the Texas legislature passed Texas Senate Bill 763 (SB 763) with an effective date of 9-1-23. I also informed the Board that SB 763 amended Section 33.002 of the Texas Education Code by adding subsection (d) which states (in part) – “a school district may employ a chaplain instead of a school counselor to perform the duties of a school counselor required as a school counselor under this title. A chaplain employed under this subsection is not required to be certified by the Texas Board for Educator Certification.
5. Section 3 of Section 33.002 states that “Each Board of Trustees of a school district... shall take a record vote no later than six months after the effective date of this Act on whether to adopt a policy authorizing every campus of the district or school to hire a chaplain...”

6. In the same 9-14-23 email to the Board, I asked the Board to respond to five questions which are listed in paragraphs 7-11 of this affidavit.
7. Has the Board taken a record vote on whether AISD will adopt a policy authorizing the hiring of chaplain counselors?
8. If a vote was taken by the Board, when was the vote taken?
9. How would AISD benefit from hiring non-certified chaplains to act as AISD counselors?
10. Since this new law does not require chaplains to be certified – what vetting process would (or does) AISD employ prior to hiring chaplain counselors?
11. Given the wide variety of positions different religions take on issues such as abortion, same sex attraction, and gender identity related issues – don't you agree that the use of chaplain counselors has a significant potential to create confusion and inconsistency based on potentially contradictory counseling information given to AISD students?
12. In my 9-22-23 email to the Board, I acknowledged that the Board was likely too busy to respond to my questions. I suggested that the Board refer my five questions to someone within AISD who could answer my questions. I also offered to meet with one or more members of the Board to further discuss these questions. To date, the Board has refused to respond to my 9-22-23 email and has expressed no interest in meeting or discussing my five questions.
13. In my 9-22-23 email, I also informed the Board that if they refused to respond to my questions by 10-2-23, then I would be forced to file a public complaint/grievance

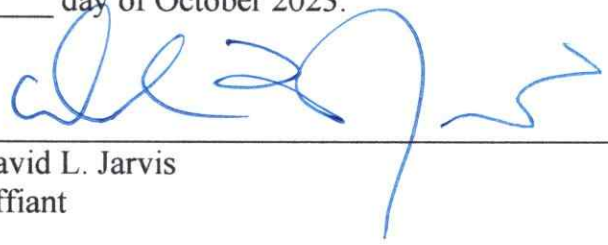
against the Board for their refusal respond to these five questions. The Board ignored my 10-2-23 deadline to respond. The Board also did not request any extension of the 10-2-23 deadline to give the Board more time to further consider a possible response to my questions.

14. In my view, the refusal of the elected Board to respond in any manner 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.
15. 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 3<sup>rd</sup> day of October 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 3 day of October 2023.



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

