



Matt Kirk [REDACTED]

Oct 10, 2023 Digest: 2 new messages from Larkspur-Corte Madera School District today

Matt Kirk [REDACTED]

Wed, Oct 11, 2023 at 12:04 PM

To: John Carroll <jcarroll@marinschools.org>

Bcc: Stephen Marotto [REDACTED]

Hi John,

It is not normal nor appropriate for government officials to publicly lament the cost of fulfilling a PRA to apply pressure to community members to withdraw the request before fulfillment (especially when I have already identified a plethora of issues around transparency and the reliability of financial filings, and the PRA involves Geithman's own correspondence in part). Nor is it normal for it to take this long.

I remain concerned by Dr. Geithman's handling of the Spark complaint and the related PRA requests, and continue to believe an audit is required. I urge you to be a proponent of transparency, and to use your voice and platform to invite an audit. I again will offer here I am happy to serve in this capacity alongside other community members (and potentially your staff) as a volunteer. We need to establish and verify facts. We don't need to spend a bunch of money to do that.

I remain available if you wish to discuss.

Thanks,
Matt

----- Forwarded message -----

From: Matt Kirk [REDACTED]

Date: Wed, Oct 11, 2023 at 11:49 AM

Subject: Fwd: Oct 10, 2023 Digest: 2 new messages from Larkspur-Corte Madera School District today

To: Brett Geithman <bgeithman@lcschools.org>

Cc: <trustees@lcschools.org>, John Carroll <jcarroll@marinschools.org>

Hi Brett,

I am a bit surprised by your letter last night. After our conversation on Monday, I had hoped you would be more supportive of the free and volunteer-led audit that I suggested as a quick and easy path to moving forward from all this. I continue to think it is in everyone's interest to limit further legal spending and quickly get to answers on the remaining outstanding questions and then move on. I do think that requires an audit, but it doesn't have to cost money. And I think we can all agree that all this money being spent on lawyers by the district and Spark is not at all productive.

With respect to your below quote "to date the District has spent tens of thousands of dollars on legal fees as well as nearly 100 staff hours (from the numerous CPRA requests this parent has submitted)," can you explain why you are choosing to spend such high amounts on legal fees to address the 3 CPRA requests I have made that are relatively straight forward? I am pretty surprised that any legal fees beyond some nominal level would be necessary at all to fulfill these requests. Below is my reasoning why, as it relates to each request.

Overview of My CPRAs to District

Summary of Request 1: Cash remittances to the district from Spark.

Why I am surprised: These cash receipts would be in the district's bank statement records. I don't know what a lawyer could even add here. **I would estimate zero legal expense.**

Summary of Request 2: Log of historical PRA and FOIA requests to district and the responses

Why I am surprised: Such requests, when made to the district, and their subsequent responses, automatically become part of the public record. Given that these documents have already undergone any necessary legal scrutiny prior to being disclosed, I'm puzzled as to why there would be additional legal fees associated with sharing them now. **I would estimate zero legal expense.**

Summary of Request 3: Correspondence between Spark and District leadership

Why I am surprised: This is basically a search for emails from and to different people on the district server. While I understand that you will need to review the emails to ensure proper redactions are made, it would seem that a lawyer would only become necessary to advise on situations when you are unsure how to treat responsive materials that may also require redaction. **Here I would expect some questions to surface, but the legal expenses associated with requesting legal advice on what to redact and what not to redact to be pretty nominal.**

In summary, I would expect very minimal legal expenses to address and fulfill these 3 requests. Your statements make it clear that is not the case. Please explain why.

My questions in part come from my concern that perhaps you are uninterested in fulfilling the remaining request for written correspondence, and that perhaps instead you are seeking to weaponize the costs of my efforts for transparency perhaps as a means to avoid actually doing it.

The request that remains outstanding was made on June 23, 2023. It has been 110 days since the request was made, and yet most of it remains unfulfilled. While you continue to find the time to actively campaign for me to withdraw it, you also seemingly lack the time necessary to instead just fulfill it. You have already contacted me twice now requesting I narrow or drop this outstanding PRA request. The first time was during an unprompted phone call I received from you on August 22, 2023. Your second request came over email on September 8, 2023. Now, you are electing to publicly lament that to fulfill the remaining request you "anticipate it will take many months to complete and continue to cost the District thousands of dollars that come from programs to support our students and schools." You already made the same statement in the IJ article and verbally at the Spark Coffee Chat. Predictably, it elicits pressure on me from some members in the community to withdraw my requests. But thankfully compliance with CPRAs is not subject to popular vote. Rather, it is a legal right bestowed upon citizens to remain informed and ensure government officials are transparent and accountable.

And important questions remain outstanding:

- 1) Why did you immediately share the June 1st letter with Ms. Ryba but, per our conversation on Monday, never conduct an investigation interview or even ask the basic question to her: "if your compensation was misstated as zero for 2020, what is the correct figure?"**
- 2) Did you have prior knowledge of the Spark PPP loans before receipt of my Sept. 20th letter? If so, as of when?**
- 3) Do you see your duty to the community in helping steer and govern Spark towards being a good actor to be limited to solely taking action in the face of irrefutable illegal behavior and nothing more?**
- 4) How could the district find no evidence of fraud or wrongdoing given the preponderance of evidence presented in the June 1st letter to the contrary? What work was done to reach that finding?**
- 5) In accordance with 4), how can you reconcile your findings that Ms. Ryba's misstatement of her 2020 compensation to be zero on a federal tax filing she signed under penalty of perjury was in fact accidental with the fact that she and Spark did not seek to provide a revised figure, despite multiple requests, for 135 days (and in the interim Spark's lawyer lied to me about this very data point and then Spark ceased communications once I pointed it out)?**

I have already noted to the board of trustees the potential conflicts of interest here and advocated for your recusal in fulfilling this request, yet you have insisted on remaining the party that fulfills it. In fact, it wasn't until after I sent that letter on Sept. 13th that you produced any responsive materials at all to this PRA.

I very much hope that you are representing the size of the legal expenses borne by the district specifically to fulfill these PRA requests accurately, and not including other legal expenses that you directed the district to incur relating to other matters (including how to respond to my and Mr. Marotto's June 1st letter) in your calculation. **If that isn't the case, please promptly retract this statement (quoted above) and provide a corrected one to the distribution list on ParentSquare.**

Finally, please respond with an explanation of what you are directing these lawyers to do as it relates to each of the PRAs, and how much legal expense you believe roughly can be attributed to each request.

I look forward to promptly resolving the matters outstanding, and remain excited by the potential to substantially grow the amount of funds that can be spent on the kids once trust is reestablished and Spark efficiency is meaningfully improved.

And I will repeat my offer from Monday's email to you as I think it represents the fastest and best way for us to all move on from this matter:

"I will again offer here that I am willing to volunteer alongside other community members to do an audit once the new figures are finalized. I think this could be a free and important step to moving past existing concerns around the reliability of Spark's financials given past misstatements and the change in accountant and bolstering Spark's commitment to transparency. I think this step would also benefit Spark's fundraising efforts."

Thanks,
Matt

----- Forwarded message -----

From: **Larkspur-Corte Madera School District via ParentSquare** <donotreply@parentsquare.com>

Date: Tue, Oct 10, 2023 at 6:47 PM

Subject: Oct 10, 2023 Digest: 2 new messages from Larkspur-Corte Madera School District today

To: [REDACTED]

Larkspur-Corte Madera School District

Daily digest created for Matthew Kirk

- **Response to Attack in Israel**

Brett Geithman posted in Larkspur-Corte Madera School District

- **LCMSD Update re: SPARK**

Brett Geithman posted in Larkspur-Corte Madera School District

Response to Attack in Israel

Posted by Brett Geithman on Tuesday, Oct 10 at 4:00 PM in Larkspur-Corte Madera School District

Larkspur-Corte Madera School District
AWARD WINNING SCHOOLS
to learn and grow!



THE
COVE
SCHOOL
2023

NEIL
CUMMINS
ELEMENTARY
2023

HALL
MIDDLE
SCHOOL
2021



Dear LCMSD Community,

As a District, we understand how disturbing and upsetting recent news regarding Israel and Hamas may be for our students, families, and staff members. The loss of life and destruction is difficult to comprehend and some in our community may be mourning the loss of family and friends. Our hearts are with the families and children affected by these events - every child deserves a childhood free from violence.

It can be challenging to have difficult conversations with our youth, particularly when we ourselves are feeling a myriad of emotions. We have provided a list of resources at the bottom of this message.

It has also come to our attention that social media platforms are being used to share violent and horrific videos and images. Very often, these images are displayed without warning to the viewer. We ask that caregivers speak with their children about how to avoid such posts and where they can get support if they do see such violent imagery.

Additionally, if you hear of or witness any racist, antisemitic, anti-muslim or other language or actions that target a specific group based on identity or perceived identity, or if you have a concern about student or staff safety, please let us know by contacting your school's principal, using the [anonymous tip line](#), or reaching out to me.

We appreciate your partnership and care for one another's children.

Dr. Brett Geithman
Superintendent

Resources:

- [Talking to Children About Violence](#)
- [Talking with Children About War](#)
- [How to Talk to Kids About Violence, Crime and War](#)
- [Helping Your Students Cope with a Violent World](#)
- [Helping teens navigate harmful content on social media](#)



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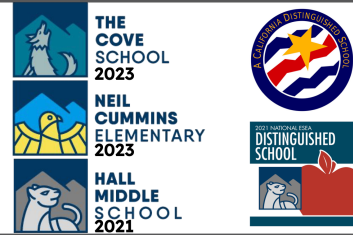
Brett Geithman, Ed.D.

[View in ParentSquare](#)

LCMSD Update re: SPARK

Posted by Brett Geithman on Tuesday, Oct 10 at 6:00 PM in Larkspur-Corte Madera School District

Larkspur-Corte Madera School District
AWARD WINNING SCHOOLS
to learn and grow!



Dear LCMSD Community,

Collaboration, transparency, and strategically aligning resources to support student outcomes are several of the key ingredients to LCMSD's success. This partnership starts with you and expands across our learning community. We are community-funded schools, meaning that our property taxes, parcel taxes, [SPARK Foundation](#) funds, and [PTA/O](#) monies directly support our schools. Each component plays a vital role in the educational experience students engage in each and every day.

Recently, you received an [email](#) from SPARK and most likely have seen the Marin IJ [article](#). As was noted in both publications, the District was notified of the concerns raised by the two Neil Cummins parents. After reviewing their concerns, I made the administrative determination to deny their request for an investigation of SPARK's operations and an audit of each of the last five years. My review, in collaboration with the District's legal counsel, found no evidence of fraud or illegal wrongdoing. The District handles all concerns with the utmost seriousness and if there were even a hint of fraud or illegal activity, the District would fully pursue the matter.

I commend SPARK for amending their IRS filings and committing to a change in their accounting firm. Additionally, I appreciate SPARK co-hosting a coffee chat with me on September 15, 2023, regarding the budget, as well as the annual report they provided to the Board of Trustees on September 13, 2023. A sign of a healthy organization is one that can accept feedback, reflect, and adjust to further evolve its practices. I have firsthand seen the time, energy, and commitment that SPARK, primarily run by volunteers, has dedicated to increasing parent participation and raising funds for our incredible student programs.

In reading the Marin IJ article, you might have noticed a separate issue that the District has been facing since June. Following my administrative decision citing no merit to the alleged claims, one of the parents issued numerous California Public Records Act (CPRA) requests. As a high-functioning school district, we are deeply committed to transparency and dutifully responding to CPRAs. With that, I've received community questions regarding the time and expense the District has incurred from the numerous CPRA requests this parent has submitted. As noted in the IJ, to date the District has spent tens of thousands of dollars on legal fees as well as nearly 100 staff hours. As a steward of public funds with a charge from our community to continually advance our District, I have asked the requester to narrow their scope to allow me to more efficiently provide what they are looking for. Unfortunately, the requests have not been altered; therefore, I will continue to work on fulfilling these CPRAs within the scope of the law. I anticipate it will take many months to complete and continue to cost the District thousands of dollars that come from programs to support our students and schools.

This type of disruption to District and SPARK operations slows District progress for all. Additionally, it can result in a barrier to fundraising, which could ultimately lead to a reduction of student programs and a teacher layoff. As this story has unfolded, you have reached out to SPARK and you have reached out to me with support and confidence in the response to these claims. This support, coupled with your [donations to SPARK](#) will ensure our programs stay intact for our students.

How we work together signals the strength of our learning community. Historically, our District has been one that serves as an exemplar for collaboration, thus resulting in award-winning schools (one measure of high student achievement). We ask parents and community members to be partners with our school district. A fundraising group such as the SPARK Foundation is an example of a community partnership that provides significant art, music, wellness, and STEM programming for students. How we engage with one another in these community/school relationships fosters productive partnerships that enhance the District.

Your support in SPARK is essential for our art, music, wellness, and STEM programs to continue. Thank you in advance for your commitment to these programs, your dedication to working together, and your patience as we've addressed their claims and continue to respond to their voluminous CPRA requests. We encourage all families to participate in SPARK; [here is the link for annual giving](#).

Thank you,

Dr. Brett Geithman
Superintendent



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Superintendent

Brett Geithman, Ed.D.

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Stay involved with your child's learning and activities at school.



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