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David W. Slayton,
Executive Officer/Clerk of Court,
By S. Ruiz, Deputy Clerk

5 Attorneys for Petitioner HOLLY McDEDE
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8 SUPERIOR COURT OF THE STATE OF CALIFORNIA
9 COUNTY OF LOS ANGELES

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11 HOLLY McDEDE,
12 Petitioner,
13 v.
14 LOS ANGELES UNIFIED SCHOOL
DISTRICT,
15 Respondent.

Case No. **26STCP01899**
**VERIFIED PETITION FOR
DECLARATORY RELIEF AND WRIT OF
MANDATE UNDER THE CALIFORNIA
PUBLIC RECORDS ACT**
[Gov't Code § 7923.000]

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1 **INTRODUCTION**

2 1. This Verified Petition for Declaratory Relief and Writ of Mandate seeks to enforce
3 the rights of the public and Petitioner Holly McDede, a journalist who covers allegations and
4 findings of misconduct of faculty and staff in public schools, to disclosure of public records in the
5 possession of Respondent Los Angeles Unified School District (“District”). The records are of
6 compelling public concern, yet the District has refused to disclose them for no valid reason.

7 2. The California Constitution and Public Records Act guarantee access to any public
8 record in the District’s possession unless the District can prove that the record falls within a
9 statutory exemption.

10 3. In refusing McDede’s requests, the District cited no exemption that can justify its
11 ongoing failure to disclose records sought by McDede.

12 4. Despite correspondence explaining that the District was violating the Public
13 Records Act by withholding requested records, the District continues to deny full disclosure.

14 5. To bring the District into compliance with California law and vindicate Petitioner’s
15 and the people’s right of access to public records, this Petition should be granted.

16 **PARTIES**

17 6. Petitioner McDede is a journalist who covers allegations and findings of
18 misconduct of faculty and staff in public schools. McDede is a person under Government Code
19 section 7920.520 and a member of the public under Government Code section 7920.515.

20 7. Respondent Los Angeles Unified School District is a local agency under
21 Government Code section 7920.510 that is in possession of the records requested by McDede and
22 located in Los Angeles County.

23 **JURISDICTION AND VENUE**

24 8. According to Government Code section 7923.000, “[a]ny person may institute a
25 proceeding for injunctive or declarative relief, or for a writ of mandate ... to enforce that person’s
26 right under” the Public Records Act “to inspect or to receive a copy of any public record or class
27 of public records.”

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1 **June 2024 Request**

2 4. On June 14, 2024, McDede requested from the District copies of “all public records
3 related to any and all claims of misconduct against teachers or other school employees from 2014
4 to the date this request is fulfilled.” As McDede wrote:

5 Such public records should include, but not be limited to, all complaints;
6 allegations; claims; investigatory reports; analyses; summaries; memoranda
7 and/or notes; interview recordings; transcripts and/or notes; reviews; emails, text
8 or other electronic messages, voicemails, and/or other communications and/or
9 correspondence; determinations; decisions; orders; resignation letters;
10 employment reclassification documents; offers in compromise and/or settlement
11 agreements; termination and/or transfer papers; letters of reproof and/or other
disciplinary actions, whether imposed or not; referrals to law enforcement,
administrative, and/or licensing agencies, departments, and/or bodies; appeals;
court filings and/or rulings; and all similar materials notwithstanding the use of
other terminology, nomenclature, or categorization by this or other involved public
agencies.

12 McDede also requested copies of “records related to any and all reports to the California
13 Commission on Teacher Credentialing from 2014 to the date this request is fulfilled.” This request
14 is referred to as the June 2024 Request. A true and correct copy of the June 2024 Request is
15 attached hereto as **Exhibit A**.

16 5. On the same date, the District replied by email, stating, “Your request will be
17 reviewed and the appropriate departments contacted to determine if disclosable records relevant to
18 your request exist.” The District also stated it would make a determination within 10 days as to
19 whether or not a request is seeking records that are publicly disclosable and, if so, to provide the
20 estimated date that the records will be made available.”

21 6. In an email to the District dated July 25, 2024, McDede responded to questions
22 from the District about the nature and scope of records sought in the June 2024 Request. For
23 example, she confirmed that the June 2024 Request sought reports to the Commission on Teacher
24 Credentialing on the “subject matter” of “sexual harassment or assault.” A true and correct copy of
25 said email is attached as **Exhibit B**.

26 7. Although McDede and the District exchanged communications confirming and
27 narrowing the records sought in the June 2024 Request, for example by excluding copies of
28

1 documents filed in court, the District did not disclose records responsive to the June 2024 Request
2 existed or assert any exemptions that would justify withholding such records.

3 8. On May 13, 2025, the District responded to the June 2024 Request by email
4 informing McDede that it would charge her \$8,000 in fees to “investigate approximately 2,500
5 potentially responsive personnel files,” on the theory that the search for responsive records would
6 “require data compilation, extraction and programming to produce the information.” A true and
7 correct copy of said email attached as **Exhibit C**.

8 9. With respect to reports made by the District to the Commission on Teacher
9 Credentialing (“CTC”), the District contended in the May 13, 2025 email that such records are
10 exempt from disclosure under the Public Records Act’s exemption for “personnel, medical or
11 similar files” (Gov. Code, § 7927.700), as well other statutes. (Educ. Code, §§ 44230, 44248,
12 subd. (a), 44438.)

13 10. The District’s May 13, 2025 email stated “we are concluding this matter and
14 closing our file.”

15 11. On June 23, 2025, the First Amendment Coalition (“FAC”) wrote to the District to
16 explain that it was violating the Public Records Act by attempting to charge unlawful fees and
17 failing to make prompt disclosure of records responsive to the June 2024 Request. A true and
18 correct copy of said letter is attached as **Exhibit D**.

19 12. By email dated June 25, 2025, the District wrote, “The District is re-opening the
20 above-referenced PRA Requests and will serve revised, amended responses, which should resolve
21 your contentions.”

22 13. In emails dated July 11, 2025 and October 2, 2025, McDede wrote to the District
23 that she had received no further responses to the June 2024 Request.

24 14. The District did not expressly abandon its attempt to charge fees to search for
25 records responsive to the June 2024 Request, and during 2025 it did not disclose any records
26 covered by the June 2024 Request in response to McDede’s emails of July 11, 2025 and October
27 2, 2025.

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1 **October 2025 Request**

2 15. On October 2, 2025, McDede requested the following records from the District:

3 All public records related to any and all claims of sexual misconduct against
4 credentialed educators from June 1, 2024 to October 2, 2025. Sexual misconduct
5 should include boundary crossing violations, sexual harassment, sexual assault by
6 teachers, guidance counselors, or administrators against students, with all student
7 names or identifying information redacted.

8 Such public records should include:

- 9 • Written allegations or claims made to the district
- 10 • Investigatory reports
- 11 • Determinations; decisions; orders; resignation letters; employment
12 reclassification documents
- 13 • Settlement or separation agreements
- 14 • Termination and/or transfer papers
- 15 • Letters of reproof and/or other disciplinary actions
- 16 • Referrals to law enforcement
- 17 • Reports to the California Commission on Teacher Credentialing

18 This request is referred to as the October 2025 Request. A true and correct copy of the October
19 2025 Request is attached as **Exhibit E**.

20 16. On October 6, 2025, the District responded by email to McDede that it would
21 “make a determination within 10 days as to whether or not a request is seeking records that are
22 publicly disclosable and, if so, to provide the estimated date that the records will be made
23 available.”

24 17. By email to McDede dated October 14, 2025, the District said it “requires an
25 extension to respond” and promised it would “respond to your request no later than the close of
26 business on October 28, 2025, with an estimated date and time when responsive records will be
27 made available.”

28 18. On October 28, 2025, the District notified McDede by email that it “had made the
determination that your request seeks public records potentially subject to disclosure, in whole or
in part. The Public Records Act Unit will produce non-exempt records, or notify you of the
updated time for production, by November 28, 2025.”

19 19. The District failed to disclose any records responsive to the October 2025 Request
20 or provide an updated time of production by November 28, 2025.

1 **December 2025 Letter and Incomplete Disclosures**

2 20. On December 19, 2025, FAC sent a letter to the District explaining that it had
3 unlawfully failed to disclose records responsive to the June 2024 Request or the October 2025
4 Request. A true and correct copy of said letter is attached as **Exhibit F**.

5 21. By email dated January 13, 2026, the District addressed the June 2024 Request.
6 With that email, it disclosed copies of certain settlement agreements between the District and
7 various persons that were executed between April 2016 and November 2024. The settlement
8 agreements resolve various claims or lawsuits arising from allegations of abuse or misconduct
9 committed by District employees. A true and correct copy of said email is attached as **Exhibit G**.

10 22. With respect to reports from the District to the Commission on Teacher
11 Credentialing that were sought in the June 2024 Request, the District’s January 13, 2026 email
12 said only, “The District previously responded to this Request.”

13 23. With respect to other records sought in the June 2024 Request, the District’s
14 January 13, 2026 email stated that the District “continues to research, conduct a diligent search
15 and make a reasonable inquiry for responsive records. The PRA Unit estimates non-exempt
16 records will be produced, or notification provided of an updated time for production, by
17 approximately February 26, 2026.”

18 24. The District’s January 13, 2026 email did not address the October 2025 Request.

19 25. The District retains possession or control of records sought in the June 2024
20 Request and October 2025 Request that it has not disclosed.

21 26. Other than the settlement agreements referred to above, to date the District has
22 disclosed no records responsive to the June 2024 Request or the October 2025 Request.

23 **Summary of Legal Authority**

24 27. The California Constitution and Public Records Act require the District to disclose
25 any public record in its possession or control on request except to the extent that the District can
26 prove that a record is expressly exempt from disclosure by the terms of the Act. (Cal. Const., art. I,
27 § 3, subd. (b)(1), (7); Gov. Code §§ 7920.510, subd. (b), 7920.525, subd. (a), 7922.000, 7922.530,
28 subd. (a); *City of San Jose v. Superior Court* (2017) 2 Cal.5th 608, 616.) Any “reasonably

1 segregable portion of a record” that is subject to disclosure must be provided “after deletion of the
2 portions that are exempted by law.” (Gov. Code, § 7922.525, subd. (b).)

3 28. The records sought in the June 2024 Request and October 2025 Request are public
4 records and presumptively subject to disclosure on request under the Public Records Act and
5 Article I, section 3(b) of the California Constitution.

6 29. A public agency “upon a request for a copy of records, shall, within 10 days from
7 receipt of the request, determine whether the request, in whole or in part, seeks copies of
8 disclosable public records in the possession of the agency and shall promptly notify the person
9 making the request of the determination and the reasons therefor. If the agency determines that the
10 request seeks disclosable public records, the agency shall also state the estimated date and time
11 when the records will be made available.” (Gov. Code, § 7922.535, subd. (a).) In “unusual
12 circumstances,” as defined in the statute, the time limit for such a determination “may be extended
13 by written notice” for up to 14 days. (Gov. Code, § 7922.535, subd. (b).)

14 30. When a person makes “a request for a copy of records that reasonably describes an
15 identifiable record or records, shall make the records promptly available to any person upon
16 payment of fees covering direct costs of duplication, or a statutory fee if applicable.” (Gov. Code,
17 § 7922.530, subd. (a).)

18 31. Unless otherwise provided by a specific statute, which is not the case here, a public
19 agency may not charge a requester for any staff time involved in locating, reviewing, or redacting
20 public records. (*National Lawyers Guild v. City of Hayward* (2020) 9 Cal.5th 488, 493.)

21 32. The Public Records Act’s exemption for “personnel, medical or similar files” (Gov.
22 Code, § 7927.700), does not authorize the District to withhold all records requested by McDede in
23 their entirety. This exemption does not allow withholding of records related to any finding that
24 misconduct was committed or any discipline that was imposed, or records related to any
25 allegations of substantial misconduct for which there is reasonable cause to believe the complaint
26 is well founded. (See, e.g., *Bakersfield City Sch. Dist. v. Superior Court* (2004) 118 Cal.App.4th
27 1041, 1045; *American Fed’n of State Etc. Emps. v. Regents of Univ. of Cal.* (1978) 80 Cal.App.3d
28 913, 918.)

1 the District can carry its burden to prove that any records sought by McDede or any portions
2 thereof are exempt from disclosure;

3 2. That the Court grant declaratory relief finding and declaring that Article I, section
4 3(b) of the California Constitution and the Public Records Act mandate disclosure of non-exempt
5 records sought in the June 2024 Request and October 2025 Request and that the District's
6 response and ongoing refusal to disclose records sought by said requests violates the foregoing
7 laws;

8 3. That the Court grant declaratory relief finding and declaring that the District's
9 response to and processing of the June 2024 Request and October 2025 Request violated the
10 Public Records Act by failing to make timely determinations, failing to make copies of disclosable
11 records promptly available, or charging unlawful fees.

12 4. Alternatively, if the Court does not immediately issue the declaratory relief set
13 forth above and order the District to produce records sought by McDede, that the Court order the
14 District to show cause why the records should not be released and the requested declaratory relief
15 should not be awarded and order the District to prepare a log of withheld records, and that it
16 thereafter grant the requested declaratory relief and order that the requested records be disclosed;

17 5. Alternatively, if the Court does not immediately issue the declaratory relief set
18 forth above and order disclosure of records sought by McDede, that the Court conduct an in
19 camera review, if it deems it necessary, of some or all of the records sought by McDede pursuant
20 to Government Code section 7923.105(a) and that it thereafter grant the requested declaratory
21 relief and order that the requested records be disclosed;

22 6. That Petitioner be awarded attorney's fees and costs against the District and/or any
23 other individual or entity who may attempt to block disclosure of records sought by McDede
24 pursuant to Government Code section 7923.115(a) or Code of Civil Procedure section 1021.5; and

25 7. For such other and further relief as the Court may deem just and proper.
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1 Dated: May 18, 2026

2 FIRST AMENDMENT COALITION

3
4 By



5 DAVID LOY
6 AARON R. FIELD
7 Attorneys for Petitioner HOLLY McDEDE
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VERIFICATION

I, Holly McDede, am the Petitioner in this action.

I have read the foregoing Verified Petition for Declaratory Relief and Writ of Mandate under the California Public Records Act. I have personal knowledge of the facts stated therein and verify that they are true, except for facts stated on information and belief, and as to such facts, I believe them to be true.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 19, 2026 at San Francisco, California.



HOLLY McDEDE

Exhibit A

From: Holly McDede <hollyjmcde@gmail.com>
Sent: Friday, June 14, 2024 8:00 AM
To: PRA Requests
Subject: PRA Request - Los Angeles Unified School District, June 13

You don't often get email from hollyjmcde@gmail.com. [Learn why this is important](#)

CAUTION: EXTERNAL EMAIL

Good morning,

This is a request made under the California Public Records Act, Government Code sections 7920.000 – 7931.000, for records in the possession or control of your agency.

I am requesting all public records related to any and all claims of misconduct against teachers or other school employees from 2014 to the date this request is fulfilled.

Such public records should include, but not be limited to, all complaints; allegations; claims; investigatory reports; analyses; summaries; memoranda and/or notes; interview recordings; transcripts and/or notes; reviews; emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence; determinations; decisions; orders; resignation letters; employment reclassification documents; offers in compromise and/or settlement agreements; termination and/or transfer papers; letters of reproof and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.

I am also requesting records related to any and all reports to the California Commission on Teacher Credentialing from 2014 to the date this request is fulfilled.

Please let me know if you have any questions and I look forward to your response,

Holly McDede
Reporter
732-397-3323

Exhibit B



McDedeMonticelli Departmental <mcdedemonticelli@berkeley.edu>

Request for Clarification - McDede, Holly #2 - 7.18.2024 - OGC Ctrl#0094923

7 messages

Harris, Christopher <c.harris@lausd.net>

Thu, Jul 25, 2024 at 2:03 PM

To: "mcdedemonticelli@berkeley.edu" <mcdedemonticelli@berkeley.edu>

Cc: "Turner, Rita" <rita.turner@lausd.net>, "Fernandes, Tracy" <tracy.fernandes@lausd.net>

Hello:

This correspondence is in response to your attached California Public Records Act (PRA) Request received in the Office of the General Counsel on July 18, 2024, seeking the following records:

1. All public records related to any and all claims of sexual misconduct against credentialed teachers from 2019 to July 12, 2024. Sexual misconduct should include sexual harassment or sexual assault by teachers against students, with all student names or identifying information redacted. Such public records should include, but not be limited to:

a. Allegations or claims

Please clarify which document this refers to, such as a "Claims for Damages.

b. Investigatory reports

Please clarify, such as identifying the subject matter, or department which authored the report.

c. Analyses and summaries

Please clarify.

d. Memoranda and/or notes

Please clarify.

e. Interview recordings

Please clarify, such as identifying the subject matter, or persons or department who participated.

f. Transcripts and/or notes

Please clarify, such as identifying the subject matter, or persons or department who participated.

g. Performance reviews

Please clarify, such as identifying the subject matter, or persons or department who participated or to whom the request pertains.

h. Emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence

Please clarify, such as identifying the key words in an email, and the parties received and authored the email.

- i. Determinations; decisions; orders; resignation letters; employment reclassification documents

Please clarify as to “Orders.”

- j. Settlement or separation agreements
- k. Termination and/or transfer papers
- l. Letters of reproof and/or other disciplinary actions, whether imposed or not

Please clarify “letters of reproof.”

- m. Referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals

Please clarify.

- n. Court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.

Please specify the record requested.

- o. all separation or settlement agreements involving teachers facing allegations of sexual harassment or assault.

Please clarify whether this is the same as “k.”

- 2. Records related to any and all reports to the California Commission on Teacher Credentialing from 2019 to July 12, 2024.

Please clarify the subject matter of the reports.

In an effort to assist you in making a focused and effective request, the PRA Unit asks for your assistance in clarifying your requests, as set forth above. This will allow the District to better assist you in obtaining the relevant information you desire.

We hope this request for clarification will help you overcome any potential obstacles in obtaining the information you seek.

Should you have any questions, please do not hesitate to contact me. Please indicate the above-referenced OGC Control number in any correspondence regarding this request.

Best,




Christopher Harris, Senior Paralegal
Los Angeles Unified School District, Office of General Counsel
333 S. Beaudry Avenue, 20th Floor
Los Angeles, California 90017
Phone: (213) 241-7660
Fax: (213) 241-8444
E-mail: c.harris@lausd.net



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 **PRA Request - McDede, Holly #2 - 7.18.2024 - OGC Ctrl #0094923.pdf**
1367K

McDede & Monticelli - UC Berkeley <mcdedemonticelli@berkeley.edu>

Thu, Jul 25, 2024 at 9:57 PM

To: "Harris, Christopher" <c.harris@lausd.net>

Cc: "Turner, Rita" <rita.turner@lausd.net>, "Fernandes, Tracy" <tracy.fernandes@lausd.net>

Good evening,

I am seeing this request for clarification and highlighting my clarifications below. Thank you!

1. All public records related to any and all claims of sexual misconduct against credentialed teachers from 2019 to July 12, 2024. Sexual misconduct should include sexual harassment or sexual assault by teachers against students, with all student names or identifying information redacted. Such public records should include, but not be limited to:

a. Allegations or claims

This should refer to formal allegations or claims, or more specifically complaints that the district investigated

b. Investigatory reports

Please clarify, such as identifying the subject matter, or department which authored the report.

Which department in your district authors reports related to sexual harassment or sexual assault? I believe the district should be able to determine this or assist in helping me determine this. The subject matter would be investigatory reports concerning allegations of sexual harassment or assault.

c. Analyses and summaries

Please clarify: I believe the analyses and summaries would be included in the investigatory reports.

d. Memoranda and/or notes

This would include any memoranda or notes during the investigation.

e. Interview recordings

You can eliminate this aspect of the request.

f. Transcripts and/or notes

You can eliminate this aspect of the request.

g. Performance reviews

This would be a performance review related to the individual investigated for sexual harassment or assault, and so I believe the agency or department would be Human Resources, but please let me know if I am mistaken.

h. Emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence

Please clarify, such as identifying the key words in an email, and the parties received and authored the email.

Key words would include "sexual harassment" "sexual assault" and the parties would be the credentialed educator accused of sexual harassment or assault or administrators communicating about the allegations.

i. Determinations; decisions; orders; resignation letters; employment reclassification documents

You can remove orders from this request.

j. Settlement or separation agreements

k. Termination and/or transfer papers

l. Letters of reproof and/or other disciplinary actions, whether imposed or not

This would include written reprimands.

m. Referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies; appeals

This would include reports the district has sent to law enforcement or licensing agencies of teachers accused of sexual harassment or assault.

n. Court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.

This would include civil complaints against the district concerning sexual harassment or assault by credentialed staff.

o. all separation or settlement agreements involving teachers facing allegations of sexual harassment or assault.

Yes, this is the same as k.

2. Records related to any and all reports to the California Commission on Teacher Credentialing from 2019 to July 12, 2024.

Please clarify the subject matter of the reports

The subject matter would be sexual harassment or assault (and as such may already be covered by m).

Exhibit C



Holly McDede <hollyjmcdede@gmail.com>

McDede, Holly - 6.14.2024 - OGC Ctrl#0094329

22 messages

Harris, Christopher <c.harris@lausd.net>
To: Holly McDede <hollyjmcdede@gmail.com>
Cc: "Arias, Rameses (OGC)" <rameses.arias1@lausd.net>

Fri, May 9, 2025 at 2:21 PM

Hello,

This email is in response to your California Public Records Act (PRA) request received by the Los Angeles Unified School District's PRA Unit seeking the records referenced in the email below.

1. *I'm interested in complaints specifically alleging sexual harassment or sexual assault by teachers against students, reported to the district either by students, parents, or school employees. Formal complaints would indeed be those investigated by the district for allegations of violating district policies (from 2014 to June 14, 2024).*

- *Such public records should include, but not be limited to,*
 - *all complaints;*
 - *allegations;*
 - *claims;*
 - *investigatory reports;*
 - *analyses;*
 - *summaries;*
 - *memoranda and/or notes;*
 - *interview recordings;*
 - *transcripts and/or notes;*
 - *reviews;*
 - *emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence;*
 - *determinations;*
 - *decisions;*
 - *orders;*
 - *resignation letters;*
 - *employment reclassification documents;*
 - *offers in compromise and/or settlement agreements;*
 - *termination and/or transfer papers;*
 - *letters of reproof and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies;*
 - *appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.*

2. *Any and all reports to the California Commission on Teacher Credentialing regarding formal complaints of misconduct regarding sexual harassment, sexual assault or sexual grooming behavior against teachers or other school employees from 2014 to [June 14, 2024], which have been investigated by the school or district. (As clarified on June 21 and 25, 2024.)*

Based on our review, the PRA Unit needs to confirm whether you still require the requested information, or whether you would like to withdraw this request. Please let us know by next Friday, May 16, 2025.

If the PRA Unit has not received a response from you by that date, we will consider this matter withdrawn. If you are unable to respond before the above deadline expires, please reply to this email and we can re-open this matter.

Thank you,



Christopher Harris, Senior Paralegal

Los Angeles Unified School District, Office of General Counsel

333 S. Beaudry Avenue, 20th Floor

Los Angeles, California 90017

Phone: (213) 241-7660

Fax: (213) 241-8444

E-mail: c.harris@lausd.net



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Holly McDede <hollyjmcde@gmail.com>
To: "Harris, Christopher" <c.harris@lausd.net>
Cc: "Arias, Rameses (OGC)" <rameses.arias1@lausd.net>

Fri, May 9, 2025 at 2:36 PM

Yes, I'm still interested in the requested interview. Please let me know if you have any other questions or need any information from me.

[Quoted text hidden]

--

Holly McDede
Reporter
732-397-3323

Harris, Christopher <c.harris@lausd.net>
To: Holly McDede <hollyjmcde@gmail.com>
Cc: "Arias, Rameses (OGC)" <rameses.arias1@lausd.net>

Tue, May 13, 2025 at 3:18 PM

Hello,

The Office of the General Counsel received your above referenced California Public Records Act (PRA) Request, dated June 14, 2024, which seeks the records listed below.

After conducting a diligent inquiry and making a thorough search of our records, we determined the following:

1. I'm interested in complaints specifically alleging sexual harassment or sexual assault by teachers against students, reported to the district either by students, parents, or school employees. Formal complaints would indeed be those investigated by the district for allegations of violating district policies (from 2014 to June 14, 2024).

- **After conducting a diligent search and making a reasonable inquiry into our records, the District is not in possession of records responsive to your Request, as no particular names are listed.**
- **To investigate approximately 2,500 potentially responsive personnel files, as the records responsive to your request are not regularly maintained by the District as requested, the District would require data compilation, extraction and programming to produce the information. Pursuant to Government Code section 7922.575, the District can charge for the cost of programming and computer services necessary to produce the records.**
- **The cost to generate such records in this matter is approximately \$8,000 (80 hrs. x 100 hrs.) Please advise if this is acceptable and, if so, the District will generate an invoice and provide payment details. Please be advised the District requires payment in advance before the “data compilation, extraction, or programming” is actually completed.**

2. Any and all reports to the California Commission on Teacher Credentialing regarding formal complaints of misconduct regarding sexual harassment, sexual assault or sexual grooming behavior against teachers or other school employees from 2014 to [June 14, 2024], which have been investigated by the school or district. (As clarified on June 21 and 25, 2024.)

- **Records sought, if existed, would be exempt pursuant to Government Code section 7927.700, which states: “this division does not require disclosure of personnel, medical, or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy.” “The CPRA recognizes the right of privacy in one's personnel files by the exemption in section 6254, subdivision (c). (BRV, supra, 143 Cal.App.4th at pp. 756-757; § 6254, subd. (c); Detroit Edison Co. v. NLRB (1979) 440 U.S. 301, 318, fn. 16 [59 L.Ed.2d 333, 99 S.Ct. 1123] [“A person's interest in preserving the confidentiality of sensitive information contained in his personnel files has been given forceful recognition in both federal and state legislation governing the recordkeeping activities of public employers and agencies.”].)”**

Associated Chino Teachers v. Chino Valley Unified School Dist. (2018) 30 Cal. App. 5th 530, 531.

- **Records sought, if existed, would be exempt pursuant Education Code § 44230, which states: “The commission shall maintain for public record, and may disclose, only the following information relating to the credentials, certificates, permits, or other documents that it issues: the document number, title, term of validity, subjects, authorizations, effective dates, renewal requirements, and restrictions. he commission may also disclose the last known business address of any applicant or credential holder. (2) Notwithstanding any other law, except as provided for in Sections 10871, 44230.6, and 44248, no information, other than that set forth in paragraph (1), may be disclosed by the commission absent an order from a court of competent jurisdiction.”**
- **Records sought, if existed, would be exempt pursuant Education Code § 44438, which, *inter alia*, states: “The applicant’s or credential holder’s employer at the time of admonition shall receive a copy of the admonition and shall not make that copy accessible or disclose the contents thereof, unless the applicant or credential holder consents, in writing, thereto.”**
- **Records sought, if existed, would be exempt pursuant Education Code § 44248(a), which states: “Any . . . State Department of Education employee who releases or gives out information received at a commission or committee meeting or hearing or through the investigation of a certified employee without authorization of the commission or committee, is guilty of a misdemeanor.”**

The District suggests the Requester contact the Commission on Teacher Credentialing directly for responsive records: <https://www.ctc.ca.gov/commission/contact-the-commission/records-requests>

With the production of the above response, we are concluding this matter and closing our file.

Thank you for contacting the Los Angeles Unified School District Public Records Act Unit.



Christopher Harris, Senior Paralegal

Los Angeles Unified School District, Office of General Counsel

333 S. Beaudry Avenue, 20th Floor

Los Angeles, California 90017

Phone: (213) 241-7660

Fax: (213) 241-8444

E-mail: c.harris@lausd.net



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-

From: Holly McDede <hollyjmcdede@gmail.com>
Sent: Friday, May 9, 2025 2:37 PM
To: Harris, Christopher <c.harris@lausd.net>
Cc: Arias, Rameses (OGC) <rameses.arias1@lausd.net>
Subject: Re: McDede, Holly - 6.14.2024 - OGC Ctrl#0094329

CAUTION: EXTERNAL EMAIL

Yes, I'm still interested in the requested interview. Please let me know if you have any other questions or need any information from me.

On Fri, May 9, 2025 at 2:22 PM Harris, Christopher <c.harris@lausd.net> wrote:

Hello,

This email is in response to your California Public Records Act (PRA) request received by the Los Angeles Unified School District's PRA Unit seeking the records referenced in the email below.

1. *I'm interested in complaints specifically alleging sexual harassment or sexual assault by teachers against students, reported to the district either by students, parents, or school employees. Formal complaints would indeed be those investigated by the district for allegations of violating district policies (from 2014 to June 14, 2024).*

- *Such public records should include, but not be limited to,*
 - *all complaints;*
 - *allegations;*
 - *claims;*
 - *investigatory reports;*
 - *analyses;*
 - *summaries;*

- *memoranda and/or notes;*
- *interview recordings;*
- *transcripts and/or notes;*
- *reviews;*
- *emails, text or other electronic messages, voicemails, and/or other communications and/or correspondence;*
- *determinations;*
- *decisions;*
- *orders;*
- *resignation letters;*
- *employment reclassification documents;*
- *offers in compromise and/or settlement agreements;*
- *termination and/or transfer papers;*
- *letters of reproof and/or other disciplinary actions, whether imposed or not; referrals to law enforcement, administrative, and/or licensing agencies, departments, and/or bodies;*
- *appeals; court filings and/or rulings; and all similar materials notwithstanding the use of other terminology, nomenclature, or categorization by this or other involved public agencies.*

2. *Any and all reports to the California Commission on Teacher Credentialing regarding formal complaints of misconduct regarding sexual harassment, sexual assault or sexual grooming behavior against teachers or other school employees from 2014 to [June 14, 2024], which have been investigated by the school or district. (As clarified on June 21 and 25, 2024.)*

Based on our review, the PRA Unit needs to confirm whether you still require the requested information, or whether you would like to withdraw this request. Please let us know by next Friday, May 16, 2025.

If the PRA Unit has not received a response from you by that date, we will consider this matter withdrawn. If you are unable to respond before the above deadline expires, please reply to this email and we can re-open this matter.

Thank you,



Christopher Harris, Senior Paralegal

Los Angeles Unified School District, Office of General Counsel

333 S. Beaudry Avenue, 20th Floor

Los Angeles, California 90017

Phone: (213) 241-7660

Fax: (213) 241-8444

E-mail: c.harris@lausd.net

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Exhibit D



Annie Cappetta
Legal Fellow
acappetta@firstamendmentcoalition.org

June 23, 2025

VIA ELECTRONIC MAIL

Devora Navera Reed, General Counsel
Los Angeles Unified School District
Office of General Counsel
333 S. Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Email: pra@lausd.net; devora.naverareed@lausd.net

Re: California Public Records Act Requests for Records Related to Employee Misconduct

Dear Devora Navera Reed:

The First Amendment Coalition (“FAC”) is a nonprofit public interest organization dedicated to advancing free speech, open and accountable government, and public participation in civic affairs. I am writing on behalf of FAC to address your response to a California Public Records Act (“CPRA”) request submitted by journalist Holly McDede for records related to misconduct alleged against current and former District employees.

The California Constitution and CPRA require state and local agencies to make any public record available for inspection or copying on request unless the record falls within a specific exemption. Cal. Const. art. I, § 3(b)(1); Gov’t Code §§ 7922.000, 7922.525, 7922.530(a). This letter explains how the District is violating the CPRA by (1) charging unlawful fees, (2) asserting improper exemptions, and (3) delaying disclosure of non-exempt records. The District must disclose the requested records for no more than the direct costs of duplication at the earliest opportunity to avoid exposure to costly litigation.

On June 14, 2024, Ms. McDede requested “complaints specifically alleging sexual harassment or sexual assault by teachers against students, reported to the district either by students, parents, or school employees” (“Part One”) and “all reports to the California Commission on Teacher Credentialing regarding formal complaints of misconduct regarding sexual harassment, sexual assault or sexual grooming behavior against teachers or other school employees” (“Part Two”) from 2014 to the date of the request.

For 11 months, the District failed to determine whether disclosable records responsive to Ms. McDede’s request existed or assert any exemptions. On May 13, 2025, the District ultimately assessed Ms. McDede \$8,000 in fees to “investigate approximately 2,500 potentially responsive personnel files,” on the theory that the preliminary search for records responsive to Part One of her request would “require data compilation, extraction and programming to produce the information.”

In response to Part Two of Ms. McDede’s request, the District asserted that the records requested “if [they] existed, would be exempt” pursuant to the exemption for “personnel, medical

or similar files,” Gov’t Code § 7927.700, as well as sections of the Education Code that govern disclosure of records by the Commission on Teacher Credentialing (“CTC”).

Besides Ms. McDede, other members of the public have also requested employee-misconduct records and faced similar extended delays in receiving any substantive response from the District. This pattern of delaying and obstructing public oversight of District personnel misconduct, investigations, and discipline impairs trust in its schools and jeopardizes student safety. Immediate action toward disclosure for no more than the direct costs of duplication is necessary to avoid exposure to litigation over the District’s troubling secrecy.

1. Illegal fee assessment

The CPRA limits what agencies can charge for copies of records. Unless a “statutory fee” applies, which is not at issue here, the CPRA limits fees to “direct costs of duplication,” except for certain “cost[s] of programming and computer services” for electronic records in limited circumstances that do not apply here. Gov’t Code §§ 7922.530(a), 7922.575(b).

The California Supreme Court has recognized “that increased public access to government information has costs” arising from the “need to locate and collect records, determine which records are responsive, determine whether any portions of responsive records are exempt from disclosure, convert the records into a reviewable format, and, if requested, create a copy of the record.” *Nat’l Laws. Guild v. City of Hayward*, 9 Cal. 5th 488, 493 (2020). “To complete these tasks generally requires personnel time as well as the use of office equipment and supplies—all of which comes with a price tag. The PRA acknowledges as much and allocates certain costs to the requester, while others must be borne by the agency responding to the requests.” *Id.*

With a limited exception for certain electronic records not at issue here, the CPRA allocates to the requester only “direct costs of duplication,” which exclude charges for “staff time involved in searching the records, reviewing records for information exempt from disclosure under law, and deleting such exempt information.” *Id.* at 493. Therefore, an agency “could not charge for time spent redacting a hard copy” or “recover the costs of searching through a filing cabinet.” *Id.* at 501, 506.

As to electronic records, the CPRA contains a narrow exception allocating to the requester “the cost to construct a record” when the “request would require data compilation, extraction, or programming to produce the record.” Gov’t Code § 7922.575(b). This exception covers “retrieving responsive data” not already compiled, such as “pulling demographic data for all state agency employees from a human resources database and producing the relevant data in a spreadsheet,” but it does not “cover time spent searching for responsive records in an e-mail inbox or a computer’s documents folder” or “the cost of redacting exempt data from otherwise producible electronic records.” *Nat’l Laws. Guild*, 9 Cal. 5th at 506.

The exception permitting increased fees for electronic records “applies *only* when a PRA request requires a public agency to produce a record *that does not exist* without compiling data, extracting data or information from an existing record, or programing a computer or other electronic device to retrieve the data.” *Id.* at 497 (cleaned up) (emphasis added). Therefore, regardless of whether electronic or hard copies are requested, the CPRA does not allow

agencies to charge for time spent locating, reviewing, or redacting records that already exist in a disclosable format.

That rule is reinforced by “California’s constitutional directive to ‘broadly construe[]’ a statute ‘if it furthers the people’s right of access.’” *Id.* at 507 (quoting Cal. Const. art. I, § 3(b)(2)). Given that search, review, and “[r]edaction costs could well prove prohibitively expensive for some requesters, barring them from accessing records altogether,” the California Supreme Court held “Article I, section 3 of the state Constitution favors an interpretation that avoids erecting such substantial financial barriers to access.” *Id.* (disallowing charges of “more than \$3,000” to redact “six hours of responsive video” concerning police treatment of protesters).

Here, Ms. McDede sought existing records of formal complaints of sexual harassment or sexual assault by teachers against students that had been investigated by the district. Searching for such records may involve reviewing existing personnel files and keyword searching emails among other tasks, but these are nonchargeable “document retrieval” activities, *Cal. Pub. Recs. Rsch., Inc. v. County of Stanislaus*, 246 Cal. App. 4th 1432, 1454 (2016), involving “time spent searching for responsive records in an e-mail inbox or a computer’s documents folder,” *Nat’l Laws. Guild*, 9 Cal. 5th at 506.

The District’s \$8,000 charge is so prohibitive that it effectively denies disclosure. To ensure the right to transparency does not depend on wealth, agencies may not charge search, review, or “redaction costs as a condition of gaining the access the PRA promises.” *Id.* at 508. To avoid exposure to litigation, the District must search for and release any non-exempt records that exist in disclosable formats—pdfs, emails, Microsoft Word documents, letters, and the like—without charging fees greater than the direct cost of duplication.

If the District maintains that “data compilation, extraction and programming” are necessary to produce records responsive to Part One of Ms. McDede’s request, it must detail to her the technical processes it would undertake to produce disclosable records or violate Government Code section 7922.600(a), which requires the District to assist requesters by describing “the information technology and physical location in which the records exist” and providing “suggestions for overcoming any practical basis for denying access to the records or information sought.”

2. Records related to employee misconduct must be disclosed as specified in governing law

The personnel-records exemption is not a blanket shield against disclosure of records related to public-employee misconduct, as the District’s response to Ms. McDede suggested. By its terms, the exemption requires balancing the employee’s right to privacy against the public’s interest in disclosure.¹ *Braun v. City of Taft*, 154 Cal. App. 3d 332, 345 (1984). “In weighing these

¹ In response to Ms. McDede’s request, the District also cited Education Code sections 44230, 44438, and 44248(a) as bases to withhold the records. As a threshold matter, Education Code sections 44230 and 44248(a) do not impose any restriction on a school district releasing public records; they only prevent certain disclosures “by the commission [on teacher credentialing]”

competing interests, we must determine the extent to which disclosure of the requested item of information will shed light on the public agency's performance of its duty." *Associated Chino Tchrs. v. Chino Valley Unified Sch. Dist.*, 30 Cal. App. 5th 530, 539 (2018) (cleaned up).

As applied to allegations of misconduct against public employees, "where the charges are found true, or discipline is imposed, the strong public policy against disclosure" of private matters "vanishes; this is true even where the sanction is a private reproof. In such cases a member of the public is entitled to information about the complaint, the discipline, and the information upon which it was based." *Am. Fed'n of State, Cnty. & Mun. Emps. v. Regents of Univ. of Cal.*, 80 Cal. App. 3d 913, 918 (1978) (cleaned up).

Even without a finding that a complaint is true, "if the information in the agency's files is reliable and, based on that information, the court can determine the complaint is well founded and substantial, it must be disclosed." *Marken v. Santa Monica-Malibu Unified Sch. Dist.*, 202 Cal. App. 4th 1250, 1275 (2012) (upholding disclosure of records related to reprimand of teacher for violating district's sexual harassment policy).

With respect to high-ranking public employees, such as a school district superintendent, courts apply "a lesser standard of reliability," requiring disclosure of allegations and related investigations unless "the allegations were so unreliable the accusations could not be anything but false," because the public has a compelling interest in understanding how the agency conducted its investigation and whether it improperly exonerated a high official or made a "sweetheart deal" with the official. *BRV, Inc. v. Superior Ct.*, 143 Cal. App. 4th 742, 759 (2006).

The District must carefully balance these public interests to determine whether disclosable records exist in response to both parts of Ms. McDede's request. It is simply not credible that the District never found an allegation of misconduct to be true, imposed discipline in response to such an allegation, or received a well-founded and substantial allegation of misconduct responsive to Ms. McDede's request. Indeed, the request covers records from 2014 to the present, and the Los Angeles Times reported in October 2015 that the District's "Student Safety Investigation Team," assembled in 2014, had already "opened 219 investigations, ... and completed 180. ... Of those, 30 resulted in dismissal proceedings," according to the District.²

FAC therefore requests that the District apply this governing law in searching for and review of records responsive to Part One of Ms. McDede request, as well as re-review records responsive to Part Two of her request to the extent the District incorrectly asserted inapplicable exemptions or failed to appropriately balance the public interest in disclosure against any privacy interests

and any "State Department of Education employee." Education Code section 44438 prevents school districts from disclosing a written "private admonition" issued to their employees *by the CTC* but does not prevent disclosure of the districts' *reports to the CTC*. Ms. McDede requested only the latter reports.

² Howard Blume & Shelby Grad, *Amid acclaimed teacher's firing, LAUSD faces test over how it handles misconduct allegations*, L.A. Times (Oct. 15, 2015, 8:11 AM), <https://www.latimes.com/local/lanow/la-me-ln-a-famous-teacher-faces-misconduct-allegations-laUSD-faces-test-20151015-story.html>.

under controlling precedent. Failure to do so risks litigation for improperly applying the exemption.

3. Duty to respond promptly to CPRA requests

An agency's unreasonable delay in disclosing non-exempt records is also actionable under the CPRA. Gov't Code § 7923.000 ("Any person may institute a proceeding for injunctive or declarative relief, or for a writ of mandate, in any court of competent jurisdiction, to enforce that person's right under this division to inspect or receive a copy of any public record or class of public records.") The CPRA requires a California court to compel disclosure, or order the government to show cause as to why it should not compel disclosure, whenever "certain public records are being *improperly withheld* from a member of the public." Gov't Code § 7923.100 (emphasis added).

An agency does not need to formally deny a request to improperly withhold documents; it is actionable when agency merely holds back or refrains from producing the records within a reasonable time or without claiming a specific exemption. *See id.*; *Friends of Oceano Dunes v. Dep't of Parks & Recreation*, No. 34-2020-80003496, 2021 Cal. Super. LEXIS 110202, *10–11 (noting that the appellate cases that "mention timeliness seem to acknowledge that an agency acts properly so long as it ... produces all requested records in a 'reasonably timely' or 'reasonably prompt' manner given the breadth of the particular request. The touchstone thus appears to be reasonableness.") (first citing *Pac. Merch. Shipping Ass'n v. Bd. of Pilot Comm'rs*, 242 Cal. App. 4th 1043, 1059 (2015); then citing *Rogers v. Superior Ct.*, 19 Cal. App. 4th 469, 483 (1993); and then citing *Humane Soc'y v. Superior Ct.*, 214 Cal. App. 4th 1233, 1239, n.6 (2013)). As the Court of Appeal has said, "the effect of" a local agency's "inability or unwillingness to locate and produce these documents until court-ordered discovery ensued ... , is tantamount to withholding requested information from a PRA request." *Sukumar v. City of San Diego*, 14 Cal. App. 5th 451, 466 (2017) (emphasis original).

The CPRA also requires that "[n]othing in this division shall be construed to permit an agency to delay or obstruct the inspection or copying of public records" and that an agency "shall make the records promptly available." Gov't Code §§ 7922.500, 7922.530(a). The provisions prohibiting delay, mandating prompt disclosure, and authorizing suit for improper withholding must be read together. *City of San Jose v. Superior Ct.*, 2 Cal. 5th 608, 617 (2017) (holding that consideration of portions of a statute must be made in the context of the entire statutory scheme). Unreasonable delays in production violate these provisions because such delays would "permit an agency to delay or obstruct the inspection or copying of public records" indefinitely and without consequence. *See* Gov't Code §§ 7922.500, 7922.530(a).

Except where the statutes are materially different, California courts look to cases interpreting the Freedom of Information Act ("FOIA"), 5 U.S.C. § 552, for guidance in interpreting the CPRA. *Citizens for A Better Env't v. Dep't of Food & Agric.*, 171 Cal. App. 3d 704, 712 (1985) (holding that FOIA may be used to interpret the CPRA). FOIA, like the CPRA, requires responsive records be produced "promptly" after an initial determination has been made by the responding agency. 5 USC § 552(a)(3)(A); *Citizens for Resp. & Ethics in Wash. v. FEC*, 711 F.3d 180, 188 (D.C. Cir. 2013). Federal courts interpret "promptly" to "mean within days or a few weeks of a

‘determination,’ not months or years.” *Citizens for Resp. & Ethics in Wash.*, 711 F.3d at 188; see also *Sierra Club v. U.S. EPA*, No.18-cv-03472, 2018 U.S. Dist. LEXIS 219383, at *14 (N.D. Cal. Dec. 26, 2018) (same) (quoting *Citizens for Resp. & Ethics in Wash.*, 711 F.3d at 188).

When an agency delays disclosure for months or years without justification, this “amounts as a practical matter in most cases to saying ‘regardless of whether you are entitled to the documents, we will not give them to you.’” *Fiduccia v. U.S. DOJ*, 185 F.3d 1035, 1041 (9th Cir. 1999). As the D.C. Circuit said with respect to FOIA, “the statute does not allow agencies to keep FOIA requests bottled up for months or years on end while avoiding any judicial oversight.” *Citizens for Resp. & Ethics in Wash.*, 711 F.3d at 190. The same is true for the CPRA.


The District has kept Ms. McDede’s request bottled up for nearly a year, apparently without even searching for records responsive to Part One of her request or carefully reviewing records responsive to Part Two to determine whether the personnel records exemption or any other exemption correctly applies. Over six months after Ms. McDede submitted her request, the District even represented to Ms. McDede that it would be producing disclosable records, only to ultimately deny the request after four more months. See E-mail from Chris Harris, Senior Paralegal, L.A. Unified Sch. Dist. to Holly McDede (Jan. 7, 2025, 7:40 AM) (“The District has compiled responsive records, which have been sent to the Custodian(s) of Record for final review.”).

The District has unlawfully delayed disclosure considering that it has apparently not even searched for records responsive to Part One of Ms. McDede’s request in over 11 months since she submitted it. Even though the District has asserted the personnel-records exemption and may consider Part Two of the request closed, FAC considers it also delayed given the District’s improper blanket application of the personnel-records exemption and citations to inapplicable sections of the Education Code.

These violations of the CPRA expose the District to litigation that would result in an order compelling disclosure under the CPRA and an award of substantial attorneys’ fees and expenses. Gov’t Code § 7923.115. I hope this matter may be resolved without litigation if possible, and we are glad to discuss it with the District’s General Counsel or otherwise. Please let me know if the District will promptly disclose the records Ms. McDede requested and make it unnecessary to pursue legal action to vindicate the public’s right to disclosure.

Sincerely,

FIRST AMENDMENT COALITION



Annie Cappetta
Legal Fellow

Exhibit E

KQED radio - Public Record Act request

Holly McDede

Thu 10/2/2025 4:28 PM

Sent Items

To: pra@lausd.net <pra@lausd.net>;

Good afternoon,

This is a request made under the California Public Records Act, Government Code sections 7920.000 – 7931.000, for records in the possession or control of your district.

I am requesting all public records related to any and all claims of sexual misconduct against credentialed educators from June 1, 2024 to October 2, 2025. Sexual misconduct should include boundary crossing violations, sexual harassment, sexual assault by teachers, guidance counselors, or administrators against students, with all student names or identifying information redacted.

Such public records should include:

- Written allegations or claims made to the district
- Investigatory reports
- Determinations; decisions; orders; resignation letters; employment reclassification documents
- Settlement or separation agreements
- Termination and/or transfer papers
- Letters of reproof and/or other disciplinary actions
- Referrals to law enforcement
- Reports to the the California Commission on Teacher Credentialing

Please let me know if you have any questions and I look forward to your response.

Holly J. McDede

Reporter, KQED

732-397-3323

Exhibit F



Annie Cappetta
Legal Fellow
acappetta@firstamendmentcoalition.org

December 19, 2025

VIA ELECTRONIC MAIL

Devora Navera Reed, General Counsel
Los Angeles Unified School District
Office of General Counsel
333 S. Beaudry Avenue, 20th Floor
Los Angeles, California 90017

Email: pra@lausd.net; devora.naverareed@lausd.net

Re: California Public Records Act Requests for Records Related to Employee Misconduct

Dear Devora Navera Reed:

The First Amendment Coalition (“FAC”) is a nonprofit public interest organization dedicated to advancing free speech, open and accountable government, and public participation in civic affairs. I am writing on behalf of FAC to follow up on LAUSD’s responses to two California Public Records Act (“CPRA”) requests submitted by journalist Holly McDede for records related to misconduct alleged against current or former LAUSD employees.

June 14, 2024 Request (OGC #0094329)

On June 14, 2024, Ms. McDede requested “complaints specifically alleging sexual harassment or sexual assault by teachers against students, reported to the district either by students, parents, or school employees” and “all reports to the California Commission on Teacher Credentialing regarding formal complaints of misconduct regarding sexual harassment, sexual assault or sexual grooming behavior against teachers or other school employees” from 2014 to the date of the request.

For 11 months, the District failed to determine whether disclosable records responsive to Ms. McDede’s request existed or assert any exemptions. On May 13, 2025, the District ultimately assessed Ms. McDede \$8,000 in fees to “investigate approximately 2,500 potentially responsive personnel files,” on the theory that the preliminary search for records responsive to Part One of her request would “require data compilation, extraction and programming to produce the information.”

In a letter to you on June 23, 2025, a copy of which is attached hereto for convenience, FAC asked LAUSD not to charge unlawful fees and to ensure prompt disclosure of the requested records to Ms. McDede.

By email dated June 25, 2025, Christopher Harris, a senior paralegal with LAUSD, responded to the letter by writing, “The District is re-opening the above-referenced PRA Requests and will serve revised, amended responses, which should resolve your contentions.”

LAUSD, however, did not provide updated responses. In emails dated July 11, 2025 and October 2, 2025, Ms. McDede wrote to Mr. Harris to note that she had received no further responses from LAUSD and to ask for updates. To date, neither Mr. Harris nor anyone else at LAUSD has responded to Ms. McDede's emails or provided the amended responses promised on June 25.

Please ensure an immediate, complete, and thorough response to Ms. McDede's CPRA request of June 14, 2024, which is now 18 months old. LAUSD is long past any reasonable amount of time to respond to the request and produce the records sought by Ms. McDede. Failure to ensure a prompt and complete response with appropriate disclosure of public records exposes LAUSD to imminent litigation.

October 2, 2025 Request (OGC #0104062)

On October 2, 2025, Ms. McDede requested the following records from LAUSD:

All public records related to any and all claims of sexual misconduct against credentialed educators from June 1, 2024 to October 2, 2025. Sexual misconduct should include boundary crossing violations, sexual harassment, sexual assault by teachers, guidance counselors, or administrators against students, with all student names or identifying information redacted.

Such public records should include:

- Written allegations or claims made to the district
- Investigatory reports
- Determinations; decisions; orders; resignation letters; employment reclassification documents
- Settlement or separation agreements
- Termination and/or transfer papers
- Letters of reproof and/or other disciplinary actions
- Referrals to law enforcement
- Reports to the California Commission on Teacher Credentialing

By email from Therese Suarez dated October 6, 2025, LAUSD responded by writing, in part, "As required under California Government Code section 7922.535(a), the District will make a determination within 10 days as to whether or not a request is seeking records that are publicly disclosable and, if so, to provide the estimated date that the records will be made available."

In an email from Mr. Harris dated October 14, 2025, LAUSD said it "requires an extension to respond" due to certain circumstances and promised it would "respond to your request no later than the close of business on October 28, 2025, with an estimated date and time when responsive records will be made available."

On behalf of LAUSD, Mr. Harris emailed Ms. McDede on October 28, 2025 to state, the District has made the determination that your request

seeks public records potentially subject to disclosure, in whole or in part. The Public Records Act Unit will produce non-exempt records, or notify you of the updated time for production, by November 28, 2025.”

However, in the 20 days since November 28, Ms. McDede has not received any responsive records or any updated estimate on when LAUSD would produce them.

Please ensure prompt and complete disclosure of the requested records, as promised on October 28, or LAUSD will be exposed to imminent litigation to enforce the CPRA.

Sincerely,

FIRST AMENDMENT COALITION



David Loy
Legal Director

Exhibit G



Holly McDede <hollyjmcde@gmail.com>

McDede, Holly - 6.14.2024 OGC Ctrl#0094329 - McDede, Holly #2 - 7.18.2024 OGC#0094923

16 messages

Harris, Christopher <c.harris@lausd.net>
To: Holly McDede <hollyjmcde@gmail.com>
Cc: "Arias, Rameses (OGC)" <rameses.arias1@lausd.net>

Tue, Jan 13, 2026 at 12:37 PM

The Office of the General Counsel received your above referenced California Public Records Act (PRA) Request, which seeks the records listed below. After conducting a diligent inquiry and making a thorough search of our records, as the Second Rolling Production, the District responds, as follows:

1. *I'm interested in complaints specifically alleging sexual harassment or sexual assault by teachers against students, reported to the district either by students, parents, or school employees. Formal complaints would indeed be those investigated by the district for allegations of violating district policies (from 2014 to June 14, 2024).*

Records responsive to this Request are attached and numbered LAUSD PRA R2 - 1 to LAUSD PRA R2 – 994. Link to records: <https://drive.google.com/file/d/1zeqJk4jNS7b5kLqgET4gJCza40cYbzyC/view?usp=sharing>

The District continues to research, conduct a diligent search and make a reasonable inquiry for responsive records. The PRA Unit estimates non-exempt records will be produced, or notification provided of an updated time for production, by approximately February 26, 2026. We appreciate your patience and understanding as we continue to research your request.

Certain information contained in the responsive records is exempt and has been redacted pursuant to the authority set forth below.

- Certain student-related information has been redacted pursuant to The Family Educational Rights and Privacy Act ("FERPA"). 20 U.S.C. §1232g; 34 Code of Federal Regulations, part 99.
- Certain information has been redacted pursuant to the "catch all" exemption set forth in Government Code §7927.000, which states: "An agency shall justify withholding any record by demonstrating that the record in question is exempt under express provisions of this division, or that on the facts of the particular case the public interest served by not disclosing the record clearly outweighs the public interest served by disclosure of the record."
- Pursuant to Government Code §7922.540(b), Christopher Harris, J.D., Senior Paralegal, Office of the General Counsel, Public Records Act Unit, is the person responsible for the redactions or determinations.

2. *Any and all reports to the California Commission on Teacher Credentialing regarding complaints of sexual misconduct, specifically sexual harassment, sexual assault, or sexual grooming behavior from 2014 to [June 14, 2024]. (As clarified on June 21, 2024.)*

The District previously responded to this Request.

Thank you,



Christopher Harris, J.D., Senior Paralegal

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