



Orange County Board of Education Resolution
Opposing Tyranny of the United States Government
and Intimidation of its Citizens

Whereas, the National School Board Association (NSBA) overtly coordinated and colluded with the President of the United States (POTUS) and the Department of Justice (DOJ) by sending a letter dated September 29, 2021 to the POTUS asserting: *"The National School Boards Association respectfully asks for federal law enforcement and other assistance to deal with the growing number of threats of violence and acts of intimidation occurring across the nation."* The NSBA requested that the U.S. Department of Justice, Federal Bureau of Investigation, U.S. Department of Homeland Security, U.S. Secret Service, and the National Threat Assessment Center focus and direct their resources towards investigating parents of public school children, solely based on the NSBA's false allegations, inadequately perceived notions of "threats" and "terrorists risks" of American citizens. The NSBA also requested that the U.S. Postal Inspection Service intervene against threatening letters and cyberbullying attacks that purportedly been communicated to students, school board members, district administrators, and other educators; and

Whereas, in a corresponding and unprecedented abrupt response to false and malicious accusations contained within the NSBA letter to the POTUS, five days later Attorney General Garland on October 4, 2021, issued a Memorandum, that declared: *"In recent months, there has been a disturbing spike in harassment, intimidation, and threats of violence against school administrators, board members, teachers, and staff who participate in the vital work of running our nation's public schools."* The Justice Department has offered no proof that such "harassment, intimidation, and threats of violence" have occurred in numbers that justify federal intervention. Nevertheless, the memorandum further declares: *"The Department takes these incidents seriously and is committed to using its authority and resources."* Such directive by the DOJ and United States Attorney General is unprecedented in American history, and interferes with the freedom of speech of parents and citizens exercising their First Amendment rights under the United States Constitution; and

Whereas, the NSBA and DOJ offers no proof of a *"growing number of threats of violence and acts of intimidation."* This misguided, inaccurate, and inflammatory NSBA letter, implies that parents are "domestic terrorists;" and places law abiding citizens who are exercising their first amendment rights in advocating for their children, in the crosshairs of an overreaching federal government and law enforcement agencies; and

Whereas, public school boards have an obligation to be responsive to their community and listen to both positive and negative feedback. In considering the sphere of local governance and law enforcement, any action by the Federal Government to interfere with the local governance of schools is not found in the enumerated powers in the United States Constitution. Local school boards are governed by state and local laws which are enforced by local law enforcement and adjudicated in local courts; and

Whereas, implementation of the memorandum interferes with the First Amendment rights of our constituents to engage in free and open discussion of public issues and governance, and it is a misuse of



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federal power in an area traditionally governed by state and local authorities. The Orange County Board of Education advocates open discourse over governance issues of concern, and rejects federal law enforcement intervene in that open public discourse; and

NOW, THEREFORE BE IT RESOLVED, the Orange County Board of Education advances the American core principles that citizens of this great country have the right to petition their school boards, and other governance boards in a civil and just manner with as much passion as they can muster short of threats, intimidation or violence against those in public service. Free speech, especially that provided in public comment at board meetings should be revered and embraced, and not condemned or oppressed by schools board, local agencies, city councils, or federal law enforcement agencies; and

Furthermore, the Orange County Board of Education hereby: 1) denounces the leadership of the National School Board Association for their coordinating role in demanding the POTUS and federal law enforcement overreach into local control of education and political discourse; and 2) petition that the October 4, 2021 directive by United States Attorney, General Merrick Garland, that initiates the DOJ, Federal Bureau of Investigation, state and local officials to monitor parents, tax-payers, and constituents, be revoked or withdrawn.

ADOPTED by the Orange County Board of Education on the 3rd day of November 2021.

AYES: Williams, Barke, Sparks

NOES: Gomez

ABSENT: 0

STATE OF CALIFORNIA

COUNTY OF ORANGE

I, Mari Barke, President to the Board of Education of Orange County, California hereby certify that the foregoing Resolution was duly and regularly adopted by the said Board at a regular meeting thereof held on the 3rd day of November 2021 and passed by a vote of 3-1, of said Board Members present.

IN WITNESS THEREOF, I have hereunto set my hand and seal this 3rd day of November 2021.

Mari Barke, President
Orange County Board of Education