

NICOLE MILLER & ASSOCIATES, INC.

PRIVATE INVESTIGATIONS PI 28276

CONFIDENTIAL ATTORNEY-CLIENT PRIVILEGED

TEMECULA VALLEY UNIFIED SCHOOL DISTRICT

JENNIFER WIERSMA AND STEVE SCHWARTZ COMPLAINTS

COMPREHENSIVE REPORT OF INVESTIGATION AND FINDINGS

Date of Report:

Wednesday, June 4, 2025

Reporting Investigator:

Nicole Miller, President & CEO

This report contains information, which may be protected under State or Federal law, or Temecula Valley Unified School District ("District") Board Policy, as confidential, or may be protected by attorney-client or attorney work product privileges. Accordingly, this report should not be disclosed except to District administration on a need-to-know basis, or upon consultation with legal counsel. Should this report be released upon the direction of legal counsel, please notify Nicole Miller & Associates, Inc. The District granted the investigator full discretion to conduct the investigation, and the District did not attempt to influence or direct the investigation or its outcome. The investigator maintained full access to witnesses, documents, and other relevant evidence throughout the course of the investigation.

While all due care has been taken in the preparation of this report, Nicole Miller & Associates, Inc., assumes no responsibility and shall not be liable to any person for any loss, damage, or expense caused by decision making, reliance on, or distribution of the findings and conclusions in this report. Investigators and staff at Nicole Miller & Associates, Inc., are retained to perform impartial, fact-finding investigations, not legal services, and therefore do not make legal recommendations, analysis, and/or conclusions. The information contained within this report has been developed based on a reliance of information from relevant witnesses, evidentiary documentation, and/or media. Nicole Miller & Associates, Inc.'s analysis of board policy and/or administrative regulation as it pertains to the investigative findings does not constitute professional legal opinion or advice.

EXECUTIVE SUMMARY

Nicole Miller & Associates, Inc., conducted an investigation into complaints made by two Temecula Valley Unified School District ("District") Governing Board ("Board") members about each other. Specifically, Jennifer Wiersma, Trustee Area 3 Board Member, alleged that Steven Schwartz, Trustee Area 5 Board Member, sexually harassed her when he made a crude statement while taking a group photograph during a California School Boards

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Association (“CSBA”) event. Mr. Schwartz alleged Ms. Wiersma was dishonest and made her complaint in bad faith. Ms. Wiersma subsequently alleged the District was negligent in its response to her complaint.

Nicole Miller & Associates, Inc., did not sustain Ms. Wiersma’s allegation of sexual harassment by Mr. Schwartz, nor was there evidence to suggest the District acted negligently in its response to Ms. Wiersma’s complaint. With regard to Mr. Schwartz’s allegation that Ms. Wiersma’s complaint was made in bad faith, the investigator—while recognizing the difficulty of determining intent with certainty, as well as the seriousness of a “bad faith” finding—determined that the totality of the evidence presented concerns about the credibility of, and motivation behind, Ms. Wiersma’s complaint and suggests her complaint may not have been made in good faith – or, at best, that she exercised poor judgment in publicly voicing and pursuing such an egregious allegation without sufficient basis or clarity regarding the alleged conduct.

INVESTIGATIVE PROCEDURES

In conjunction with the law firm of [REDACTED] Silva & McNally LLP and pursuant to the attorney-client privilege, on Wednesday, March 12, 2025, Dean [REDACTED] Partner at [REDACTED] Silva & McNally LLP, requested on behalf of the District that Nicole Miller & Associates, Inc., conduct an investigation into concerning conduct between two Board members. Mr. [REDACTED] advised the investigator to contact [REDACTED] Superintendent, in furtherance of this investigation.

The investigator spoke with [REDACTED] at the onset of the investigation, on Wednesday, March 12, 2025, at which time he shared relevant background information about Ms. Wiersma’s and Mr. Schwartz’s complaints. [REDACTED] was interviewed again on Thursday, April 24, 2025, after the scope of the investigation was expanded to include Ms. Wiersma’s claim that the District acted negligently in its response to her complaint.

The investigator met independently with Mr. Schwartz; [REDACTED] Executive Assistant to the Superintendent; and Dr. Melinda Anderson, Trustee Area 1 Board President, on

Thursday, March 13, 2025. Dr. Anderson was later interviewed for a second time on Monday, April 21, 2025, for the purpose of obtaining clarification about matters Ms. Wiersma alleged during her later interview.

The investigator spoke with Dr. Joseph Komrosky, Trustee Area 4 Board Member, on Friday, March 14, 2025, and with Emil Barham, Trustee Area 2 Board Clerk, on Monday, March 17, 2025. The investigator also spoke with [REDACTED] [REDACTED] Community Member/Wife of [REDACTED] [REDACTED] [REDACTED] and with [REDACTED] [REDACTED] General Counsel for the Board, on Monday, March 17, 2025.

Ms. Wiersma's interview took place on Thursday, April 17, 2025.

[REDACTED] [REDACTED] - [REDACTED] Title IX [REDACTED] [REDACTED] was interviewed on Thursday, April 24, 2025.

With the exception of Ms. Wiersma's interview, all interviews took place via *Zoom* or phone. Ms. Wiersma requested to meet in person, so her interview was held at the office of Nicole Miller & Associates, Inc., in San Clemente, California. Ms. Wiersma's interview was also audio recorded at her request. No other interviews were audio recorded.

All individuals interviewed for purposes of the investigation were notified of the District's retaliation policy and were further advised their statements, as provided to the investigator, would not be shared with any individual unless, as part of the investigation, they have a need to know.

The District granted the investigator full discretion to conduct the investigation, and the District did not attempt to influence or direct the investigation or its outcome. The investigator maintained full access to witnesses, documents, and other relevant evidence throughout the course of the investigation. The investigator made her determinations based on the statements of witnesses and the evidence collected.

The following individuals were interviewed for purposes of the investigation:

1. [REDACTED] Superintendent (Wednesday, March 12, 2025; Thursday, April 24, 2025)
2. **Emil Barham**, Trustee Area 2 Board Clerk (Monday, March 17, 2025)
3. **Steven Schwartz**, Trustee Area 5 Board Member (Thursday, March 13, 2025)
4. [REDACTED] Executive Assistant to the Superintendent (Thursday, March 13, 2025)
5. **Dr. Melinda Anderson**, Trustee Area 1 Board President (Thursday, March 13, 2025; Monday, April 21, 2025)
6. **Dr. Joseph Komrosky**, Trustee Area 4 Board Member (Friday, March 14, 2025)
7. [REDACTED] [REDACTED] Community Member/Wife of [REDACTED] [REDACTED] [REDACTED] (Monday, March 17, 2025)
8. [REDACTED] [REDACTED] [REDACTED] (Monday, March 17, 2025)
9. **Jennifer Wiersma**, Trustee Area 3 Board Member (Thursday, April 17, 2025)
10. [REDACTED] [REDACTED] - [REDACTED] Title IX [REDACTED] [REDACTED] (Thursday, April 24, 2025)

The following documents and emails were reviewed in preparation of the summary:

Complaint Documents and Related Photos

1. Document, "District Uniform Complaint Form," January 27, 2025, 1 page
2. Email, "Re: Complaint, as well as," March 12, 2025, 2 pages
3. Image, "Photos Taken at Christmas Tree," Not Dated, 3 pages
4. Image, "Photos Taken at Restaurant," Not Dated, 1 page

Documentation Received from Mr. Schwartz

5. Document, "No Title - 'Meeting when accusation was made,' page 1," Not Dated, 1 page

6. Document, "No Title - 'Meeting when accusation was made,' page 2," Not Dated, 1 page
7. Document, "No Title - Statement from Emil Barham," Not Dated, 1 page
8. Email, "December 5th," January 28, 2025, 1 page
9. Email, "recent phone call," January 28, 2025, 1 page
10. Email, "statement regarding Mr. Schwarts [sic]," January 28, 2025, 1 page
11. Email, "Questions about CSBA," January 28, 2025, 1 page
12. Email, "Statement re: board workshop comments," February 20, 20245, 1 page

Documentation Received from Ms. Wiersma

13. Document, "Why I feel the District Office was negligent in dealing with this issue," Not Dated, 2 pages
14. Document, "What am I seeking?" Not Dated, 1 page
15. Document, "Comments from [REDACTED] [REDACTED] about the February 11th Workshop," Not Dated, 4 pages
16. Document, "No Title - Letter to [REDACTED] Not Dated, 6 pages
17. Document, "No Title - Emails Provided by Jen Wiersma," January 27 - April 10, 2025, 19 pages
18. Document, "No Title - Emails Provided by Jen Wiersma [2]," April 10 - 15, 2025, 6 pages

Other Related Communications and Documents

19. Email, "recent phone call," January 28, 2025, 1 page
20. Email, "statement regarding Mr. Schwarts [sic]," January 28, 2025, 1 page
21. Email, "Fwd: I Believe You!" February 12, 2025, 3 pages
22. Email, "Re: Legal Counsel Request," February 13, 2025, 2 pages
23. Email, "Fwd: Civil mediation," February 22, 2025, 1 page
24. Email, "Mediation," February 22, 2025, 1 page
25. Email, "Re: Permission for Legal Contact," February 24, 2025, 3 pages

26. Email, "Photo," March 13, 2025, 2 pages
27. Email, "Statement re: board workshop comments," March 14, 2025, 1 page
28. Email, "Fwd: Reminder," March 14, 2025, 3 pages
29. Email, "Fwd: Uniform Complaint Information [with attachment]," March 14, 2025, 8 pages
30. Email, "Fwd: Uniform Complaint," March 14, 2025, 5 pages
31. Email, "Re: Request for in person meeting," March 26, 2025, 2 pages
32. Email, "mediation [2]," April 8, 2025, 1 page
33. Email, "Mediation attempt text," April 8, 2025, 10 pages
34. Email, "Re: complaint," April 21, 2025, 2 pages
35. Email, "workshop meeting," April 21, 2025, 1 page

DETAILS

The current Board was newly constituted in November 2024. Ms. Wiersma, Mr. Schwartz, and Dr. Komrosky formerly served on the Board; Dr. Anderson and Mr. Barham were newly elected. Dr. Anderson was appointed Board president by majority vote during the Tuesday, December 17, 2024, Board meeting.

The Board members were all in attendance at the CSBA conference in Anaheim, California in early December 2024. On the evening of Thursday, December 5, 2024, they gathered for a group photograph in front of the Christmas tree of the hotel lobby prior to going to dinner together at a nearby restaurant. Ms. Wiersma has alleged that while taking the photograph, she posed next to Mr. Schwartz and he made a comment to her that she could "cop a feel" (i.e., slang to touch someone, typically in an unwanted, unexpected, and sexual way) if she wanted and that his wife would not mind. Ms. Wiersma alleged Dr. Anderson was nearby and heard this remark; though she indicated to Ms. Wiersma that she heard the comment, she dismissed it by saying, "That's just Steve!" in reference to Mr. Schwartz.

Ms. Wiersma filed a Uniform Complaint Procedure ("UCP") raising this allegation on Monday, January 27, 2025. Within Ms. Wiersma's complaint, she detailed her remedies sought, which included (1) a meeting with Dr. Anderson and Mr. Schwartz facilitated by [REDACTED] or Mr.

Marble; (2) a board workshop “to discuss expectations of professional protocol” prior to the February 2025 Board meeting, including for “a consultant to moderate an honest and open conversation with all matters related to the Governing Handbook including any new proposed board bylaws”; and (3) to be seated at the dais between [REDACTED] and Dr. Komrosky or Dr. Komrosky and a cabinet member. *(Please see attached document, “District Uniform Complaint Form,” January 27, 2025, 1 page.)*

The District determined that since Board members do not have an employment relationship with the District and there is no District bylaw or policy related to dispute resolution between Board members, the District did not have any power to enforce any remedy should one be found appropriate. Rather, this was deemed a private civil dispute between two elected officials and such was communicated to Ms. Wiersma.

Ms. Wiersma later raised this allegation of sexual harassment against Mr. Schwartz during a Board workshop held on Tuesday, February 11, 2025, which was livestreamed to the public. She announced she did so at the advice of the Board’s general counsel, [REDACTED] which [REDACTED] has denied. Thereafter, on Thursday, February 20, 2025, Mr. Schwartz communicated to the District his intent to make a complaint against Ms. Wiersma, alleging that her allegations of sexual harassment as voiced in the Board workshop were frivolous and made in bad faith. *(Please see attached email, “Re: Complaint, as well as,” March 12, 2025, 2 pages.)* The investigator notes Mr. Schwartz also communicated at that time that Ms. Wiersma made unwanted physical contact with him while taking the group photograph, though he later communicated to the investigator that his intent was not to pursue sexual harassment charges against Ms. Wiersma and his concern was focused on the fabricated allegation against him.

On or around Wednesday, March 26, 2026, Ms. Wiersma requested to expand the scope of the investigation to also address how the District handled this situation. *(Please see attached email, “Re: Request for in person meeting,” March 26, 2025, 2 pages.)* That request was ultimately approved.

STATEMENT OF PURPOSE AND EVIDENTIARY STANDARD

The purpose of this investigation is to make factual findings on the specific allegations raised by Ms. Wiersma and Mr. Schwartz. For all factual findings, the investigator used a preponderance of the evidence standard. This means that when taking all evidence and reasonable inferences into account, including credibility determinations, if the investigator determines it is more likely than not that an allegation is true, then a finding is made that the allegation is sustained. This is sometimes referred to as a “greater than 50%” standard. Where there is not sufficient evidence to meet this threshold, even if there is some supporting evidence, the finding must be that the allegation is not sustained.

CREDIBILITY DETERMINATIONS

The investigator noted several inconsistencies in Ms. Wiersma’s account throughout her interview, and her statement seems to have lacked consistency over time. For example, Ms. Wiersma claimed in her interview and written UCP that Mr. Schwartz told her she could “cop a feel” and that his wife would not mind; however, she made no mention of Mr. Schwartz’s wife when relaying the alleged harassment during the Board workshop. Though Ms. Wiersma claimed this was to protect Mr. Schwartz’s wife’s privacy, she also made no mention of Mr. Schwartz’s wife in her initial conversation with Dr. Komrosky, only telling him about this part of the alleged statement approximately one week later. In several instances, Ms. Wiersma made statements she then immediately recanted. For example, when claiming that Mr. Schwartz threatened to sue her on three separate occasions, Ms. Wiersma verified—when explicitly asked by the investigator—that Mr. Schwartz used the verbiage “sue,” but then while recounting details of what was said, she clarified, “I don’t know if he said ‘sue’ or ‘litigation,’ but I felt it was what he meant.” In other instances, Ms. Wiersma presented information as fact that she later clarified as based upon second or thirdhand information. Most notably, she made the egregious claim that Dr. Anderson told a mutual friend that she was willing to lie about the situation; however, as the investigator sought clarification, Ms. Wiersma explained this information was relayed to her by Dr. Komrosky, who heard it from the mutual friend. Though Ms. Wiersma since spoke with this mutual friend—and though the friend wavered in her account, according to Ms. Wiersma, and did not clearly relay to Ms. Wiersma the same information she allegedly heard from Dr. Komrosky—Ms. Wiersma insisted Dr. Komrosky’s account should be relied upon over that of

the purported firsthand source. At times, Ms. Wiersma appeared to lack awareness of relevant context that may have an impact on the situation at hand. For example, Ms. Wiersma said Mr. Schwartz's alleged comment was made "under the breath" and that "it was not loud" to rationalize why nobody else would have heard it, which fails to recognize this can also lend itself to her not hearing the remark correctly. Ms. Wiersma was found to have either misrepresented a conversation with [REDACTED] or to have been remarkably unclear in her later (public) relaying of that conversation. Specifically, she made the following statements during the Board workshop: "The attorney told me, bring it up in the workshop"; "I was told by legal it was something to share"; "[REDACTED] specifically shared with me that this is something that could be discussed..." However, she clarified during her interview with the investigator that [REDACTED] did not explicitly tell her to address the matter during the workshop. Notably, Ms. Wiersma was also unclear in this admission, initially stating that [REDACTED] told her, "If you're not planning to sue civilly, then you know, this workshop..." but Ms. Wiersma trailed off and did not finish [REDACTED] alleged sentence, only to thereafter clarify that *she* was the one who broached the subject of the Board workshop despite just seeming to present as though [REDACTED] volunteered it as a channel to address her complaint if she was not planning to pursue a civil lawsuit. Her explanations surrounding this part of her complaint gave the impression she was being intentionally vague or misleading, or that she was simply poor at communicating what was actually discussed (which is also not an ideal trait), given her forward facing position. Though Ms. Wiersma presented as genuine in her emotions and grew tearful on several occasions throughout her interview, the above matters detracted from her overall credibility.

The investigator found Mr. Schwartz to be straightforward and consistent over time, providing concise responses in a "no nonsense" demeanor. Of note, no other witnesses heard him make the remark alleged of him, including Dr. Anderson, whom Ms. Wiersma named as a direct witness. While plausible the comment could have been said so quietly that only Ms. Wiersma could hear (as she seems to suggest), Mr. Schwartz insists he does not even know what the remark "cop a feel" means – which was supported Dr. Anderson's account of her phone call with him when she told him about the allegation. It further feels necessary to point out the likelihood of Mr. Schwartz making this alleged remark itself is questionable,

given his commonly known contentious relationship with Ms. Wiersma. That is, if Mr. Schwartz so strongly dislikes Ms. Wiersma (as Ms. Wiersma described to be the case) and if they have historically not agreed on matters of policy causing them to have a strained relationship (as was supported by other witnesses), it raises the question of why Mr. Schwartz would make a sexualized remark of this sort directed at Ms. Wiersma. In light of the above—namely Mr. Schwartz’s consistency and the corroboration of other witnesses—the investigator found him to be credible.

The investigator had no concerns regarding the credibility of the other witnesses. Their accounts were mostly aligned and they were consistent over time. Dr. Andreson in particular was adamant in her denial of witnessing the alleged remark as Ms. Wiersma has claimed. She provided relevant background information without bias and clarified when information was contextual but not relevant to whether the alleged conduct occurred. Though Dr. Komrosky was commonly described as closely aligned with Ms. Wiersma, he did not present as biased in her favor. He described pointing out and questioning a discrepancy in Ms. Wiersma’s statement (i.e., her failure to mention Mr. Schwartz’s alleged remark that his wife “wouldn’t mind” in her initial telling of the alleged incident). He further acknowledged “somebody is lying” and proposed the parties be subject to lie detector tests.

ALLEGATIONS AND FINDINGS

PART I – MS. WIERSMA’S AND MR. SCHWARTZ’S COMPLAINTS AGAINST EACH OTHER

Allegation No. 1

Ms. Wiersma alleged that on Thursday, December 5, 2024, while the District Board members took a group photograph, Ms. Wiersma placed her hand on Mr. Schwartz’s shoulder and Mr. Schwartz “crudely suggested he wouldn’t mind if [she] wanted to ‘cop a feel.’” According to Ms. Wiersma, Mr. Schwartz also stated something to the effect of his “wife wouldn’t mind.” Ms. Wiersma alleged Dr. Anderson overheard this remark and remarked, “Oh, that’s just Steve!”

Ms. Wiersma’s Statement Related to Allegation No. 1

Ms. Wiersma said that on the night of Thursday, December 5, 2024, while the Board members were taking a group photograph near the Christmas tree in the event lobby, Mr. Schwartz made an inappropriate sexual remark toward her. Specifically, she claimed that as the group was posing for the photograph, Mr. Schwartz, who was standing next to her, said something to the effect of, "Obama puts his thumb to the front," in reference to how the former president places his hands while posing for photographs, and then stated, "But as for you, I don't mind if you want to cop a feel. And my wife would not mind either." Ms. Wiersma was taken aback and did not say anything to Mr. Schwartz in response. Rather, she said, "[REDACTED] took the photo and we walked away." She said the overall interaction with Mr. Schwartz was brief and likely not heard by anyone else. She claimed the comment was said "under the breath" and that "it was not loud."

Ms. Wiersma denied having any form of conversation or interacting with Mr. Schwartz prior to taking the photograph. She surmised she may have announced to the group, "We are taking a picture," but other than that, nothing of significance stands out. Ms. Wiersma confirmed she did not ask Mr. Schwartz's permission prior to placing her hand on his shoulder during the photo. Rather, she said the entire interaction "was very off the cuff." She could not recall if Mr. Schwartz made physical contact with her in any way while taking the photo, but she was certain, "It's not like he grabbed or pinched me," clarifying that it seemed any physical contact would have been innocuous and incidental.

After the group took the photo, as Ms. Wiersma walked away with Dr. Anderson, she asked Dr. Anderson, "Did you just hear what he said?" and Dr. Anderson replied, "Oh, yeah. That's just Steve," in reference to Mr. Schwartz, which made Ms. Wiersma feel that Dr. Anderson thought the comment "was not a big deal." Ms. Wiersma was asked about this part of the alleged incident throughout her interview given Dr. Anderson's denial of the alleged remark, and of hearing Mr. Schwartz make the comment in the first place. (The investigator notes, Dr. Anderson's interview took place prior to Ms. Wiersma's, so the investigator was already aware of her denial by the time of the meeting with Ms. Wiersma.) Specifically, the investigator pressed Ms. Wiersma for specifics as to what she said to Dr. Anderson (i.e., only, "Did you just hear what he said?" or if at any time Ms. Wiersma was more specific as to Mr.

Schwartz's alleged comment). Ms. Wiersma consistently stated that she only asked Dr. Anderson if she had heard what Mr. Schwartz had said, without providing any specifics or elaborating as to what she heard. Ms. Wiersma stated, "I did not reiterate the entire conversation," and "We did not have an extended conversation," when explaining how she did not relay to Dr. Anderson what Mr. Schwartz had said to her while seeking to understand if Dr. Anderson had heard it.

Despite this, Ms. Wiersma said at another time, "I know she heard it because we had a conversation about it when we walked away." When asked for clarity, Ms. Wiersma reiterated that she asked Dr. Anderson, "Did you just hear what he said?" and that Dr. Anderson "laughed" and made the remark, "That's just Steve." (That is, this was the extent of the "conversation" Ms. Wiersma and Dr. Anderson allegedly had.) At another point in her interview, Ms. Wiersma referenced this alleged response of Dr. Anderson laughing and saying, "That's just Steve," and said to the investigator this "was confirmation of what was heard." (That is, Dr. Anderson's acknowledgment of, "That's just Steve," confirmed Dr. Anderson heard him make a remark—i.e., the "cop a feel" remark—that was characteristic of Mr. Schwartz.) Ms. Wiersma said there is "no doubt in [her] mind" that Dr. Anderson heard the remark, again supporting this assertion by the fact Dr. Anderson allegedly laughed and said, "That's just Steve," "immediately right after" the alleged incident. At yet another time, she said, "There was nothing else [Mr. Schwartz] said," i.e., beyond the "cop a feel" remark, so Dr. Anderson's acknowledgment of anything Mr. Schwartz had said would have confirmed her hearing the alleged remark. In any case, Ms. Wiersma estimated this interaction with Dr. Anderson about Mr. Schwartz's alleged comment lasted 30 seconds. She said nobody else was present or within earshot of their exchange.

Ms. Wiersma said the group went to dinner together immediately after the incident. She said the dinner "was fine" and no further concerns arose. Ms. Wiersma denied telling anyone else about the alleged remark that evening, including during the Uber ride to dinner or while at the restaurant. Ms. Wiersma explained this was in part due to the fact Dr. Anderson had laughed and dismissed the remark such that Ms. Wiersma was made to feel "like an idiot" and like the entire incident "was a nothing-burger."

Mr. Schwartz's Statement Related to Allegation No. 1

Mr. Schwartz wholly denied the claim as made by Ms. Wiersma. He denied saying "anything inappropriate to her at any time," and he specifically denied saying "cop a feel."

Mr. Schwartz said that he intentionally places his hands in front of him in photos "to avoid anyone ever making a comment about where [he puts his] hands." He pointed out he is posed this way in the photograph taken on the night of the alleged incident and that Ms. Wiersma is leaning into him, which seems to contradict her claim that he had just made an inappropriate and offensive remark. Mr. Schwartz unequivocally denied making the alleged remark and said that he does not even know what it means to "cop a feel." In addition to the fact he "would never say such a thing" on account of not knowing its meaning, he stated that he does not know, nor trust, Ms. Wiersma, so he would not make some flippant remark of any sort toward her. In fact, Mr. Schwartz said he "wanted nothing to do with [Ms. Wiersma] and [Dr. Komrosky]" during the convention because he did not trust them due to past differences. He told Dr. Anderson as much but she "begged" him to join the group for dinner to hopefully "make peace." Though Mr. Schwartz did not "want to break bread with those people," he conceded and agreed to join the group. He shared these details to further point out his level of distrust, and disinterest, in Ms. Wiersma such that the comment she alleged of him is so unlikely.

After Ms. Wiersma voiced her allegations during the Board workshop event, and at the advice of a friend who is an attorney, Mr. Schwartz obtained statements from Dr. Anderson, [REDACTED] [REDACTED] Mr. Barham, and [REDACTED] each of whom denied hearing the alleged remark despite their proximity to Ms. Wiersma and Mr. Schwartz at the time the alleged remark was made. Mr. Schwartz did not ask for a statement from Dr. Komrosky, knowing that he and Ms. Wiersma are close friends. Mr. Schwartz reiterated his unequivocal denial of the allegation at the conclusion of his interview, adding, "There is no way she could have ever misheard or misunderstood anything that could be remotely what she is alleging of me. I did not and would not ever say this."

Witness Statements Related to Allegation No. 1

Dr. Anderson—who wholly denied Ms. Wiersma’s allegation that she heard Mr. Schwartz make the “cop a feel” remark and dismissed it by stating, “That’s just Steve!”—provided context she felt would be helpful for the investigator to understand the situation. First, she pointed out that she did not know Mr. Schwartz prior to her being elected to the Board in November 2024. She said that when it became apparent she was going to win the election, she made an effort to meet with the other prospective Board members because she strived to have good working relationships with them. Mr. Schwartz initially declined her requests to meet. When they did ultimately meet, their interaction was cordial. She said it was commonly known that Mr. Schwartz and Dr. Komrosky/Ms. Wiersma did not get along, as they had publicly disagreed on several policy matters in the past. She described Mr. Schwartz and Dr. Komrosky as “arch enemies,” noting that Mr. Schwartz participated in the efforts to have Dr. Komrosky recalled from the Board.

Dr. Anderson said that because of this contentious history, when the Board attended the CSBA event together in December 2024, she asked Mr. Schwartz to meet with Ms. Wiersma to “move on and let bygones be bygones”; however, he was not interested, nor was Ms. Wiersma. Dr. Anderson recalled asking Mr. Schwartz to at least attend dinner with the other Board members when the group went to eat during the CSBA conference. He initially said, “No, I will never break bread with them,” but ultimately agreed to join the group for dinner on Thursday, December 5, 2024. Dr. Anderson recalled that when Mr. Schwartz came down to meet the group for dinner, she stood next to him in an effort to make him feel more comfortable amongst the other Board members, given she was a neutral party and had an amicable relationship with him.

Dr. Anderson said that after taking pictures by the Christmas tree in the hotel lobby, the group went to dinner. Mr. Schwartz walked to the restaurant with Mr. Barham, [REDACTED] and [REDACTED] while Dr. Anderson, Ms. Wiersma, and Dr. Komrosky rode to the restaurant in an Uber. Dr. Anderson said everything seemed fine and “the mood was good” during the Uber ride and throughout dinner. She said, “At no time did [Ms. Wiersma] act traumatized or have any indication that something had happened.” Dr. Anderson said it was not until late

January 2025 that she learned of Ms. Wiersma's allegation against Mr. Schwartz from [REDACTED]. She only knew at the time that Ms. Wiersma claimed he had sexually harassed her by making a comment to the effect of, "Do you want to cop a feel?" when the group took the aforementioned photograph at the conference. It was not conveyed to her at the time that she was alleged to have heard it.

Dr. Anderson described speaking with Mr. Barham and Mr. Schwartz (separately) soon after learning of the allegation from [REDACTED]. She contacted Mr. Schwartz about the matter, given the "very serious" nature of the claim. While Mr. Schwartz's wife was on speakerphone, Dr. Anderson asked him, "Do you want to cop a feel?" and Mr. Schwartz responded, "What?" She repeated variations of the phrase several times and Mr. Schwartz responded that he did not know what she was saying. She ultimately asked him, "If I say to you, "Want to cop a feel?" do you know what that means?" Dr. Anderson heard Mr. Schwartz's wife in the background say that she knew what the phrase meant, but Mr. Schwartz maintained he did not. Dr. Anderson explained someone had accused Mr. Schwartz of making the comment and Mr. Schwartz responded that he did not care. Dr. Anderson recalled Mr. Schwartz's wife told him, "You should care!" explaining that he was being accused of making a sexually harassing remark. Dr. Anderson recalled Mr. Schwartz's wife was upset by the allegation, frustrated that Ms. Wiersma made a false claim against her husband; however, Mr. Schwartz was dismissive of the situation. Dr. Anderson believes Mr. Schwartz was genuinely unconcerned because he was unaware of the meaning of the phrase but nevertheless knew he did not make any such comment.

Dr. Anderson also described speaking with [REDACTED] about the situation, given the egregiousness of the claim. She asked him to bill the District for their call so there was a record of the conversation. Dr. Anderson said Mr. Schwartz also separately asked her for a written statement at the advice of his attorney. She provided two statements: one detailing that she did not hear anything on the night of the alleged incident, and another memorializing her phone conversation with Mr. Schwartz and his wife, as detailed above. Dr. Anderson recalled asking Mr. Schwartz "what his plans were" in terms of responding to the allegation, and Mr. Schwartz told her something to the effect of, "My attorney said if she lets it

die, I'll let it die." Dr. Anderson said nothing was said of the allegation during the December 2024 Board meeting (i.e., after the alleged incident but before Ms. Wiersma's complaint) or the January 2025 Board meeting (i.e., after her complaint). In fact, Dr. Anderson recalled Ms. Wiersma interacted amicably with Mr. Schwartz during the December 2024 meeting and had expressed interest in serving on a committee with him, which stands out in her memory now knowing she claimed to have been sexually harassed by him weeks prior.

Dr. Anderson said the Tuesday, February 11, 2025, Board workshop was the first time she was made aware of Ms. Wiersma's claim that she heard the alleged remark by Mr. Schwartz and dismissed it as being "just Steve." She utterly denied Ms. Wiersma said anything to her about a harassing remark by Mr. Schwartz, including the specific phrase "cop a feel," during the CSBA event, and she further countered she did not know Mr. Schwartz well enough to remark about him, "That's just Steve," as she had only met him "a few weeks before" the alleged incident. In this way, Dr. Anderson described Ms. Wiersma's claim as "an outright lie."

Mr. Barham did not hear Mr. Schwartz make any inappropriate commentary toward Ms. Wiersma while taking the aforementioned group photograph, including using the language "cop a feel," remarking that his "wife wouldn't mind, or stating anything to a similar effect. Mr. Barham also did not witness anything out of the ordinary through the remainder of the evening when the group went to dine at a nearby restaurant. On the contrary, he said that despite Mr. Schwartz and Dr. Komrosky having their differences in the past—and despite Mr. Schwartz saying prior to the conference, "I will never socialize or break bread with them," in reference to Dr. Komrosky and Ms. Wiersma—Mr. Schwartz discussed sports and vacations with Dr. Komrosky during the dinner. He recalled Mr. Schwartz and Ms. Wiersma were "talking and speaking back" to each other during the dinner as well.

██████████ who took the photograph for which everyone was posing when the alleged incident occurred, denied hearing Mr. Schwartz make the alleged remark though she commented it was "so loud" in the room where the group was gathered. Nevertheless, she denied noticing anything unusual at the time of the photograph, or throughout the remainder

of the evening. [REDACTED] sat next to Ms. Wiersma in the booth at the restaurant and Ms. Wiersma did not mention Mr. Schwartz saying anything inappropriate, or otherwise commenting or conveying that something concerning occurred.

[REDACTED] was also present on the evening in question. He, too, took a group photograph near the Christmas tree and attended dinner with the group of Board members. [REDACTED] did not hear any interaction, including the alleged "cop a feel" remark, between Ms. Wiersma and Mr. Schwartz while near the Christmas tree, nor was he aware that anything was amiss throughout the evening. It was not until approximately six weeks later that Ms. Wiersma filed a complaint stating that Mr. Schwartz had made an inappropriate comment to her while taking the photograph near the Christmas tree. To his understanding, Ms. Wiersma asked to put her arm around Mr. Schwartz while posing for the photo and he said to her, "Do you want to cop a feel?" and something to the effect of, "My wife would not even mind."

Dr. Komrosky did not hear the alleged remark by Mr. Schwartz at the time of the event but rather he learned of Ms. Wiersma's allegations about Mr. Schwartz approximately one and one half weeks after the event. He recalled Ms. Wiersma told him that when she put her arm around Mr. Schwartz while posing for the photo, he told her, "You can cop a feel if you want. I don't mind." When Dr. Komrosky asked Ms. Wiersma why she had not told him about this alleged incident on the night it occurred, she said it was because she was in shock. Dr. Komrosky did not press the matter further and reflected that he has heard how sometimes women "seize up" and feel uncomfortable reporting sexual harassment experiences. Dr. Komrosky recalled Ms. Wiersma told him "very explicitly" that she "immediately" looked at Dr. Anderson and asked, "Did you hear what [Mr. Schwartz] said?" and Dr. Anderson "stopped, acknowledged what [Mr. Schwartz] said, and then said, 'That's just Steve,' and laughed it off."

Dr. Komrosky said that "a couple weeks" after their initial conversation, he and Ms. Wiersma discussed the alleged incident again and this time, Ms. Wiersma told him that Mr. Schwartz had said to her, "You can cop a feel if you want. I don't mind and neither does my wife." When Dr. Komrosky asked Ms. Wiersma why she had not told him this latter detail before

(i.e., about Mr. Schwartz's wife), she said it was because she did not want to "drag [Mr. Schwartz's] wife into it." In any case, Dr. Komrosky asked Ms. Wiersma what she was going to do about the alleged remark and he recalled she "was wrestling with pursuing it legally or at the workshop under the governing handbook." He recalled Ms. Wiersma said she did not want to sue Mr. Schwartz, "but then ██████ got involved." Dr. Komrosky did not wish to speak further about what happened from there as he wished to "stay out of it" and felt it was more appropriate for Ms. Wiersma to speak to her individual experience.

Documentation Related to Allegation No. 1

Mr. Schwartz provided copies of statements he collected from Mr. Barham, ██████ Dr. Anderson, and ██████ wherein they denied hearing him make any inappropriate or harassing statement(s) to Ms. Wiersma while taking the group photograph in front of the Christmas tree. *(Please see attached document and emails, "No Title – Statement from Emil Barham," Not Dated, 1 page; "December 5th," January 28, 2025, 1 page; "statement regarding Mr. Schwartz [sic]," January 28, 2025, 1 page; "Questions about CSBA," January 28, 2025, 1 page.)* He provided an additional statement prepared by Dr. Anderson following the Tuesday, February 11, 2025, Board workshop wherein she again denied hearing the remark, and further, denied commenting to Ms. Wiersma, "That's just Steve!" as Ms. Wiersma alleged during the workshop. *(Please see attached email, "Statement re: board workshop comments," February 20, 2024, 1 page.)*

Mr. Schwartz also provided a copy of a statement prepared by Dr. Anderson detailing her Monday, January 27, 2025, phone conversation with Mr. Schwartz and his wife wherein it was apparent to her that Mr. Schwartz did not know what the phrase "cop a feel" means. *(Please see attached document, "recent phone call," January 28, 2025, 1 page.)*

Finding to Allegation No. 1

The evidence does not sustain that on Thursday, December 5, 2024, while the District Board members took a group photograph during the CSBA event, Mr. Schwartz remarked that "he wouldn't mind if [Ms. Wiersma] wanted to 'cop a feel'" and/or further commented that his "wife wouldn't mind." The evidence also does not sustain that Dr. Anderson overheard this

remark and commented, "Oh, that's just Steve!" Mr. Schwartz categorically denied making the alleged remarks, and Dr. Anderson similarly denied hearing such a remark and responding in the manner Ms. Wiersma described. No other witnesses corroborated Ms. Wiersma's account, and several witnesses expressed their belief the allegation was unfounded and possibly motivated by other interpersonal or political grievances toward Mr. Schwartz and Dr. Anderson, which are discussed in the next allegation.

Allegation No. 2

Mr. Schwartz alleged that during the February 11 Board workshop, Ms. Wiersma made frivolous sexual harassment allegations against him in bad faith. Specifically, he alleged "she is completely fabricating" her complaint and that "she is lying about everything."

Mr. Schwartz's Statements Related to Allegation No. 2

Mr. Schwartz believes Ms. Wiersma was motivated to fabricate her allegation because she is disappointed she was not elected Board president and because she was made to sit on the opposite side of the dais from Dr. Komrosky, with whom she is closely aligned. He explained Ms. Wiersma served as the acting president when Dr. Komrosky was previously recalled, prior to being reelected, and that she hoped to be voted in as Board president of the newly constituted Board, but the Board elected Dr. Anderson instead. He said, "This has been irking her since then." With regard to seating on the dais, Mr. Schwartz's wife, who was present for Mr. Schwartz's interview, said that the day before the January 2025 Board meeting, Dr. Anderson changed the seating arrangement on the dais such that Dr. Komrosky and Ms. Wiersma were on opposite ends of the dais with Ms. Wiersma seated next to Mr. Schwartz, and that upon being notified of the arrangement, Ms. Wiersma told Dr. Anderson, "I can't sit next to Mr. Schwartz because he sexually harassed me at the convention." She explained this information was shared with Mr. Schwartz when Dr. Anderson called and first asked him about the allegation on Monday, January 27, 2025. Mr. Schwartz and his wife pointed out this allegation was not raised previously, including on the night of the alleged incident when the group went to dinner together after the event, or in the weeks that followed.

Ms. Wiersma's Statement Related to Allegation No. 2

Ms. Wiersma told her husband, mother, and mother-in-law about the alleged incident “within a day or two” of returning home from the CSBA conference. She told Dr. Komrosky about the alleged incident “about 10 days later.” She estimated at other times in her interview that it may have been seven days later that she told Dr. Komrosky. Though she did not make note of the date, she indicated a belief she spoke with Dr. Komrosky before the current Board’s first meeting, which was held on Tuesday, December 17, 2024. To account for this delay, Ms. Wiersma explained she “did not know what to say” and “wanted to process it” in reference to the alleged remark. She further explained that she and Dr. Komrosky have a close relationship and have weathered other challenges with Mr. Schwartz together in the past, which is why she elected to talk with him about the matter. Ms. Wiersma said Dr. Komrosky “was disgusted” when he learned of the alleged remark by Mr. Schwartz. She said Dr. Komrosky “helped [her] understand it was a form of sexual harassment” and that “this is really something to be addressed.”

Ms. Wiersma also spoke with Jessica [REDACTED] the current [REDACTED] [REDACTED] [REDACTED] in Temecula, about the matter sometime in January 2025 (specific date unknown). [REDACTED] encouraged Ms. Wiersma to have a “behind the scenes” discussion with Mr. Schwartz and Dr. Anderson, facilitated by the District. Ms. Wiersma made such a request within the written complaint she ultimately filed, and she told the investigator, “This is where I felt the District went dark,” in regard to failing to properly address her complaint (as detailed later in this report).

Ms. Wiersma made her UCP complaint against Mr. Schwartz on Monday, January 27, 2025. The investigator asked for clarification about the timing of her complaint, given the incident occurred almost two months prior. Ms. Wiersma explained she initially did not plan to file a complaint, but “through counsel and time, [she] decided it absolutely had to be addressed.” In addition to the guidance she received from Dr. Komrosky and [REDACTED] as detailed above, she referenced Dr. Komrosky speaking with a consultant, [REDACTED] (last name unknown), who allegedly told Dr. Komrosky, “That was something she should have filed a formal complaint about.” Ms. Wiersma did not speak with [REDACTED] directly, but hearing this through Dr. Komrosky made her realize “[she] shouldn’t just let it go.”

Ms. Wiersma also referenced that she was waiting for a Governing Board workshop to be announced/scheduled, adding that one is typically held after a new Board is sworn in but there seemed to be a delay in adding such a workshop to the docket. This is why Ms. Wiersma listed such a workshop as one of the remedies in her complaint, adding that best practice dictates these types of concerns are usually addressed in those settings. Despite stating this, Ms. Wiersma also said she hoped to have some private mediated discussion prior to the workshop such that while there may have been some relevant discussion about her allegation during the workshop, she would not have felt it was the only avenue through which she could bring forth her concern. Ms. Wiersma said she requested in her complaint for there to be some meeting with Dr. Anderson and Mr. Schwartz facilitated by [REDACTED] or [REDACTED] however, she received “zero response” to this request, which is part of the reason she feels the District was negligent in its handling of her complaint. She explained she was pointed and purposeful in her request, and if there was some reason the District was unable to adhere to it, they needed to have communicated that to her but they did not.

Though Ms. Wiersma said the District ignored her requested remedy of a facilitated meeting, including providing no discussion or explanation as to why such a meeting could not be granted, she also stated that [REDACTED] told her [REDACTED] had analyzed her complaint and determined it was a civil matter. Ms. Wiersma requested to speak with [REDACTED] herself – a matter that required Board approval. [REDACTED] told Ms. Wiersma on Wednesday, January 29, 2025, that [REDACTED] would call her the following day; however, he did not so do. She acknowledged that when they did later connect on Thursday, February 6, 2025, [REDACTED] explained he had been sick and she recalled he sounded as though he was still recovering from being sick when they spoke on the phone. (Of note, though Ms. Wiersma acknowledged the reason for the delay in [REDACTED] response, she took issue with the fact [REDACTED] never followed up with her to make sure she and [REDACTED] had spoken.)

In any case, when Ms. Wiersma and [REDACTED] spoke on Thursday, February 6, 2025, [REDACTED] told Ms. Wiersma something to the effect of, “If you’re not planning to sue civilly, then you know, this workshop...” Of note, Ms. Wiersma did not complete [REDACTED] purported

sentence and instead stated, "Because, you know, I brought up the workshop," thus suggesting *she* was the one who broached the subject of the workshop despite just seeming to present as though ██████ volunteered it as a channel to address her complaint if she was not planning to pursue a civil lawsuit.

Ms. Wiersma claimed she told ██████ "I'm not suing, but we are having a workshop to discuss protocol to how we do things differently." She claimed that in response, ██████ told her, "That could be a place where you can discuss this." Ms. Wiersma said she had a relationship with ██████ "for 18 months or more" and that she trusted him. She said, "He did not say, 'If you do this, you might be threatened with a lawsuit,'" so she put her "full faith and trust in" ██████ and determined to follow his guidance and address this matter during the Board workshop. Ms. Wiersma explained the workshop was not a regular Board meeting; "it was a workshop to discuss anything that came up." She further noted that ██████ had reviewed her complaint prior to this conversation, so he was well aware of the concern she would be bringing forth in the Board workshop setting. She said of her conversation with ██████ "I thought through talking with [Mr.] ██████ that I had the green light."

The investigator asked Ms. Wiersma about specific statements she made during the Board workshop. Specifically, per the recording of the workshop, Ms. Wiersma stated in that setting, "The attorney told me, bring it up in the workshop." When asked about this in her interview, Ms. Wiersma questioned, "Were those my exact words?" and she corrected that ██████ did not tell her to bring it up in the workshop. Rather, she said he knew she had filed a UCP, that she had no interest in suing Mr. Schwartz civilly, and that "nothing has been facilitated" in terms of the District responding to Ms. Wiersma's complaint. She continued, "And we went, 'Well, okay, so the workshop is an opportunity...' again seeming to suggest the idea of discussing this matter in the Board workshop setting was also proposed by ██████

Though Ms. Wiersma ultimately clarified ██████ had not explicitly "told her" to bring up the subject in the Board workshop setting, she said that she left her conversation with ██████ "with a clear indication that I had every right to bring it up." At a later time in her interview,

Ms. Wiersma said, "He did not say I should, but he said I could." She said that while he did not tell her to "do it or don't do it," in reference to discussing the matter during the workshop, he also did not tell her anything to the effect of, "If you do it, here is something to think about," or "You have to think about what you'll be opening up for the District," in terms of potential ramifications or liability. When Ms. Wiersma spoke with [REDACTED] again after the Board workshop, she brought this up, telling him, "You did not give any indication ... that it could be problematic." She holds the District accountable for this, as they directed her to speak with [REDACTED] and she holds [REDACTED] accountable because she relied on him for guidance. She said, "I depended on him to tell me. I am not a lawyer," and "I put that on him to clarify the possibilities," while stating that he had not advised her about the practicality of discussing the matter in the Board workshop. Ms. Wiersma said that if [REDACTED] told her the "what ifs," she would not have discussed the matter at that time. She further said, "If I knew about the retaliation and threats and angst, I would have thought twice."

Ms. Wiersma still defends [REDACTED] instructed her that the Board workshop was the appropriate place to bring forward her concerns given they took place in her official capacity as a Board member. She said [REDACTED] told her something to the effect of, "If you've got other platforms and take this discussion elsewhere, I can't tell you whether protection will be extended to you." Ms. Wiersma continued, "I really wanted to respect the process and what the lawyer told me." She claimed, "He confirmed the workshop was the place for me to bring out my concerns."

The investigator pointed out the comment as relayed by Ms. Wiersma during the Board workshop (as heard on the recording of the workshop) differed slightly from that as stated in her UCP, and as relayed to the investigator. Specifically, during the Board workshop, she only described Mr. Schwartz as saying, "You know what, you can go ahead and cop a feel if you want," and she made no mention of him immediately following this with the remark about his wife. Ms. Wiersma said she intentionally left out the part about Mr. Schwartz's wife because she "did not want to bring his wife into it" and she did not "think she deserved a mention." That is, her intent was to preserve Mr. Schwartz's wife's privacy.

Ms. Wiersma said Mr. Schwartz's allegation that her complaint was made in bad faith is "breathtaking" and she adamantly denied this is true. She argued instead, "He is the one who retaliated and bullied and threatened to sue and all of these things." (The investigator notes her argument focuses on alleged things that occurred after her complaint and thus none of these things have any relevance to whether her complaint was made in good or bad faith.) The investigator explained the reasons it is suspected Ms. Wiersma's complaint was made in bad faith (i.e., that she is upset she was not voted Board president; that she wants to sit next to Dr. Komrosky on the dais; that she was motivated to discredit and disparage Mr. Schwartz because she believes him to have disparaged her in various ways). Ms. Wiersma acknowledged she was disappointed about the presidency and believed someone with experience (like herself) should be at the helm. She also said of Mr. Barham, "He stabbed me in the back and threw me under the bus. He was the one I was upset with because he showed me one thing and kind of flipped," in reference to her helping Mr. Barham with his campaign and believing she had his support only for him to vote for Dr. Anderson instead. In this way, Ms. Wiersma said, "If I had an axe to grind, it would have been with Emil." Ms. Wiersma said she would never "make something up like this" and hopes the investigation will show Mr. Schwartz's "track record of the last two years of harassing treatment toward" her and her own efforts to be "as upright as [she] can" toward Mr. Schwartz. She said, "I have gotten past the whole presidency and I'm over it. But, I'm not over his demeaning comment and what I want rectified." Ms. Wiersma maintained her honesty throughout her interview, at one point stating, "I never would have pushed this forward unless I was 100 percent [sure] that [Mr. Schwartz] said it, and that [Dr. Anderson] heard it."

The investigator notes that throughout her interview, Ms. Wiersma raised a number of unrelated complaints about Mr. Schwartz, and some about Dr. Anderson, which illustrated a history of unrest between them. She referenced a recording of Mr. Schwartz misrepresenting the Board and accusing them of "trying to ban books," in reference to efforts to have the book *Angels in America* removed from school libraries on account of prolific profanity within the book deeming it, in her eyes, "educationally unsuitable." She referenced another August 2024 meeting wherein she was reading a letter about parental rights, which was on the agenda, and [REDACTED] turned off her microphone. She said of Mr. Schwartz, "There is a

history of him being disrespectful and demeaning to me.” She continued, “When he made this comment [i.e., the alleged “cop a feel” remark], I felt I hit a wall. He made me uncomfortable with this crude, sexual remark, and he was upping the ante by including his wife.” She perceived Mr. Schwartz’s alleged actions as “putting [her] in [her] place.”

Ms. Wiersma referred back to these alleged instances of Mr. Schwartz’s past conduct toward her several times throughout her interview. At one point, upon returning from a break in the investigative interview, Ms. Wiersma asked to state on the record several instances of Mr. Schwartz’s past bad actions toward her. She referenced a Board meeting wherein Mr. Schwartz “blew up on the dais and walked away”; a December 2023 CSBA conference wherein Mr. Schwartz spoke non-collegially about some of his Board peers, Ms. Wiersma included, by saying they were “out to make public school Christian school” and wanted to ban books and get a teacher fired; that Mr. Schwartz gathered signatures for Dr. Komrosky and Ms. Wiersma to be recalled; and that Mr. Schwartz has shut her down and did not allow her to read an item that was agendized—including that [REDACTED] cut the microphone while she was speaking—which she believes further evidence a pattern of disrespect. Notably, none of these instances have relevance to the alleged sexual harassment remark Mr. Schwartz made toward Ms. Wiersma. Instead, they illustrate past dissent and disagreement between the two Board members.

Ms. Wiersma also spoke of alleged offenses by Dr. Anderson, such as claims that Dr. Anderson discussed this matter in the community to a mutual friend and that Dr. Anderson, in a separate meeting, went on a personal rant directed at Ms. Wiersma when she proposed policy that “no trustee may communicate with [Child Protective Services] about another person’s children” and that “trustees can’t make false allegations of sexual misconduct.” Ms. Wiersma also detailed how, during the Board workshop, prior to Ms. Wiersma voicing her allegation, Dr. Anderson admitted to “creating dissention in the community and not being truthful and causing problems.” She said this was in reference to an unrelated incident wherein Dr. Anderson misrepresented to a constituent something that Ms. Wiersma said and later “could not deny she had lied.” Ms. Wiersma described meeting with Dr. Anderson and [REDACTED] about this matter and she said Dr. Anderson later acknowledged her fault in

the matter. Of note, Ms. Wiersma confirmed she did not bring up her allegation against Mr. Schwartz at this time because she “did not want to bring this complaint to the table yet.” She claimed she was “hoping to have it facilitated by the District Office” so she was “careful during this conversation with [Dr. Anderson] and [she] did not get into it.” When the investigator asked if Ms. Wiersma had already spoken with [REDACTED] about the situation by this time (given she previously disclosed talking with Ms. Anderson about the allegation against Mr. Schwartz), Ms. Wiersma claimed not to remember the timeline.

Most notably, Ms. Wiersma claimed Dr. Anderson told a mutual friend of theirs, [REDACTED] that “she was going to lie to make things go away” in reference to Ms. Wiersma’s allegation about Mr. Schwartz. According to Ms. Wiersma, [REDACTED] previously shared this information that “[Dr. Anderson] is willing to lie about it” with Dr. Komrosky. She claimed that according to Dr. Komrosky, as allegedly told to him by [REDACTED] as allegedly told to *her* by Dr. Anderson, Dr. Anderson had commented about possibly offering the narrative that she (Dr. Anderson) and Ms. Wiersma talked about the allegation in the car on the night of the incident and at that time, Dr. Anderson used the verbiage “cop a feel.” This would offer an explanation for where the phrase came from (that is, the implication would seemingly be that Ms. Wiersma confused Dr. Anderson’s remark as having been said by Mr. Schwartz) and “the hope would be that it would go away.” Though Ms. Wiersma told the investigator that she had spoken with [REDACTED] on the phone several nights before her interview, when specifically asked if this information came from [REDACTED] Ms. Wiersma said it did not. Instead, Dr. Komrosky told her this is what [REDACTED] said and Ms. Wiersma trusts Dr. Komrosky’s recall. When asked what [REDACTED] told Ms. Wiersma, Ms. Wiersma said, “She kinda went, ‘Well, you know, I’m older and have a faulty memory...’” but that the gist was that Dr. Anderson was “willing to do what it takes” and lie about the situation.

The investigator spoke with [REDACTED] prior to Ms. Wiersma’s interview, as she was identified as a potentially relevant witness by Dr. Komrosky. The investigator did not find [REDACTED] to be a particularly credible witness, nor was her statement particularly relevant. Rather, [REDACTED] was vague and inconsistent while recounting her secondhand

observation of an alleged phone conversation between her husband and Dr. Anderson. Notably, Ms. Wiersma's above narrative offers some clarity to [REDACTED] account in hindsight. While [REDACTED] did claim to hear some comment by Dr. Anderson that she interpreted as Dr. Anderson's willingness to "lie" about some aspect of this situation, [REDACTED] was consistently vague as to what Dr. Anderson allegedly said that implied her willingness to lie, what Dr. Anderson planned to lie about, etc. In any case, when the investigator had a follow up conversation with Dr. Anderson about this matter, Dr. Anderson volunteered a reasonable explanation that provided clarity on this detail (as described later in this report.)

Ms. Wiersma was upset by Dr. Anderson's reaction to "deflect and laugh about it" and the fact she "wanted to discount it and say that is just the way [Mr. Schwartz] rolls." She pointed out Dr. Anderson "has not been through what [Ms. Wiersma has] been through" in reference to Mr. Schwartz's alleged past conduct toward her. She expressed disappointment Dr. Anderson had not stood up for her "because she heard it."

Witness Statements Related to Allegation No. 2

Witnesses commonly described that during the Tuesday, February 11, 2025, Board workshop, Ms. Wiersma publicly raised her complaint about Mr. Swartz, alleging that Mr. Schwartz sexually harassed her and that Dr. Anderson was a witness but had dismissed the remark by stating, "That's just Steve." Dr. Anderson—who, again, denied the claim—said Ms. Wiersma told her during the Board workshop, "If you don't say that is what happened, you are a liar." Dr. Anderson—who had not realized until this point that part of Ms. Wiersma's complaint included an allegation that Dr. Anderson witnessed and dismissed the remark—refused to make any statement in response during the workshop livestream. Dr. Anderson called a point of order in an effort to get Ms. Wiersma to stop speaking publicly on the matter. Dr. Anderson knelt by Ms. Wiersma and asked her, "Do you understand the significance of the claim you are making right now?" She said Ms. Wiersma responded, "[Dr. Anderson], you said you support women so you have to support me in what I say." Dr. Anderson told Ms. Wiersma that she had already provided her statements to Mr. Schwartz's attorney and she asked again if Ms. Wiersma understood the significance of what she was doing, voicing this public accusation. She said she was firm in her comments to Ms. Wiersma

because she knew Mr. Schwartz had already consulted with an attorney and he had told Dr. Anderson about Ms. Wiersma, "If she says anything, I'll contact my attorney." Dr. Anderson recalled telling Ms. Wiersma, "I'm willing to work with you. It's going to be okay," in an effort to soften her approach and show support to Ms. Wiersma, but she maintained Ms. Wiersma's claims are inaccurate.

When Dr. Anderson later read Ms. Wiersma's full complaint, she saw that Ms. Wiersma alleged she as not fit to be Board president. Dr. Anderson believes Ms. Wiersma is upset because she did not like the seating arrangement Dr. Anderson made for the dais, which placed Ms. Wiersma next to Mr. Schwartz and Mr. Barham next to Dr. Komrosky. She speculated, "Maybe this is why she made a false claim?" Dr. Anderson explained she had previously changed the seating arrangement to separate Ms. Wiersma and Dr. Komrosky, who are closely aligned and at times caused a disruption during Board meetings. She said Dr. Komrosky has petitioned to have the seating arrangement changed again so that he may sit by Ms. Wiersma. Dr. Anderson said she agreed to this in one instance, possibly during the February 2025 Board meeting, and it did not go well so she declined subsequent requests. Dr. Anderson said she had not previously realized Ms. Wiersma and Dr. Komrosky were "so close" and that she finds the relationship "bizarre."

Dr. Anderson believes Ms. Wiersma's intent in filing her complaint was to discredit Dr. Anderson as the Board president and to gain her wanted seat at the dais, next to Dr. Komrosky. She noted, as did all other witnesses, that Ms. Wiersma had wanted the President position for herself. Dr. Anderson said that she personally did not seek to be President and instead wanted Mr. Barham to take the role; however, he had suffered a heart attack and asked his peers not to vote for him because he did not want the added stress of the responsibility. Dr. Anderson said that as Ms. Wiersma became more vocal about her desire to be President, she told her on two separate occasions that she did not plan to vote for Ms. Wiersma because she did not like Ms. Wiersma's leadership style. She told Ms. Wiersma, "If you're president, I will support you, but I am not voting for you."

With regard to the seating arrangement at the dais, Dr. Anderson explained Ms. Wiersma and Mr. Barham got in an argument on the dais such that she determined they could not be seated next to each other. She determined not to sit Ms. Wiersma next to Dr. Komrosky either, given their close alliance with each other and the divide between them and other members of the Board. She therefore "broke up the teams" and sat Ms. Wiersma next to Mr. Schwartz, and Mr. Barham next to Dr. Komrosky. However, soon thereafter, [REDACTED] informed her that Ms. Wiersma said she could not sit by Mr. Schwartz because he sexually harassed her, so she instead had to sit by Dr. Komrosky.

The investigator followed up with Dr. Anderson about Ms. Wiersma's claim that Dr. Anderson made a comment to Mr. and/or [REDACTED] indicating she would be willing to lie about this situation simply to have it resolved. Dr. Anderson recalled a phone conversation with [REDACTED] wherein she made the comment, "If she wants me to say that I said 'cop a feel,' I would say that." Dr. Anderson explained they were discussing how to move past this incident and she meant that if Ms. Wiersma "needs an out" to walk back her false claim about Mr. Schwartz after seeing the negative impact it has had, she was willing to "take the fall" and tell people that *she* made the comment "cop a feel" and Ms. Wiersma incorrectly attributed it to Mr. Schwartz. Dr. Anderson explained her intention with this hypothetical scenario was to help Ms. Wiersma "cover herself" and preserve her reputation and credibility so the matter could be squashed and Mr. Schwartz would not sue Ms. Wiersma. She explained her thought was influenced by Mr. Schwartz asking Ms. Wiersma during the Board workshop, "I'm giving you another chance. Are you sure you did not mishear?" and Ms. Wiersma insisting that she heard "cop a feel." In any case, Dr. Anderson and [REDACTED] immediately determined this was a bad idea and dismissed it entirely. Dr. Anderson did not recall [REDACTED] being on the call at the time she discussed this with [REDACTED] though she surmised she could have been listening in. She only recalled one conversation with [REDACTED] approximately one month later wherein she was trying to "sell [her] presidency" and convince [REDACTED] that she was not a bad person. Dr. Anderson recalled the bulk of their conversation surrounded Dr. Komrosky, with whom the [REDACTED] attend church, but that—while explaining how she has tried to help Ms. Wiersma through this

situation—she likely said something to the effect of, “I even had this crazy idea and was willing to take the blame for [Ms. Wiersma] to get out of it.”

Mr. Barham also indicated a belief Ms. Wiersma lied and fabricated her allegation against Mr. Schwartz. He believes she was motivated in part by her past contentious history with Mr. Schwartz, but also by her disgruntlement that she was not elected Board president. Mr. Barham explained he and Ms. Wiersma formerly had a “very close” relationship while he was campaigning and that she helped him significantly with his campaign. Because of their close relationship, after it became clear Mr. Barham was going to win the election, he told her—and only her—that he was going to vote for her to be Board president when the trustees were sworn in and tasked with electing a president. However, over time Mr. Barham began to question whether Ms. Wiersma was capable and competent to be Board president such that he eventually made the difficult decision to not vote for her after all. He understands this greatly upset Ms. Wiersma, whom he has since recognized to display “narcissistic tendencies.” Mr. Barham cited Ms. Wiersma’s apparent expectation for Dr. Anderson to align herself with Ms. Wiersma and support her claim because Dr. Anderson is also a woman. He also noted she has appeared to “have it out for” Dr. Anderson and attempted to discredit her when she did not support Ms. Wiersma in her public allegations against Mr. Schwartz. He also referenced Ms. Wiersma’s claim that [REDACTED] “gave her the green light” to raise her allegations against Mr. Schwartz during the public Board workshop as a questionable detail in her account. Mr. Barham does not believe this is true but thinks, “In her mind, she believed that to be true because she wanted it to be true.” Mr. Barham admitted to encouraging Ms. Wiersma, “You need to take this private,” when she voiced her allegations against Mr. Schwartz during the livestreamed Board workshop, explaining that it was not the appropriate or professional setting in which to discuss such claims. He believes Ms. Wiersma had “sinister motive” and that she “made it all up to get attention and get back at the people who didn’t vote for her as president.” He qualified all this by stating that while he and Ms. Wiersma “aren’t on the best of terms,” if he heard Mr. Schwartz say anything to the effect of what Ms. Wiersma has alleged, he “would be on her side.”

Though [REDACTED] was reluctant to speak to the matter, citing her desire to remain neutral and avoid tensions should others learn of her statements, she, too, expressed shock about the claim Ms. Wiersma has made and the public setting in which she discussed her allegation at the Board workshop. She, too, shares others' perception that Ms. Wiersma has a possible motive – to disparage Mr. Schwartz and discredit Dr. Anderson. She pointed out that Ms. Wiersma's complaint mentions Dr. Anderson in her capacity as Board president, saying something to the effect of, "This makes the [Board] President not a good leader." [REDACTED] mirrored others' statements that Ms. Wiersma had wanted to be Board president, herself. She and other witnesses referred the investigator to the recording of the December 2024 Board meeting to hear Ms. Wiersma's comments about her disappointment that she was not elected into the role.

While detailing his recollection of the night of the alleged incident, including his denial of hearing Mr. Schwartz make the alleged remark, [REDACTED] pointed out that following the alleged incident, Ms. Wiersma posted the photo in question to her *Instagram* page with positive comments. He indicated a belief her motive in now filing a complaint is because she wants to sit next to Dr. Komrosky on the dais, noting that she stated this as one of her desired remedies within her complaint. [REDACTED] explained Ms. Wiersma and Dr. Komrosky are closely aligned and often oppose the other three Board members. He said Ms. Wiersma and Dr. Komrosky previously sat together on the dais but were moved because "they like to disrupt and strategize and put the Board members into chaos." He thinks Ms. Wiersma wanted to again be seated closer to Dr. Komrosky and away from Mr. Schwartz, and saw that a sexual harassment claim against Mr. Schwartz may help achieve that goal.

Dr. Komrosky, like Ms. Wiersma, cited complaints and past challenges with Mr. Schwartz to explain the contentious relationship between him and Ms. Wiersma and hostility he has shown her in the past. He claimed Mr. Schwartz has demeaned Ms. Wiersma's Christian faith on more than one occasion, including saying that "he had a problem with Christian Nationalists," seemingly directing his remark at Ms. Wiersma, Dr. Komrosky, and [REDACTED] a former Board member who has since resigned. He generally stated Mr. Schwartz has been "short and rude" to all three individuals, seemingly due to their faith and

conservative values, and he said Mr. Schwartz has left the dais on occasions when Ms. Wiersma has quoted scripture.

Documentation Related to Allegation No. 2

Mr. Schwartz pointed out in documentation provided to the investigator that during the December 2024 Board meeting, only weeks after he allegedly sexually harassed Ms. Wiersma, Ms. Wiersma interacted positively with him during the Board meeting and volunteered herself to be on two committees with Mr. Schwartz. *(Please see attached documents, "No Title - 'Meeting when accusation was made,' page 1," Not Dated, 1 page; "No Title - 'Meeting when accusation was made,' page 2," Not Dated, 1 page.)*

Within her complaint, Ms. Wiersma wrote that Mr. Schwartz "has also demeaned and disparaged [her] Christian faith in public at the CSBA Conferences," though she drew no nexus between this fact and her sexual harassment allegation. She further wrote, "I question the judgement of our current board president who casually dismissed sexual harassment and supported Mr. Schwartz in his representation as a delegate for the California School Board Association." *(Please see attached document, "District Uniform Complaint Form," January 27, 2025, 1 page.)*

Finding to Allegation No. 2

The investigator notes that while a finding of bad faith is a serious conclusion, and while intent is difficult to determine with certainty, the totality of the evidence considered presented reasonable concerns about the credibility of, and motivation behind, Ms. Wiersma's complaint. Several factors, when considered together, suggest Ms. Wiersma's complaint may not have been made in good faith – or, at best, that she was careless in publicly voicing and pursuing such an egregious allegation based on a potentially unclear or subjective interpretation of the interaction.

Nearly all witnesses shared the perception that Ms. Wiersma was dishonest in her complaint against Mr. Schwartz, and they commonly cited the same elements as possible motivating factors, including Ms. Wiersma's reported disappointment in not being selected as Board

president, her desire to sit near Dr. Komrosky on the dais, and longstanding public and interpersonal tension between Ms. Wiersma and Mr. Schwartz, in part due to their opposing political and religious ideologies. Of note, Ms. Wiersma volunteered each of these concerns during her own interview. Additionally, the timing of Ms. Wiersma's complaint raised some questions, as Ms. Wiersma waited over seven weeks from the date of the alleged incident to make her complaint of sexual harassment against Mr. Schwartz. Though Ms. Wiersma claimed this was because she was considering how to best handle her complaint, witnesses pointed out the complaint came only after a new seating arrangement on the dais placed her next to Mr. Schwartz and away from Dr. Komrosky. Ms. Wiersma included a change to the seating arrangement as one of the desired remedies within her complaint, and notably, she did not simply seek to be sat away from Mr. Schwartz, as her alleged aggressor, but she specifically requested to be seated alongside Dr. Komrosky.

The investigation uncovered several inconsistencies in Ms. Wiersma's account over time (e.g., initially telling Dr. Komrosky the remark was, "You can cop a feel if you want. I don't mind," and approximately one week later, revising the statement to, "You can cop a feel if you want. I don't mind and neither does my wife"; making multiple statements suggesting ██████████ "told" her to address her allegations during the Board workshop but later, albeit still vaguely, clarifying he did not actually tell her that but it was nonetheless her takeaway from their brief initial exchange that doing so was appropriate). The investigation also found inconsistencies between Ms. Wiersma's claim of being uncomfortable due to Mr. Schwartz's alleged conduct and her subsequent behavior toward Mr. Schwartz, including friendly engagement later the same evening (as reported by multiple witnesses) and an expressed interest in serving on committees with Mr. Schwartz (as publicly stated during the December 2024 Board meeting, just weeks after the alleged harassment). Within her complaint, Ms. Wiersma alleged Mr. Schwartz has "demeaned and disparaged [her] Christian faith in public at the CSBA Conferences," though this alleged detail is unrelated to her sexual harassment allegation, and during her interview, she emphasized further unrelated grievances about Mr. Schwartz's alleged conduct in past settings, further underscoring the extent of the animosity between the two.

Taken together, the aforementioned factors support a reasonable inference that Ms. Wiersma's complaint may have been motivated more by personal animosity or factors unrelated to the alleged conduct rather than a good-faith belief that a policy violation occurred.

PART I – MS. WIERSMA'S ALLEGATION REGARDING THE DISTRICT'S NEGLIGENCE

Allegation No. 3

Ms. Wiersma alleged the District Office was negligent in its handling of her complaint. She cited reasons such as that:

- *██████████ told her that he would follow up after she submitted her complaint, but he never did;*
- *"No one helped facilitate a conversation with Mr. Schwartz behind the scenes" despite this being a requested remedy in Ms. Wiersma's complaint, and no explanation was provided as to why this was the case;*
- *The District "constantly contradicted" ██████████ role in advising Ms. Wiersma, first directing her to speak with ██████████ and then stating it was a conflict of interest for him to advise her;*
- *Mr. Schwartz and Dr. Anderson "were lawyered up" by the time of the Board workshop and ██████████ "was quick to admit" he did not hear anything at the CSBA event – matters Ms. Wiersma said "felt coordinated and biased";*
- *Dr. Anderson directed the Board members "not to speak to the public" about this matter, following the Board workshop, despite also insisting it was a civil matter outside the District's jurisdiction – a matter she said was "an abuse of power and form of retaliation to protect [Dr. Anderson's] interests;*
- *Dr. Anderson "blocked" Ms. Wiersma from speaking to legal counsel about this matter;*
- *Dr. Anderson targeted Ms. Wiersma and Dr. Komrosky by threatening to take away a Board trip to Washington, D.C. if she did not complete the investigation in a timely manner; and*

- [REDACTED] has made statements that show little concern for the gravity of this situation, including remarking to Ms. Wiersma that Mr. Schwartz said he “didn’t do it” with regard to her allegation, and telling a community member that he is proceeding with an investigation “to keep the District out of litigation.”

Ms. Wiersma’s Statements Regarding Allegation No. 3

Ms. Wiersma said that after raising her allegation about Mr. Schwartz during the Board workshop, Mr. Schwartz “blew up” and threatened her with a lawsuit and Dr. Anderson “shut [her] down” and “plead the fifth.” She said it appeared “everybody was lawyered up” in advance of the workshop. She recalled Mr. Schwartz said something to the effect of, “I talked to my lawyer and if you don’t take it back, I’m going to sue you.” She said Dr. Anderson can be seen in the workshop recording leaning down and talking quietly with Ms. Wiersma. (She followed up with the investigator after her interview to state this can be seen at the 1:52:30 mark in the Board workshop recording.) Ms. Wiersma said she told Dr. Anderson, “You know the truth. You need to support me as a woman,” and Dr. Anderson told her, “I’m sorry, I can’t say anything.” Ms. Wiersma said this “made it clear she had a lawyer and could not speak to it.” Ms. Wiersma further pointed out that [REDACTED] said during the workshop, “I did not hear anything,” which she perceived as “declaring support of [Mr. Schwartz].” Ms. Wiersma was offended [REDACTED] “came out in support of” Mr. Schwartz and that Dr. Anderson “shut [her] down.” She was further upset that she did not have the opportunity to explain in that forum that she had asked the District to facilitate a private conversation between her, Mr. Schwartz, and Dr. Anderson. Rather, though Ms. Wiersma wanted to continue discussing the matter and had notes prepared of information she wished to share, Dr. Anderson “shut that down” and ended the meeting. Ms. Wiersma said Dr. Anderson shutting her down during the Board workshop “felt like coercion” and that she holds [REDACTED] accountable in part for not putting a stop to Dr. Anderson’s efforts to silence her.

Ms. Wiersma pointed out [REDACTED] who was brought in to mediate the Board workshop, gave an admonishment at the start of the workshop encouraging parties to “speak openly”, “don’t hold ideas and opinions back,” and “don’t walk on eggshells.” She said that she did just

that during the workshop but was silenced and threatened in response. Ms. Wiersma argued, "The District gave me nothing but the lawyer, and the lawyer told me to talk in the workshop," further detailing her belief that the Board workshop was the only channel through which to address her complaint.

Thereafter, Ms. Wiersma asked to speak with ██████ again and was ultimately granted permission to do so. They spoke for approximately 30 minutes on the night of Wednesday, February 12, 2025. Ms. Wiersma asked ██████ during this conversation if he had advised ██████ against facilitating a conversation with Ms. Wiersma and Mr. Schwartz prior to the Board workshop and ██████ told her he had not. In this way, Ms. Wiersma believes ██████ "had every ability to" help mediate and address the issue in a more private setting but did not, such that Ms. Wiersma believed her only course of action was to address her concerns in the Board workshop. Ms. Wiersma expressed disappointment that ██████ was "[her] only lifeline to give [her] direction," and ██████ did not mention that Ms. Wiersma addressing her concerns in the public Board workshop setting "could be a risk to the District" or otherwise result in further issues.

Ms. Wiersma claimed she asked permission to speak with ██████ again on Friday, February 21, 2025; however, in "an abuse of power as president and as somebody implicated in this whole thing," Dr. Anderson denied her request. Ms. Wiersma said that on February 24, 2025, ██████ similarly said it was "not best practice" for her to seek counsel from the Board's general counsel. She pointed out ██████ had previously referred her to speak to ██████ about the matter, but then later said it was not best practice for her to do so.

Ms. Wiersma said that since voicing her allegation against Mr. Schwartz, he has threatened to sue her on three separate occasions - twice during the Board workshop and again during closed session of a later meeting. She explained the Board was discussing expanding the scope of the investigation to address her concerns the District had not appropriately responded to her complaint when Mr. Schwartz "bellowed, 'Regardless of what happens, I am moving forward,'" in reference to his plans to pursue legal action against Ms. Wiersma. Ms.

Wiersma said Dr. Anderson also “told multiple people [Mr. Schwartz] was going to sue [Ms. Wiersma].”

Ms. Wiersma said she “never wanted an investigation” and initially hoped all parties would participate in some form of mediation; however, the Board determined an investigation was appropriate. Though Ms. Wiersma initially had concerns, she ultimately agreed to participate in the investigation because “it matters people see [her] as credible” and willing to participate in the investigation process. Later in her interview, while raising further complaints about Dr. Anderson and the District’s handling of her complaint, Ms. Wiersma made statements that indicated her participation in the investigation was compelled and not merely influenced by her desire to be seen as credible. Specifically, she complained that Dr. Anderson informed the Board that all members must participate in the investigation by providing a statement no later than Monday, April 21, 2025, and that if they failed to do so, their attendance at the upcoming CSBA Coast to Coast event in Washington, D.C. would be cancelled. Ms. Wiersma complained this contingency targeted just her and Dr. Komrosky and, further, it was an unreasonable consequence because the event “had nothing to do with this investigation and had no strings attached to it.” She claimed Dr. Anderson later told Dr. Komrosky, “It was not about you; it was about [Ms. Wiersma],” but that she “included him because she wanted to make it look like she was not targeting” Ms. Wiersma. Ms. Wiersma went on to discuss further concerns about this matter, including that when the decision, as presented during closed session, was read aloud during open session, information was left out. Specifically, she said, “They left off the threat and shortened the statement,” such that she and Dr. Komrosky voted against the matter and insisted the decision be read aloud in its entirety.

Ms. Wiersma said that on an unknown date, ██████████ said to her, “[Mr. Schwartz] was in my office and swore to me he did not do it.” This caused Ms. Wiersma to question whether ██████████ has not done all that he could to address Ms. Wiersma’s concern—including acknowledging that what she said could be true—because he believed Mr. Schwartz when Mr. Schwartz said he did not make the alleged remark.

Ms. Wiersma said it was never her intention for this matter to rise to the level that it has. She had hoped to rectify the situation “behind the scenes” by having a conversation with the District office and receiving an apology from Mr. Schwartz with the assurance that “it will never happen again.” She also wants the Board’s governing handbook to be revised to state that sexual harassment against Board trustees is prohibited.

Witness/Respondent Statements in Response to Allegation No. 3

██████████ said that upon receiving Ms. Wiersma’s complaint via email in January 2025, his first instinct was to notify ██████████ given it involved two Board members. He said an unrelated instance previously arose within the District wherein a staff member made a complaint about a Board member, and the District spoke with the Board member only for the attorney involved at the time to inform District staff they may not interview Board members. ██████████ said that “months later,” Dr. Komrosky reminded him of this scenario and said, “I don’t answer to [Francisco ██████████ ██████████ ██████████ of ██████████ ██████████ ██████████ You know he has no business interviewing a Board member,” so this scenario stood out in his mind upon receiving Ms. Wiersma’s complaint. ██████████ therefore asked ██████████ if the District was “allowed to get involved,” and ██████████ emailed him back 24 hours later and said to “stand down and not get involved.

██████████ corroborated that upon receiving Ms. Wiersma’s UCP via email on Monday, January 27, 2025, his and ██████████ initial thought was that this was a unique situation because Board members are elected officials, not District employees, and are thus not subject to the District’s complaint procedures. When Ms. Wiersma indicated in her email that she would be bringing a signed copy of her complaint to the District Office, ██████████ responded that it was not necessary. He said, “I was careful to say, ‘We’ll be in touch with next steps,’” avoiding any clear acknowledgment of her complaint and the procedures to follow, given it seemed this matter fell outside the District’s jurisdiction. ██████████ said that later in the day, ██████████ responded to Ms. Wiersma’s email and said, “██████████ will begin to work on this complaint.” ██████████ indicated a belief ██████████ had not yet consulted with ██████████ on the matter. He said ██████████ sent a subsequent email stating, “██████████ is reviewing this on his end and will provide direction when he is able to do so.” ██████████ was not given

any direction about steps to take to address Ms. Wiersma's complaint, given it was being addressed via the Board's general counsel. Nevertheless, given these email communications, [REDACTED] can understand how Ms. Wiersma perceived she submitted a complaint and the District, or specifically [REDACTED] did not do anything in response. [REDACTED] said discussions were had between [REDACTED] and [REDACTED] about how to address Ms. Wiersma's complaint; [REDACTED] said he may have been copied on email communications thereafter (he recalled some discussion by Dr. Anderson about potential mediation, and Ms. Wiersma copying him on subsequent emails), but [REDACTED] was not directly involved in matters. [REDACTED] was not directed to communicate with Ms. Wiersma—or to not communicate with her, for that matter—about the complaint. Rather, he "had taken a back seat" on the matter because [REDACTED] had communicated that he was working with [REDACTED]

[REDACTED] said that after [REDACTED] confirmed Ms. Wiersma's complaint was a civil matter between two Board members and that there was no action to be taken by the District, [REDACTED] asked [REDACTED] to speak with Ms. Wiersma directly. Though he planned to, [REDACTED] fell ill and, further, his office was largely affected by wildfires at the time, such that he was not timely in contacting Ms. Wiersma. [REDACTED] understands that when [REDACTED] made contact with Ms. Wiersma approximately one week later, they had a detailed conversation about why the District should not be intervening in complaints regarding Board members.

Though it was determined this was a civil matter outside the District's jurisdiction, Mr. Schwartz was nevertheless notified of the allegation against him. Mr. Schwartz in turn asked for written statements from [REDACTED] and the other Board members present. It is [REDACTED] understanding that the other Board members, like him, did not hear anything to corroborate the allegation.

[REDACTED] also informed Dr. Anderson, in her role as Board president, about the complaint – as well as the history of the other scenario in which the District received legal guidance not to interview/investigate Board members, and [REDACTED] determination this matter was outside the District's scope.

██████████ understands Ms. Wiersma “was frustrated [the District was] not doing anything about it,” so she determined to raise her allegation in the Tuesday, February 11, 2025, Board special workshop, which was livestreamed to the public, in effect “calling Mr. Schwartz out in public.” He said the workshop was requested by Ms. Wiersma within her complaint, and that she had even proposed that Mr. Shapiro mediate the workshop. ██████████ said the workshop was going well until close to the end, and that nobody in attendance knew Ms. Wiersma planned to publicly raise her allegations about Mr. Schwartz in that setting such that her doing so was a shock. Dr. Anderson tried to stop Ms. Wiersma from speaking, given the public setting and highly egregious nature of her claim; however, Ms. Wiersma persisted and claimed that the District’s legal counsel had told her to broach the subject in this setting. He clarified Dr. Anderson was not attempting to merely silence Ms. Wiersma from voicing her allegation. Rather, she stated to Ms. Wiersma in the moment that she was “trying to help [her],” seemingly in reference to protecting Ms. Wiersma’s public image and privacy because of the inappropriate setting in which she made this claim. Despite this, Ms. Wiersma and Mr. Schwartz “kept going at each other” during the workshop, and Mr. Schwartz mentioned in the public setting that he was going to sue Ms. Wiersma.

██████████ confirmed he stated in the Board workshop that he did not hear Mr. Schwartz make the alleged “cop a feel” remark, but he denied this was a “coordinated and biased” act by him, as Ms. Wiersma has alleged. For one, he reiterated no parties knew Ms. Wiersma was going to raise her claim during the Board workshop. ██████████ was shocked and disappointed that she did so because he felt the Board was making good progress toward working together and all getting along. ██████████ said that if this was some coordinated effort, it would have been handled much differently and he expressed disappointment in his own response in the moment, stating that he wished he had more quickly shut down the conversation and announced it was not the appropriate setting. Instead, ██████████ recalled Mr. Schwartz made some comment about how he had reached out to all who were present at the time of the photo and asked if they had heard the remark. ██████████ said Mr. Schwartz did not pose the question of him, personally, but he was nonetheless willing to say in public that he had not heard the remark, which ██████████ maintained is the truth.

██████████ described playing the livestream recording for ██████████ immediately after the Board workshop. He recalled ██████████ denied advising Ms. Wiersma to discuss the allegation during the workshop, as Ms. Wiersma claimed. Rather, he told ██████████ something to the effect of, "I said it is not against the law to do what she did, but I would never suggest you do that on a live stream in public, literally telling one of your colleagues they have harassed you." When the investigator spoke with ██████████ herself, he similarly described that when Ms. Wiersma contacted him after making her complaint, she asked if she was legally prohibited from raising her complaint against Mr. Schwartz at the Board workshop. He responded by stating, "As a legal matter, you are not prohibited from raising the issue," and then stating something to the effect of, "As a practical matter, you might think about whether you should do it or not." While he warned her that raising the issue in the public setting "might not be a good idea," he continued to the effect of, "I would never advise you not to do it if you are a victim of inappropriate conduct and you feel that as a victim, you need to speak out." ██████████ told the investigator, "In no way did I ever tell her to publicly speak out," as Ms. Wiersma has seemed to since suggest. He said that if she maintains that he advised her "to bring this up at a public meeting," she is being dishonest about their brief conversation.

Dr. Anderson confirmed she sent a message to the Board members following the Board workshop, asking them not to speak to the public about this matter. She did so after the public began sending emails to the Board accusing Mr. Schwartz of being "a pervert." Dr. Anderson recalled Ms. Wiersma forwarded her one such email, seemingly with the intent to show that "the public agrees with" her. Dr. Anderson did not want the Board members to begin responding to the emails, which she felt would only "throw fuel on the fire." She therefore said that she "highly advised please do not respond"; it was not a demand but rather a well-intentioned, and warranted, recommendation in the interest of avoiding further escalation – and in the interest of the Board members' own protection.

██████████ said one of the remedies sought by Ms. Wiersma, as communicated in her complaint, was mediation. ██████████ said ██████████ independently contacted him and inquired about facilitating mediation efforts, and ██████████ responded that the District typically does not get involved in matters between Board members. He understands Mr.

██████████ then attempted to coordinate mediation efforts with Dr. Anderson's assistance. Though ██████████ understands Mr. Schwartz initially was adamant in his refusal to meet with Ms. Wiersma, he believed Mr. Schwartz did ultimately agree to mediation. However, when the time came to participate in the mediation, Ms. Wiersma was the one to cancel or decline. He understands one of the reasons Ms. Wiersma gave for not wanting to participate in the mediation led by ██████████ was because it was not an official action of the Board.

Dr. Anderson said that after the initial instance when Ms. Wiersma was authorized to contact ██████████ Ms. Wiersma's subsequent requests were denied. She explained this was because it was a conflict of interest for ██████████ who represents the Board as a whole, to provide independent counsel to one Board member. She further said Ms. Wiersma's account of her conversation with ██████████ differs from ██████████ account and that he is now involved in this investigation as a result of claims Ms. Wiersma has made about the counsel he allegedly provided her.

Dr. Anderson indicated a belief that within Ms. Wiersma's complaint, which Dr. Anderson did not see until February 2025, Ms. Wiersma asked for a third party mediation, a change in the seating chart, and for the Board workshop to occur. She said the District met each of these requests. She explained efforts were underway to coordinate a mediation led by ██████████ however, Ms. Wiersma later cancelled the meeting. Dr. Anderson had no direct role in coordinating the mediation, but ██████████ kept reaching out to her and asked her to help, which she thinks is because she had a good rapport with Mr. Schwartz who was untrusting of ██████████ at the time. In any case, Dr. Anderson said the mediation "was never formally called off"; however, it was "going nowhere" due to scheduling delays such that she ultimately spoke with ██████████ and ██████████ and suggested the District just move forward with a third-party investigation. Though the matter was originally determined to be a civil issue outside the scope of the District's policies, it was determined it would not hurt to proceed with an investigation in light of the ongoing nature of this matter.

██████████ ultimately addressed the Board and recommended they give him the authority to call for a third-party investigation after the matter did not resolve on its own. He said that

once Ms. Wiersma raised her allegation against Mr. Schwartz during the Board workshop meeting, wherein she and Mr. Schwartz were each in attendance and acting in their official capacity for the District, the question was raised of whether the District would be obligated to cover both parties if a lawsuit did arise.

Dr. Anderson confirmed that she spoke on the dais at a Board meeting declaring that trustees "can't make false allegations of sexual misconduct," which Ms. Wiersma has alleged was "framing [her] in public." She explained this was following a proposed amendment by Ms. Wiersma to the Board's civility policy which stated something to the effect of "If you're at CSBA, you can't harass people," which appeared directed at Mr. Schwartz, such that Dr. Anderson added proposed language about not making false allegations of sexual harassment. Dr. Anderson said tensions had been rising around this time and she had endured harassment from people whom she believed to be aligned with Dr. Komrosky (based on the fact some of the harassment included information she had previously volunteered to Dr. Komrosky) such that she also set forth language to the effect of, "Board members will not file known false claims to [Child Protective Services ("CPS")]" to harass other Board members," and "Members will not encourage friends or family to harass other Board members via an email account." She said that in this way, "If I was targeting anyone, it was Dr. Komrosky." Dr. Anderson said she ran the proposed language past [REDACTED] prior to setting it forth in the Board meeting and he agreed, "We have to do something," because of the heightened harassment which had by then risen to the degree of involving school security and the sheriff's department.

With regard to Ms. Wiersma's claim that [REDACTED] "allowed" Dr. Anderson to speak on the dais at a Board meeting "declaring that trustees can't make false allegations of sexual misconduct," [REDACTED] responded, "I'm not the babysitter. I am the staff member they hire and evaluate. The meetings are their meeting." He said the Board members are not obligated to share with him what they plan to state during Board meetings and he expects them each to act professionally. [REDACTED] nevertheless said he had no concerns with what Dr. Anderson said during the meeting.

Dr. Anderson further confirmed that she informed the Board members that if they did not participate in the third-party investigation in a timely manner that their ability to attend the Coast to Coast CSBA event in Washington, D.C. would be rescinded. She said her decision was motivated by the fact Ms. Wiersma had initially expressed interest in mediation but then delayed participating in the process, and her belief Ms. Wiersma would similarly delay participating in the investigation – and thus delay any reasonable and timely resolution to this matter. She understood Ms. Wiersma had already delayed her participation at the time of this proclamation and she believed that if the investigation moved forward regardless, without the benefit of Ms. Wiersma's statement, Ms. Wiersma would claim she was not given the opportunity to participate. As such, Dr. Anderson believed setting a deadline and incentive could help achieve a timely conclusion was an appropriate course of action. She informed the Board that this Board business (i.e., the investigation) needed to be wrapped up before the trip, noting that if the members had availability in their schedules to travel, then they should have availability to meet their responsibility of participating in the investigation. Dr. Anderson initially set a deadline of April 18, and Ms. Wiersma requested it be extended to April 21, which Dr. Anderson approved.

██████████ confirmed that he supported the determination that all Board members must participate in the investigation by a set date or face the Washington, D.C. trip being taken off the agenda. He explained all five Board members had voted in agreement to a third-party investigation and all but one, Ms. Wiersma, had participated in the investigation to date. While he understands Ms. Wiersma felt targeted and threatened by this determination, he said the motivation was to be serious about concluding the investigation in a timely manner.

██████████ could not recall if he told Ms. Wiersma that he had a conversation with Mr. Schwartz wherein Mr. Schwartz said he “didn’t do it” to explain why ██████████ had not done more to address her complaint (as Ms. Wiersma alleged). He denied interviewing Mr. Schwartz or conducting his own investigation into the matter. Rather, he said Mr. Schwartz asked him to document what he recalled of the alleged incident, and ██████████ did so. In that conversation, Mr. Schwartz shared that he did not even know what the “cop a feel” remark meant and he wholly denied the claim of any wrongdoing.

Documentation Related to Allegation No. 3

Email records show that on the morning of Monday, January 27, 2025, ██████ stated in an email to Ms. Wiersma, "Thank you for the call this morning. ██████ will begin to work on this complaint." ██████ sent an email later that afternoon wherein he informed Ms. Wiersma it was not necessary to bring a signed copy of her complaint. He stated in his email, "We'll be in touch soon regarding next steps. Let me know if you have any questions in the meantime." Ms. Wiersma communicated in a Tuesday, January 28, 2025, email that she wanted to set up a time to meet with Mr. Schwartz and Dr. Anderson the following week; ██████ replied, "██████ is reviewing on his end and will provide direction to us when he is able to do so." *(Please see attached document, "No Title – Emails Provided by Jen Wiersma," January 27 – April 10, 2025, 19 pages.)*

Email records show that on Tuesday, January 28, 2025, ██████ emailed ██████ to inform him of Ms. Wiersma's complaint against Mr. Schwartz. In his email, ██████ asked ██████

"Since this is board member against board member issue I am concerned about HR staff being involved. Is it appropriate for a 3rd party to be involved as the investigator in such a matter? What are the next steps?"

In ██████ response, sent that same afternoon, he advised ██████ "Please do not engage any District staff on this matter until we get back to you." ██████ sent a subsequent email on Wednesday, January 29, 2025, wherein he wrote that his office had analyzed the matter and reached the following determination:

"In our view, the District should advise Trustee Wiersma that it cannot take any action on this complaint. This matter is a private civil dispute between two elected officials. The District has no employment relationship with them nor does the complained of activity concern an employee or student. Therefore, the District does not have any power to enforce any remedy here, should a remedy be appropriate."

██████ offered to discuss the matter directly with Ms. Wiersma. In a subsequent email from ██████ to Dr. Anderson sent on Thursday, January 30, 2025, ██████ conveyed that Mr.

█████ was scheduled to speak with Ms. Wiersma “either today or tomorrow.” *(Please see attached email, “Fwd: Uniform Complaint,” March 14, 2025, 5 pages.)*

On Wednesday, January 29, 2025, ██████ communicated to Ms. Wiersma in an email, “I will call you tomorrow”; however, they did not connect until Thursday, February 6, 2025 (which multiple parties described being due to illness of ██████ *(Please see attached document, “No Title – Emails Provided by Jen Wiersma,” January 27 – April 10, 2025, 19 pages.)*

On the evening of February 11, 2025, Dr. Anderson sent the following message to the entire Board:

“Do not reply. I am asking that all board members refrain from replying to any emails regarding civil litigation. Sensitive matters were brought up in today’s meeting. Please do not reply to the public regarding this issue. Attorneys will be consulted, and ██████ will follow up. Currently, we have been advised that this falls outside the jurisdiction of the school district.”

(Please see attached document, “No Title – Emails Provided by Jen Wiersma,” January 27 – April 10, 2025, 19 pages.)

In an email sent on the evening of Wednesday, February 12, 2025, Ms. Wiersma communicated that she had not heard from ██████ and she expressed the importance that they speak that evening. ██████ responded minutes later explaining that “pursuant to newly adopted policy, [he had] been instructed by the majority of the Board to not have contact with any Trustee without preapproval.” He explained that the “Board as a whole” is his client but nevertheless expressed willingness to speak with Ms. Wiersma if approved to do so. Dr. Anderson responded later that evening and explained she would speak with ██████ the following day and he would send a letter to the rest of the Board regarding Ms. Wiersma’s request for approved legal contact per the Board’s current practice. A subsequent message from ██████ shows that he had received a text regarding this matter on the evening of Wednesday, February 12, 2025, and had granted Ms. Wiersma permission to contact ██████ at that time. Another email message from ██████ confirms he and Ms.

Wiersma spoke that evening. *(Please see attached document, "No Title – Emails Provided by Jen Wiersma," January 27 – April 10, 2025, 19 pages.)*

In response to a Wednesday, February 12, 2025, email from Ms. Wiersma wherein she shared supportive words from a community member who observed the Board workshop—and wherein Ms. Wiersma raised questions about the determination that this matter fell outside the District's jurisdiction—[REDACTED] informed Ms. Wiersma:

"There is no district bylaw or policy related to dispute resolution between board members. If you have a policy or policy language that you would like the Board to review, please follow board bylaw 9322 to have your item added to a Board agenda."

He further asked [REDACTED] copied on the email, to "please provide [his] legal guidance on [Ms. Wiersma's] point about the district's involvement in this dispute between two Board members." *(Please see attached email, "Fwd: I Believe You!" February 12, 2025, 3 pages.)*

Several emails were presented wherein Ms. Wiersma either requested permission to contact [REDACTED] or otherwise raised concerns about the Board's policy requiring approval of all requests for permission to contact legal counsel. One of the emails does show Ms. Wiersma requested permission to contact [REDACTED] over the weekend of February 21; Dr. Anderson denied her request, citing in part the "need to start setting boundaries, including respecting working business hours." Dr. Anderson clarified in a subsequent email sent that same evening that [REDACTED] "is precluded from providing personal legal advice to individual board members" and that "allowing him to advise [Ms. Wiersma] on this personal matter would create a conflict of interest and compromise the impartiality required by his professional responsibilities." She further stated it would not be appropriate for Ms. Wiersma to seek legal counsel from [REDACTED] "regarding [her] concerns about a defamation suit." [REDACTED] weighed in the following Monday and concurred "that in this particular case we need to maintain [REDACTED] ability to consult the entire board as a whole." He indicated a third-party investigator was being considered and that an individual seeking counsel from the Board's general counsel was not the best practice. *(Please see attached emails, "Re: Legal Counsel Request," February 13, 2025, 2 pages; "Re: Permission for Legal Contact," February 24, 2025, 3 pages)*

In his Thursday, February 20, 2025, email to Mr. Schwartz, confirming his understanding of Mr. Schwartz's complaint as communicated via phone earlier that day, ██████ informed Mr. Schwartz of the following:

"I must also share that I have been advised that these are civil matters and that the District does not investigate board members, as the Governing Board holds each other accountable. Nonetheless, upon your confirmation of the aforementioned, I will inform Superintendent Woods so that he can make the Board President, Dr. Melinda Anderson, aware that such a complaint has been filed."

(Please see attached email, "Re: Complaint, as well as," March 12, 2025, 2 pages.)

A Saturday, February 22, 2025, email from Dr. Anderson to ██████ communicates that Ms. Wiersma and Mr. Schwartz agreed to an informal resolution meeting to take place on Monday, February 24, 2025. The meeting was scheduled to take place at Calvary Chapel Temecula by ██████ In an email to ██████ Dr. Anderson communicated that ██████ "is of the same religious faith as" Ms. Wiersma, that Ms. Wiersma "knows him fairly well," and that Mr. Schwartz does not know ██████ but had agreed to join the meeting via phone call. *(Please see attached email, "Fwd: Civil mediation," February 22, 2025, 1 page.)* Subsequent emails show further communications about the proposed mediation, which never came to fruition. *(Please see attached email, "Mediation," February 22, 2025, 1 page; "Fwd: Reminder," March 14, 2025, 3 pages; "Mediation attempt text," April 8, 2025, 10 pages.)*

An additional email provided by Ms. Wiersma shows a request was made for her to confer with ██████ regarding proposed changes to the Board's civility policy. An email response from Dr. Anderson dated Wednesday, March 12, 2025, states that she had sent her recommended amendments to Ms. Wiersma to be added to the policy, along with suggestions for "disciplinary action." She wrote, "I believe this should be refined and presented at the next meeting for final review by the board. At that time, Mrs. Wiersma can seek board consensus regarding legal counsel review." Subsequent emails show ██████ asked for clarification regarding this response, and Ms. Wiersma argued that legal review should have

taken place prior to the second reading of the proposed policy, which must also occur in open session. Ms. Wiersma presented no further emails related to this thread. *(Please see attached document, "No Title – Emails Provided by Jen Wiersma," January 27 – April 10, 2025, 19 pages.)*

On Tuesday, April 8, 2025, Ms. Wiersma sent an email "officially requesting representation" due to having been "threatened with retaliation and litigation in several circumstances now within [her] capacity as school board trustee." In a response from ██████ sent the following day, he wrote, "I am asking for this request to be considered by the board in closed [session] at the May meeting." Ms. Wiersma responded and expressed concerns of a conflict of interest. She wrote: "█████ let me know that he would be able to facilitate that as needed and you informed me that the insurance carrier would be making the decision. I'd like to speak with an attorney for clarification please." On Thursday, April 10, 2025, ██████ informed Ms. Wiersma:

"We are getting a legal opinion. We will send to the entire board once we have it. Representation from the JPA is not possible until a claim is filed. When we get a claim we contact them and they provide counsel as needed. The JPA would not assign counsel in advance of a claim."

(Please see attached document, "No Title – Emails Provided by Jen Wiersma," January 27 – April 10, 2025, 19 pages.)

Ms. Wiersma also provided email documentation including the language about Board members participating in the investigation or facing the cancellation of the trip to Washington, D.C. The message reads in part:

"If a board member chooses not to participate, a signed affidavit indicating their decision must be submitted to both the Superintendent and the Investigator by April 21st. Furthermore, if any board member fails to participate in the investigation or submit the necessary affidavit by the deadline, their participation in the Coast to Coast CSBA Washington DC trip will be cancelled, and the district will be instructed to cancel any airfare, hotel accommodations, and registration for the event related to that board members' attendance."

Emails related to this matter raise concerns about the fact this language was not read aloud correctly and in its entirety during open session. In an email from Dr. Anderson, she explained that after discussing the language with legal counsel, “we agreed to keep it brief to protect the identity of the board members involved” and that her intention “Was to avoid any public assumptions about the board members’ involvement in the investigation.” Dr. Anderson stated in another email, “I worded it this way to protect Mrs. Wiersma from the public making assumptions.” She nevertheless agreed to a full read in open session if that is what was requested. *(Please see attached document, “No Title – Emails Provided by Jen Wiersma [2],” April 10 – 15, 2025, 4 pages.)*

Finding to Allegation No. 3

The evidence does not sustain Ms. Wiersma’s allegation that the District acted negligently in its response to her complaint. While she identified several concerns related to the District’s alleged handling of the matter, the investigation found the District consistently operated under the belief, based on past practice and the guidance of the Board’s legal counsel, that the matter fell outside the scope of its jurisdiction and was, instead, a civil dispute between two Board members. As a result, the District initially declined to investigate the complaint and took limited action in response to Ms. Wiersma’s concerns. Though this determination was communicated to Ms. Wiersma, she maintained it was not the appropriate response and she raised further complaints about matters that occurred thereafter as efforts were underway to address and remedy these complaints.

While the investigation found some of the factual contentions raised by Ms. Wiersma were sustained, the concerns raised by Ms. Wiersma did not appear to represent negligence on the part of the District. For example, with regard to Ms. Wiersma’s claim that ██████ failed to follow up after she submitted her complaint, ██████ confirmed he did not specifically follow up; however, this was because, after receiving legal guidance, the District determined the matter was outside its scope. Though this determination was communicated directly to Ms. Wiersma by ██████ their correspondence was delayed due to ██████ falling ill.

Ms. Wiersma also complained the District failed to help facilitate a “behind the scenes” conversation with Mr. Schwartz. This, too, was attributed to the determination the matter fell outside the District’s jurisdiction. The investigator notes that though mediation efforts were later initiated, Ms. Wiersma ultimately declined to participate. While she reasonably cited discomfort over the fact the mediation was not led by the District, her decision undermined her implication that the District failed to pursue informal resolution altogether.

Ms. Wiersma further alleged that the District “constantly contradicted” [REDACTED] role, initially directing her to speak with him, only to later state it would be a conflict of interest for him to advise her. Witness statements and documentary evidence confirmed that at no time was it suggested or implied [REDACTED] would advise Ms. Wiersma in any way. Rather, it was consistently reported that doing so would be a conflict of interest, given [REDACTED] responsibility to represent the Board as a whole. In this way, Ms. Wiersma’s statement that she was initially directed to speak with him appears misrepresentative and misleading.

Ms. Wiersma further complained Mr. Schwartz and Dr. Anderson were “lawyered up” prior to the Tuesday, February 11, 2025, Board workshop, and that [REDACTED] “was quick to admit” he did not hear anything at the event. While these observations are factually accurate, they are not indicative of negligence. Rather, Mr. Schwartz had secured personal legal advice from a friend prior to the workshop after having been made aware of Ms. Wiersma’s allegation. Dr. Anderson had willingly provided a written statement on Mr. Schwartz’s behalf per his request. [REDACTED] acknowledgment that he did not hear the remark was truthful. The investigation found no evidence to support Ms. Wiersma’s claim these actions were “coordinated and biased.” On the contrary, all parties described having no knowledge that Ms. Wiersma planned to voice her allegations in this setting such that any response was certainly not coordinated.

The evidence further confirms that Dr. Anderson advised the Board members after the Board workshop not to speak to the public about the matter, and that she later made participation in the investigation a condition of the Board members’ approval to attend the Coast to Coast Washington, D.C. trip. With regard to the first matter, Dr. Anderson reasonably explained

this was a recommendation/request, not a directive, and was made in the interest of protecting the Board members, both individually and as a whole. While understandable that Ms. Wiersma perceived the possibility of having the Washington, D.C. trip cancelled for nonparticipation as a targeted effort, Dr. Anderson reasonably explained it was due to frustration over delays in the investigation, as caused only by Ms. Wiersma. The rationale, which [REDACTED] also found reasonable, was that if members had time to travel, they had time to complete outstanding Board responsibilities, including participating in the investigation process.

While Ms. Wiersma also complained she was “blocked” from speaking with legal counsel about this matter—and while documentary evidence shows some requests that were denied, it is important to note the Board agreed to enact a practice whereby advance permission is required prior to consulting with counsel and Ms. Wiersma’s requests were deemed not reasonable or time sensitive. These determinations were also made with the consideration that this matter was believed to be a civil issue between two Board members, outside the District’s jurisdiction, and a conflict to be addressed by the Board’s general counsel.

Finally, with regard to Ms. Wiersma’s complaints that [REDACTED] showed little concern for the gravity of this situation, including remarking to her that Mr. Schwartz said he “didn’t do it” and commenting to a community member that he was proceeding with an investigation “to keep the District out of litigation,” [REDACTED] had no specific memory of either matter, which again are not, in themselves, evidence of negligence. The investigation did not find evidence to show either comment influenced or impeded the District’s overall handling of this situation.

While the investigation did not find the District to have acted negligently in its response to Ms. Wiersma’s complaint, the investigation did find Ms. Wiersma to have lacked better judgment in her public reporting of her complaint during the Tuesday, February 11, 2025, Board workshop. Her choice to raise the allegation in this public forum led to foreseeable challenges, yet she made numerous statements throughout her interview that reflected an overall lack of accountability for this decision (e.g., stating that she relied on [REDACTED] to

inform her of the possible implications of doing so, implying she was incapable of anticipating the likely ramifications on her own). The investigation further found Ms. Wiersma was either intentionally dishonest or highly unclear in her explanation of her conversation with [REDACTED] (i.e., she made multiple statements saying he “told” her to discuss her concern in the workshop setting, which [REDACTED] adamantly denies and which she later recanted when pressed for specifics). The investigation finds either possibility is troubling given Ms. Wiersma’s position and the expectation that board members exercise sound judgment in their leadership responsibilities.

CONCLUSION

In accordance with our findings, Nicole Miller & Associates, Inc., did not sustain Ms. Wiersma’s allegation of sexual harassment by Mr. Schwartz, nor was there evidence to suggest the District acted negligently in its response to Ms. Wiersma’s complaint.

In consideration of the totality of the evidence, the investigation found concerns about the credibility of, and motivation behind, Ms. Wiersma’s complaint that suggest her complaint may not have been made in good faith – or, at best, that she exercised poor judgment in publicly voicing and pursuing such an egregious allegation without sufficient basis.

Sincerely,

Nicole Miller, President & CEO

Nicole Miller & Associates, Inc.

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