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OUR FILE NUMBER:

005495.00379  
14003228.1

May 2, 2016

*VIA E-MAIL AND FIRST CLASS MAIL*

Harvey H. Liss, Ph.D., P.E.  
12 Birdsong  
Irvine, CA 92604

**Re: Agenda Item Request; Irvine Unified School District**

Dear Dr. Liss:

With respect to your email correspondence to IUSD representatives of Friday, April 29, 2016 at 3:12 p.m., please note the following IUSD Board Policy:

**Request for Placing an Item on the Agenda**

Any Board member or member of the public may request that a matter within the jurisdiction of the Board be placed on the agenda of a regular meeting. The request shall be submitted in writing to the Superintendent or designee with supporting documents and information, if any, at least seven (7) calendar days before any regular meeting. Items submitted less than seven (7) calendar days before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue.

The Board president and Superintendent shall determine whether the specific matter is within the subject matter jurisdiction of the Board and is appropriate for an open Board meeting or if the request is merely a request for information or whether the issue is covered by an existing policy or administrative regulation.

The Board president and Superintendent shall decide whether an agenda item is appropriate for discussion in open or closed session, and whether the item should be an action item subject to Board vote, an information item that does not require immediate action, or a consent item that is routine in nature and for which no discussion is anticipated.

Harvey H. Liss, Ph.D., P.E.  
May 2, 2016  
Page 2

A date for a Board meeting will be set as soon as practicable, bearing in mind such considerations as conformance to the Brown Act and Roberts Rules of Order regarding such matters, allowing sufficient time to gather pertinent information, assembling members of the staff who have sufficient knowledge of the subject, and placing the matter on the printed agenda of a Regular Board Meeting. The Superintendent shall notify the individual or group of the time and the place of the meeting of the requested item.

To be acceptable, a written request for Board consideration of a matter should include:

1. name, address, email address and/or telephone number of the person or persons wishing to speak and the name of the organization or group represented, if any;
2. topic title;
3. statement of action to be requested of the Board and pertinent background information leading to the request;
4. relevant attachments and/or additional information appropriate for consideration;
5. requested Board meeting date.

At the discretion of the Board, limitations may be placed upon the length of time any subject may be discussed, the number of persons permitted to speak to a given subject, and the time to be allotted to each speaker.

Given this Board Policy, the timing of your request, and the fact that IUSD is not in possession, custody, or control of the "laboratory results of the soil-gas testing that have been performed on the Portola High School site since March 2, 2016," as noted in your email correspondence, IUSD representatives are reviewing your request and we will inform you of possible next steps regarding this issue once a determination has been made.

Should you have any questions regarding this matter, please contact me directly. Thank you.

ATKINSON, ANDELSON, LOYA, RUUD & ROMO

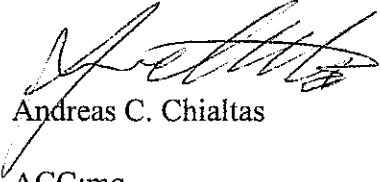
Harvey H. Liss, Ph.D., P.E.

May 2, 2016

Page 3

Very truly yours,

ATKINSON, ANDELSON, LOYA, RUUD & ROMO



Andreas C. Chialtas

ACC:mq

cc: (via email only)

IUSD School Board Members

Terry Walker, Superintendent, IUSD

John Fogarty, Assistant Superintendent, Business Services

Cassie Parham, Assistant Superintendent, Education Services

Kelvin Okino, Executive Director Facilities, Planning and Construction