

FOR IMMEDIATE RELEASE

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City of Tustin Claims Tustin Schools are a “Public Nuisance” and Asks Judge to Stop All School Improvement Projects

Tustin, CA – On Monday, March 22, the City of Tustin filed a cross-complaint against the Tustin Unified School District asking a judge to **prohibit** the school district from improving local schools and building new ones that are so desperately needed. After repeatedly criticizing TUSD for filing its own lawsuit 30 days ago, the City now agrees that the pending legal disputes over the City’s right to assert unprecedented control over school construction projects, to require TUSD to give a portion of its land to the City, and to pay tens of thousands of dollars in extra fees, should, in fact, be resolved in court.



A “public nuisance?”

However, the City has gone one step further by calling TUSD’s school projects “**public nuisances**” and asking the court to halt those projects by issuing an injunction. What is even more troubling is that the City is not content to merely stop all school construction until the City decides whether it can proceed. Indeed, the City is seeking for more sweeping relief from the court in the form of an injunction that would force TUSD to submit to 7 a.m. to 7 p.m. City “inspections” of the Heritage School and Tustin High School campuses for a period of **two (2) years** after all construction activities at those two campuses have ceased.

Imagine having two teachers with two different lesson plans teaching in the same classroom.

“The City of Tustin can threaten to stop us from improving our schools. The City can try to humiliate our parents, teachers and students by calling us a ‘**public nuisance.**’ But we cannot continue letting the City arbitrarily delay construction and drive up costs to taxpayers. It’s time to stop the City from extracting unauthorized fees, free easements and disruptive inspection rights, all under the guise of protecting the environment,” said TUSD Board President Francine Scinto. “We operate under the authority of the state and have met every regulatory and environmental requirement necessary to proceed with construction. We have contracts with construction companies to improve our schools and we are moving forward. The parents and students of our district refuse to be bound by the City’s unnecessary red tape and the TUSD Board is unanimous in its determination to deliver the school construction projects that were promised when Measure G and Measure L were approved by the Tustin School District voters.”

TUSD must answer to regulators from the state, not the City. The Division of the State Architect is required to be on the premises during school construction to ensure that the project adheres to all

applicable building, environmental and safety regulations. For the first time ever, the City also wants to have regulatory authority over the school district in this regard. TUSD already pays for this service to the state as required under the law. As noted by Board President Scinto, “The fact that the City is now saying publicly what it has essentially been telling us behind closed doors for over a year – i.e. that it considers our school projects to be ‘nuisances’ that should be halted – confirms everything we have been complaining about and it vindicates our decision to go to court to expose the City’s efforts to delay and disrupt our construction activities. During these economically troubling times, it is very disappointing that the City attempts to add an unnecessary layer of bureaucracy that would slow down our projects, which would both provide much-needed jobs to our community and improve our local schools.” TUSD has received every permit it needs to proceed with improving its schools and unless the City can convince a judge otherwise, TUSD will continue to build the school infrastructure necessary to enhance the educational opportunities of Tustin’s schoolchildren.

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