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Board of Education: Allen Brooks -President, Birdi Olivarez-Kidwell -Clerk, Jessee Espinosa, Priya Lakireddy, Beatrice McCutchen
Acting Superintendent: Brian Meisenheimer

September 29, 2023

Dr. Norman Ridder, CEO/Owner
Dr. Steven Lowder
McPherson and Jacobson
11725 Arbor Street, Suite 220
Omaha, Nebraska 68144

Dear Dr. Norman Ridder:

I write to you on behalf of the Merced City School District's Governing Board regarding McPherson and Jacobson's contract to assist MCSD in identifying its next Superintendent. Your organization was tasked with "using a group consensus, decision-making process with the District, and to identify the desirable characteristics of the future Superintendent." In order to assist in identifying the desired characteristics, the consultants were to "identify and solicit input from various groups identified by the District" and to "prepare summaries of the various groups' input and submit those summaries to the District."

Prior to the Board meeting on September 12, 2023, your consultants reached out. They informed MCSD of concerning information they received from various individuals during their community meetings that, if true, could create significant exposure to potential liability. The consultants stated that they wanted to bring these concerns to the Board, and this information was included in a draft report they had created. Although the Board has not seen or reviewed this "draft report," the Board heard the concerns of the consultants at a closed-session board meeting.

The Board took the concerns identified by the consultants seriously. However, it is not in the practice of releasing confidential personnel information, especially without proper investigation into the allegations, as is required by law and District policy. The Board plans to address concerns that were unrelated and outside of the scope of the Superintendent search, separately and appropriately, in accordance with its policies and the laws surrounding employee privacy. The Board directed the consultants to provide it with the high-level summaries requested in the contract. These high-level summaries were the same type of summaries the District had requested and received during its last three Superintendent searches.

Instead of heeding this direction, the consultants decided the "draft report," which included the raw data they asserted would expose the District to potential liability, constituted a public record. This was a legal determination that they had no authority or authorization to make. Your consultants then took the unprecedented and unilateral action of releasing the "draft report" to an outside agency without consultation with, or notice to the District, and without the Board ever seeing this "draft report". The District only learned that your consultants had taken this action because the outside agency informed the

"Our students have the academic skills and personal characteristics to continue their learning journey, pursuing their passions and talents."



District. Despite repeated requests, your organization refused to provide any information about who this draft report was provided to, and when it was provided.

As you are aware, the Board took action to terminate the superintendent search consultant agreement on September 22, 2023, based on three main reasons: 1. Breach of Contract, 2. Breach of Confidentiality, and 3. Going against the Board's directives in closed session. This is not a decision that was taken lightly as we believe the selection of the Superintendent is one of the Board's most important jobs, and we believed McPherson and Jacobson could assist us with that process. We are now in a position where the search has been delayed, and our community is awash in misinformation. Although we believe we could take legal action against your organization, we want to focus on finding the best Superintendent to serve our community. Instead, I write on behalf of the Board to tell you of our perception that the actions of your consultants constituted a breach of trust, sowed discord, and created a major distraction in our community. Moreover, all of these actions were completely outside the scope of what the Board retained you to do: initially, to identify the characteristics the District community desired in the next Superintendent and, subsequently, to assist us in identifying the right person to fill that role. It is our hope that you take our experience to heart when conducting future searches for other districts so they may avoid a similar experience.

Sincerely,

Allen Brooks
Board President
Merced City School District

cc: Brian Meiseheimer