State of Arizona

County of

## Notice of Intent to File Claim Against Maricopa County Commercial Excess Liability SL CX SU 4000 (02 21)

**Notice to** **Notifying Party**

**Name:** **Name**:

**Address:**

**Title:**

**Address**: **Phone:**

**Email:**

**Unconstitutional and Illegal Actions:**

**Violation of Your Oath of Office**: You have sworn an oath to uphold the Constitution of the State of Arizona and the Constitution of the United States of America. You have failed to uphold both of these constitutions. We live in America and are free to live our lives without restrictions, abuse and unlawful mandates from elected government officials. Mandates are not enforceable laws. As an elected public servant you have no jurisdiction or authority to create or enforce mandates.

**Practicing Medicine Without a License** – You and everyone employed by this district such as teachers and administrators have engaged in the practice of medicine without a license, which is a violation of state law. You’re recommending medical procedures, vaccination, with a wholly NON FDA approved product, that is licensed under an EUA. Meaning it’s experimental and cannot be advertised at all, per federal law. And you have NON doctors recommending it to children – with NO informed consent. How can you give informed consent when the ingredients in these vaccinations won’t even be released to the public until August 2022?

**Title 32 Professions and Occupations § 32–1431. Inactive license;  application;  practice prohibitions**: During any period in which a medical doctor holds an inactive license, that person shall not engage in the practice of medicine or continue to hold or maintain a drug enforcement administration controlled substances registration certificate, except as permitted by a pro bono registration pursuant to § 32–1428 .  Any person who engages in the practice of medicine while on inactive license status is considered to be a person who practices medicine without a license or without being exempt from licensure as provided in this chapter.

**15-102. Parental involvement in the school; definition**: The governing board, in consultation with parents, teachers and administrators, shall develop and adopt a policy to promote the involvement of parents and guardians of children enrolled in the schools within the school district.

Not once has this school board involved any of the parents or taken our advice as to the type of learning material and education we want for our children. You sit on this board and dictate to us what our children will learn. We have the right as a parent to review all information and learning material that is brought into the public school system and taught to our children.

**Parental And Guardian Rights Are Protected Under Title 15 And The Arizona Parents' Bill Of Rights**: Overview: Parents have the right, as well as the responsibility, to direct their children’s upbringing in a manner consistent with their beliefs and with knowledge of each child’s unique needs, talents, and abilities. The United States Supreme Court has recognized the importance of parental rights and has repeatedly held that parents possess the “fundamental right” to “direct the upbringing and education of their children.” The Court has repeatedly reaffirmed, “the child is not the mere creature of the State; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations.”

You and every member of this school board is in direct violation of Title 15 Arizona Parents’ Bill of Right. It is not up to you to teach our children about critical race theory, transgender, and that a child has the right to of consent at the age of 5. Furthermore, each and every parent has the right to choose the education their child will receive in the public school system. It is not up to this board to dictate what you will teach in the schools and what we have to accept. Not a single parent voted to enact GLSEN into our schools here in the district. Your board took it upon yourself to disregard our wished and brought this program into our school system.

**Title 15-203 Powers and duties: A. The state board of education shall**: Exercise general supervision over and regulate the conduct of the public school system and adopt any rules and policies it deems necessary to accomplish this purpose.

Where in **Title 15-203** does it sate that you have complete control over our children and can dictate to us what is best for our children. Your job and duties as a public elected servant is to exercise general supervision only. It is not to sit on this board and dominate our children and demand they wear a mask to school, take a PCR test, or teach them that they are free to choose if they take the vaccine. You have overstepped your bounds as a public servant and taken it under your control that you can bypass each of the parents in this district and create illegal and unlawful rules that harm our children.

**A.R.S. § 15-102:** Opt their child out of any learning material or activity that the parent finds harmful to their child. This includes material that questions beliefs or practices related to sex, morality, or religion. Opt their child out of any activity the parent deems objectionable because of sexual content, violent content, or profane or vulgar language (**R.S. § 15-113(A)**).

The books you have brought into the school are vulgar, objectionable, contain sexual content, violent content, and are not appropriate for any child under the age of 18. On numerous occasions the parents have stated that these books need to be removed from all public schools. Your board has failed to listen to the parents and has continued to showcase these books in the school library for our children.

**Abuse of Power: Color of Law or Color of Office**: Section 1983 provides redress for constitutional violations committed "under color of" state law.2 In Monroe v. Pape, 3 the Court interpreted this phrase to include deprivations of constitutional rights caused by state officers acting either without authority or, what is much the same, in violation of state law.

When it was mandated/required that masks be worn at all times while attending school, or while taking the bus to and from school, you, along with the governing board of education, violated the COL of Office. The school board has deprived children and staff of their constitutional rights by overstepping their authority. The school board has no power to execute mandates, or enforce unlawful requirements on minors in order to attend school in this district.

**Harmful-to-minors laws SB 17:** prevents elementary and secondary schools and non- college/university libraries from raising a defense to the law-making at a felony to expose minors to “harmful” material. It also strips away protections for material that is disseminated for educational purposes. It lets parents sue to enforce this criminal statute, and would also allow parents to use it if they object to any part of the school curriculum or material available in a school library.

The books you have purchased and display in your schools library is harmful to minors and disseminated for educational purposes. Furthermore, the material you teach in the classroom conserving critical race theory (CRT) and LGBTQ+ have no place in public schools. Furthermore, holding gay rights parades and demanding children to declare there are transgender to participate is against the first amendment of the Constitution of the United States which you swore an oath of office to uphold and protect.

**18 U.S. Code § 1470 - Transfer of obscene material to minors:** Whoever, using the mail or any facility or means of interstate or foreign commerce, knowingly transfers obscene matter to another individual who has not attained the age of 16 years, knowing that such other individual has not attained the age of 16 years, or attempts to do so, shall be fined under this title, imprisoned not more than 10 years, or both.

By willfully and knowingly purchasing material for children that is harmful, offensive, sexual orientated, and disgraceful to display in the library for children under the age of 18. Each member of this school board and the district teachers, and librarians have knowingly transferred this material to children under the age of 16. You deem this material appropriate for young children to read obscene material in our public schools.

**42 U.S. Code § 1983 - Civil action for deprivation of rights**: Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress, except that in any action brought against a judicial officer for an act or omission taken in such officer’s judicial capacity, injunctive relief shall not be granted unless a declaratory decree was violated or declaratory relief was unavailable. For the purposes of this section, any Act of Congress applicable exclusively to the District of Columbia shall be considered to be a statute of the District of Columbia.

Our children have a right to live without requirements or mandates that restrict their ability to breathe freely. Forcing mandates on children has caused behavioral problems, learning disabilities and damaged social skills.

**42 U.S. Code § 1985 - Conspiracy to interfere with civil rights**: If two or more persons in any State or Territory conspire to prevent, by force, intimidation, or threat, any person from accepting or holding any office, trust, or place of confidence under the United States, or from discharging any duties thereof; or to induce by like means any officer of the United States to leave any State, district, or place, where his duties as an officer are required to be performed, or to injure him in his person or property on account of his lawful discharge of the duties of his office, or while engaged in the lawful discharge thereof, or to injure his property so as to molest, interrupt, hinder, or impede him in the discharge of his official duties.

You, along with your school board, have voted to uphold unlawful mandates that have interfered with the civil rights and abilities of the teachers and the principals, thereby preventing them from performing their duties. You have placed restrictions on the schools and principals that force them to follow these mandates/requirements or be relieved of their duties. Teachers of the SUSD district have been coerced into accepting an experimental vaccine that is not FDA approved in order to continue their employment.

The CDC and your school board have zero authority to overwrite laws that supersedes the laws of Arizona. This is in direct violation of your duties as an elected servant to the people of this state.

**§ 3-307. Notice of breach of fiduciary duty**: (1) "Fiduciary" means an agent, trustee, partner, corporate officer or director, or other representative owing a fiduciary duty with respect to an instrument.

(2) "Represented person" means the principal, beneficiary, partnership, corporation, or other person to whom the duty stated in paragraph (1) is owed.

The School Board has a fiduciary duty to all the staff, children, and parents of this school district. As an elected public servant, you have breached the duty to serve this community and uphold the constitution of the United States. Illegally mandating EUA (emergency use authorization) products from the FDA has violated the trust of your constituents in this district. You were elected by the people to serve the people in a lawful manner outlined in the Constitutions of the State of Arizona and the United States of America.

**Federal law, Title 21 U.S.C. § 360bbb-3(e)(1)(A)(ii)(I-III) of the Federal Food, Drug, and Cosmetic Act**: Emergency dispensing - The requirements of subsections (b) and (f) of section 353, section 354, and section 360j(e) of this title shall not apply to an eligible product, and the product shall not be considered an unapproved product (as defined in section 360bbb–3(a)(2)(A) of this title) and shall not be deemed adulterated or misbranded under this chapter because it is dispensed without an individual prescription.

Any product that is not deemed FDA approved cannot be enforced or mandated. Masks, PCR testing and vaccines are under EUA (emergency use authorization) use only and it is illegal for any Federal or State government to mandate such items. Furthermore, you and your school board members do not have the authority to mandate EUA products.

**Title VII of the 1964 Civil Rights Act**: To enforce the constitutional right to vote, to confer jurisdiction upon the district courts of the United States to provide injunctive relief against discrimination in public accommodations, to authorize the attorney General to institute suits to protect constitutional rights in public facilities and public education, to extend the Commission on Civil Rights, to prevent discrimination in federally assisted programs, to establish a Commission on Equal Employment Opportunity, and for other purposes.

Illegally creating and/or enforcing policies on minors in order to attend school violates their civil right to attend school as citizens of the United States of America. Restricting children’s freedoms and forcing them to wear a mask that is dangerous and has no concrete scientific backing is in direct violation of their civil rights.

**The Individuals with Disabilities Act (IDEA)**: Every child is entitled to a free and appropriate public education (FAPE).When a school professional believes that a student between the ages of 3 and 21 may have a disability that has substantial impact on the student's learning or behavior, the student is entitled to an evaluation in all areas related to the suspected disability. Creation of an Individualized Education Plan (IEP)

Many children that attend classes within the Scottsdale School District have disabilities. It is against the law to enforce the use of masks on these children. Many children with disabilities cannot safely wear a mask. The toolkit states individuals who cannot safely wear a mask are exempt; however you, and your school board, have not adhered to this. Conversely, you have demanded that all children attending school wear a mask.

**COL (Color of Law): Section 242 of Title 18:** Whoever, under color of any law, statute, ordinance, regulation, or custom, willfully subjects any person in any State, Territory, Commonwealth, Possession, or District to the deprivation of any rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, or to different punishments, pains, or penalties, on account of such person being an alien, or by reason of his color, or race, than are prescribed for the punishment of citizens, shall be fined under this title or imprisoned not more than one year, or both; and if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.

If even one child is harmed, injured, or dies as a result of mask requirements, PCR testing, or receiving a vaccine as a result of your coercion, you and the entire school board members are liable for all injuries.

**Intentional Disregard to the Dangers of Face Coverings**: Masks can cause severe acne and other skin problems. The discomfort of a mask distracts some children from learning. By increasing airway resistance during exhalation, masks can lead to increased levels of carbon dioxide in the blood. Masks can be vectors for pathogens if they become moist or are used for too long. The use of masks has been proven to exacerbate anxiety or breathing difficulties for some students. School staff are not monitoring for any of the above conditions.

**Protection of Children in International Humanitarian Law 30-06-1984 Article:** International humanitarian law provides general protection for children as persons taking no part in hostilities, and special protection as persons who are particularly vulnerable. Moreover, children taking part in hostilities are also protected. The various aspects of the legal protection of children as members of the civilian population.

Our children are protected under this international treaty because we are now living in a hostile environment and our children are particularly vulnerable to what is taking place around the world. Enforcing mask policy on young children is in violation of this international treaty. Furthermore, exposing young children to obscene material, CRT, and the LGBTQ+ is dangerous for a child. This Protection of Children in International Humanitarian Lawis in place to protect our children against such policy/enforcement and coerced testing or educational materials.

**The Hague Conference on Private International Law:** The Hague Conference on Private International Law (HCCH) is a global inter-governmental organization that has developed standards for the transnational cooperation on child protection and family matters. The key themes addressed by the Conventions of the Hague Conference include transnational child protection, inter-country adoption, cross-border parental child abduction as well as matters of parental responsibility and contact involving different countries.

The HCCH protects our children and their families against abuse inflicted upon them from a public school system. Our children are to be protected in our home and when attending public schools. Your failure to protect our children is in direct violation of the Private International Law HCCH.

**UN Child Protection**: By virtue of Security Council resolutions 1539 (2004) and 1612 (2005), which request that action plans and dialogue for their development be established, United Nations child protection advisers and teams are mandated – and have the political space – to engage with all state and non-state armed actors involved in grave violations against children. CPAs foresee and diligently plan opportunities for engaging with parties to the conflict on child protection matters.

Our public school systems have become a hostile environment for our children. The SUSD school board has enforced illegal mask policies, allowed offensive material to enter into the school system, and has instructed the teachers to teach critical race theory (CRT) (aka SEL) as part of the educational system. The UN protects our children, and the United States of America has signed a treaty with the UN in order to ensure our children are protected at home and in our public schools.

**International Humanitarian Law**: Persons who are not, or are no longer, participating in hostilities must be protected; and the right of parties to an armed conflict to choose methods and means of warfare is not unlimited.

Our children are not now, nor have ever been, involved in direct hostilities in order to conquer an illness that has a 99.8% survival rate. Our children are protected under the International Humanitarian Law and must be protected at all costs. Demanding and/or mandating EUA masks and PCR testing in a public school system does not protect our children and their rights to freedom of education and life.

**UNESCO Universal Bioethics Declaration**: The first principle advocated in the UDBHR is respect for “human dignity, human rights and fundamental freedoms” (Article 3). Although this principle had long been established since the 1948 Universal Declaration of Human Right s (United Nations 1948), which is today widely regarded as the cornerstone of the international human rights system that emerged after the Second World War, the UDBHR was the first international instrument to comprehensively integrate international human rights law into the field of biomedicine. By broadening the scope of the respect principle from personal autonomy to human dignity, the UDBHR overcomes a shortcoming of previous bioethics documents, which seemed to accord respect only to autonomous persons.

This law and treaty is still in effect today and protects our children’s right to human dignity, human rights and fundamental freedoms. Masking our children takes away their human rights in society to live freely and express themselves. Furthermore, demanding our children to declare they are transgender is in direct violation of international human rights.

**Geneva Declaration of the Rights of the Child**: Every child has the right to health, education and protection, and every society has a stake in expanding children’s opportunities in life. Yet, around the world, millions of children are denied a fair chance for no reason other than the country, gender or circumstances into which they are born.

The school board’s mandates are endangering the health of our children. We are no longer able to protect our children when they attend public school. The school system now is based on CRT and offensive material that is brought in by this board and distributed throughout the schools in this district. Your school board is distributing offensive material and pushing the LGBTQ+ agenda in schools. You and your school board members are in direct violation of the Geneva Declaration, which is an international treaty that protects our children’s right to health and an education.

**The Nuremberg Code**: “Everyone has the right to life, liberty and security of person… No one shall be subjected to … inhuman or degrading treatment … Everyone is entitled in full equality to a fair and public hearing by an independent and impartial tribunal, in the determination of his rights… No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence…”

The Right to Informed Consent is Meaningless **Without the Right to Refuse** Any Medical Intervention, Including Mandated Vaccination. Government Agents and those **Acting Under Color of Law** are Forbidden by Long-Standing National and International Law from Coercing Vaccination. Furthermore, this includes mask mandates and PCR testing. Children under the age of eighteen years of age need a parent’s signature on any and all documents that deal with medical testing and this includes PCR testing in school.

The school board and the Superintendents are in direct violation of twenty three (23) state, federal and international laws: Illegally enforced/coerced masks and PCR testing in the school district. Vaccine clinics on school premises have been supported. Offensive material in the public schools have been allowed. Teaching CRT and LGBTQ+ in classrooms is encouraged. You have used Federal Funds to send teachers to GLSEN training classes. You have taken away the parent’s right to choose if their child should wear a mask to school or not. You have violated our children’s civil rights and the right of each and every parent in this district.

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**A BOND CLAIM MAY BE FILED AGAINST YOUR SURETY LIABLITY INSURANCE POLICY IF THESE MANDATES DO NOT STOP TODAY**

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The total liability PER CLIAM to the bond holder is: $ 100,000

This notice is provided to inform you that the Notifying Party has provided the above descriptions of the unconstitutional and illegal actions that have endangered the health of my children attending this school district. Furthermore, the CRT and LGBTQ+ is inappropriate material to be taught in any school. It incites violence and causes extremely suicidal tendencies in children.

If this action does not stop today, the Notifying Party will file a claim against Maricopa County Commercial Excess Liability SL CX SU 4000 (02 21); Policy Number: 5155-0014-01; under subsection clause Pubic Officials Liability. You have 7 business days upon receipt of this notice, to correct the following violations at all the schools in this School District. This includes the following:

* Remove any and all obscene material from school premises including virtual access
* Stop coercing all forms of Covid-19 propaganda concerning how dangerous this is to our parents and our grandparents. That all children should want to save their lives by getting the vaccine and they can choose for themselves and do not need the consent of their parents to do this.
* End all vaccine clinics and stop promoting them to children and parents.
* Cease coercion and pushing CRT, transgender, Gay Rights week, demanding children to declare if they are transgender to participate in school activities.
* Halt the enforcement of policies that require universal masking or masking without consent on children, teachers, bus drivers, faculty or staff.
* Halt the enforcement AND propaganda of vaccines on children, teachers, bus drivers, faculty or staff.
* Remove Jann-Michael Greenburg from the School board immediately. Demand his resonation immediately.
* We’d like to perform an audit with regards to school spending as well as the spending of ESSER funds over the past 2 years.

Parents have a right to vote on the educational material that is being taught in our schools. Additionally, we have a right to peruse, examine and approve or disapprove of all material that the school board would like to introduce into the schools. You were elected to serve the public and to represent parents' requests for their children.

Failure to comply with the aforementioned demands within 5 business days after receiving this notice will result in a claim being filed against the Maricopa County Commercial Excess Liability SL CX SU 4000 (02 21) policy for each member of the SUSD school board which will include the superintendents of this district. Furthermore, I will follow through and file in Federal Court a COL against each and every one of you.

Printed Name:

Signature: