Hello Bond Oversight Compliance Committee,

I am writing to you in order to bring to your attention a grave **error in legal and public trust oversight** that your board is about to enact, due to the present policy course to install Wi-Fi in public schools. This failure will produce a certain catastrophic legal, moral and health crisis of the State's duty to protect children, in loco parentis, from exposure to illness and disease from wireless radiation.

It is my well-researched and US District Court-tested opinion, that continuing upon your course to install Wi-Fi, as a means to deliver internet services to your K-12 schools, will not only expose LAUSD to costly litigation, and subsequent costly cures, but **this course will violate your oversight committee's express obligation to the public.** The reasoning that Wi-Fi is safe for children is founded on an underlying presumption- that until mass illness and death occurs in children, and such deaths can be attributed with 100% medical certainty to the presence of Wi-Fi, and only Wi-Fi, then cumulative exposure is acceptable and children should continue to be exposed until they- may, or may not- sicken and die. Obviously, such an assertion as a basis for public policy, to every right thinking person, is 'shocking to the consciousness' and qualifies- even at the rational level of review- as a 14th Amendment violation of Parental Rights.

From the **Minutes of a November 2012 meeting, Mr. English read the BOC's mission statement** asserting that your Bond Oversight Committee's burden is "to ensure that school bond funds are invested as voters intended and that projects are completed wisely and efficiently". The installation of device superstructure known to be harmful to children is not a wise policy for children's health; nor is it efficient to expose the district to financially and morally costly risks. There exists in the record ample evidence of LAUSD's position against wireless technology, such as resolutions to limit cell technology exposure on district property, etc.; to continue with installation of Wi-Fi, then, is a blatant legal and moral misstep – and a failure of reasoning- that is not representative of what your 'voters [have] intended'.

Further, **you have not been fully informed by your vendors of the recognized consequences of exposure** to this toxin that their product is known to emit. As of May 2011, the UN's World Health Organization (WHO Press Release, No. 208, May 31, 2011) revised **wireless radiation a Class 2B carcinogen that is categorically identical to DDT, lead in paint and gasoline fumes**. As a committee, I am certain you would not approve the use, for example, on school-children playgrounds, of DDT as a pesticide; nor would you paint your school hallways with lead paint, or allow idling truck fumes to flood your classrooms. These are all known toxins whose classifications underwent the same rigorous testing as did wireless radiation, which emits from the Wi-Fi devise you intend to install. Your vendors, however, are absolved of telling you this fact under free speech in advertising exemptions where they are NOT required to inform your Bond Oversight Committee they are selling you a product that emits a known toxic and carcinogenic substance.

I am a knowledgeable private citizen in no position to benefit from any decision by LAUSD. But my own educative experience with public policy and biological radiation hazards has converged with my own contraction of EMF hypersensitivity syndrome. This disability has compelled me to become publically active- especially on behalf of children who cannot speak for themselves. And a deep professional commitment to

Governance Theory and law informs my legal and policy analyst skills. Wi-Fi is **NOT an appropriate, or required, method for compliance with US Department of Education goals** for delivery of internet services to LA Unified School Districts (LAUSD). In fact, there exists in the 1996 Telecommunications Act, and the FCC, a broad dual regulatory flexibility to the States that, arguably, actually requires the State's exercise of authority over certain situations involving non-portable devices, such as Wi-Fi.

In November's BOC meeting, Agenda Item 8: Common Core Technology Plan, contains a fatal flaw that presenter, Dr. John Deasy, Superintendent of Schools, and his colleagues, do not represent in their advocacy of wireless tablet technology. Because, driven on the engine of known carcinogenic wireless radiation, this purported "power of tablet computing and next generation learning techniques" is a technology that is not only **contrary to the California's 'high- scrutiny' duty to protect the health of children** remanded into their care, but is futile; a recent New York Times article quoted the US Department of Education to say there is no evidence whatsoever that wireless technology will "significantly improve the District's delivery of education…. to students" (November 12th Minutes). Dr. Deasy can promise delivery of improvement of 'services', yes, but NOT the improvement in the delivery of 'education', as your speakers appear to fallaciously imply. Further, continuing **this course is not defensible** as it places industrial commercial policy before the safety and well-being of the State's most vulnerable and valuable asset, children.

**Industrial policy is not a substitute for proper bureaucratic policy** whose primacy of mission is so that the public can enjoy trust in the 'beneficent ends of its institutions' (US Constitution, Preamble, to the 1st Ten Amendments). This is the founding basis for our governance and legitimacy in representation; it is not to be re-tooled for the utilitarian aim of financial efficiency that buries duty to the 'public good' in an administrative and accounting cost/benefit-value add equation, and a Free Market frenzy of revenue production. Despite FCC's perplexing inertia on developing sensible regulations that informed custodians of children can approve of, the entire rest of the world- and even some in your local community- are moving forward with sensible public policy that is not directed by a commercialized frenzy of revenue production that is custom made for the advancement of capital markets.

Please note the below source documented and world-wide, 'Wi-Fi in schools' policy decisions (http://www.cellphonetaskforce.org/?page_id=128) against installing Wi-Fi devices; the verdict is quite dramatic and compelling to any reasoning adult:

- **2005: Salzburg, Austria's Public Health Department** bans WLAN and DECT phones in public schools. http://www.safeinschool.org/2011/01/wi-fi-is-removed-from-schools-and.html
- **2007 Bavaria, Germany's Parliament** recommends against Wi-Fi in schools. http://www.icems.eu/docs/deutscher_bundestag.pdf
- **2008: National Library of France:** Removes Wi-Fi because of health concerns and limits installation to cable connections. http://www.next-up.org/pdf/FranceNationalLibraryGivesUpWiFi07042008.pdf
- **2008 Sebastopol, California:** Reneges on its contract to install citywide Wi-Fi. http://www.boingboing.net/2008/03/24/town-of-sebastopol-c.html
- **2009: Hérouville Saint-Clair, France:** Bans Wi-Fi in public schools. http://www.wifiinschools.org.uk/4.html

- **May 27, 2011: Council of Europe** passes a resolution recommending wired Internet connections in schools, and the creation of radiation-free zones to protect electrosensitive people. http://assembly.coe.int/Documents/AdoptedText/ta11/eRES1815.htm.

- **June 19, 2012: The Russian National Committee on Non-Ionizing Radiation Protection** has officially recommended that WiFi not be used in schools. http://youtu.be/5CemiJ-yIA4.

Many enlightened institutions are moving before LAUSD; for LAUSD to refrain from joining this trend might be construed as a deep break in moral and legal reasoning behind a decision to proceed with installation of wireless internet services. Please see the following topics as a recap of the information you need to make an informed policy decision for compliance with your Bond Oversight duties.

**Public Policy Standards Are Required to Act on 'Sufficiency' of Harm to Children:**

There is ample evidence that shows harm to children will result via Wi-Fi broadcasting in schools. You might have heard the unwarranted emphasis on 'inconclusive' results of the dangers of Wi-Fi. But 'sufficiency' of evidence of harm is the standard for protective public policy making- it is not 'inconclusiveness' that is the standard for freedom from harm- this would create a paradox for governance that puts public health below industrial and commercial policy. The practice of vendor substantiated 'inconclusive' results for harm is a well-known tactic of fallacious reasoning. 'Inconclusive' is not the standard that parents will ever consider as sufficient to 'risk' their children's exposure to disease and ill health. In truth, all effective research evidence points to substantial risk of bad health effects to children in the presence of Wi-Fi in school, like increased risk of brain cancer, neurological and immune disruptions, and higher-function learning disorders and more.

By your present course, I can only conclude that you must not possess the actual information you need to make proper public policy of 'sufficient' standards to protect the vulnerable children in your charge. In fact, your committee's present course- to purchase and install Wi-Fi in LAUSD- invokes the former governance paradox, putting an entire commercial industry over your children's health- that same commercial industry whose own revenue interests are damaged if your committee acts otherwise, on more complete information, and chooses 'wired' delivery of internet services, instead of 'wireless'.

**Congressional Intent for Internet Delivery to Schools:**

Congress did NOT intend that FCC guidelines- to deliver internet services to schools- would subject children to the sort of hardened disease profiles seen in the Big Tobacco health scandal. This analogy is sound for wireless radiation where even more evidence exists about the dangers of Wi-Fi than existed prior to the full revealing of depth in the Big Tobacco scandal. And similar to Big Tobacco, there exists rampant industry taking advantage of the above mentioned public policy paradox, using legal obfuscation about 'sufficiency' of evidence for mechanistic harm to children when exposed to Wi-Fi. From a public policy perspective, though, and as with Big Tobacco, the standard for scientific mechanisms for curative and causative research is NOT the same sufficiency standard or theory that is applied in public health policy. These two paradigms- public policy for protection of health and well-being versus industrial liability for legal causation- do not reside in the same plane of duty. To assert otherwise is fallacious; advocates of the view that Wi-Fi is harmless to children have been easily defeated in US

District Court. Claims founded on phrases like, **"[s]tudies thus far have not shown a consistent link…." ,** and, **"connections between** exposure to RF fields and health **effects [are] not conclusive",** or, "**the current scientific evidence has not conclusively linked**…**"** were easily debunked in a not well-publicized, but recent and failed Portland Public School's attempt at summary dismissal over a Parental Rights Lawsuit (See Order Instructions to Oral Arguments, US District Court of Oregon, by Judge Mossman, Morrison v. Portland Public Schools, 2011). These types of assertions of 'no causative link for harm' did NOT meet the legal standard for science under Daubert rulings, even, and failed to pass into the Oral argument portion of the case. The US District Court did not challenge the merit in the argument that these phrases- when applied to children's health while in public school, and under the duty for the State to act in the stead of the parent- were applications of well-known fallacies of reasoning; Wake Forest's legal standards calls such distortions a failure of basic logic. The Review said it is to misrepresent statistical reasoning, to start a risk assessment that is based upon privileging the 'null hypothesis'; in other words, if you do not have sufficient evidence that exposure to the toxin or irritant poses a risk of the disease, then you attempt to conclude- incorrectly- that the exposure does not pose a risk, or that the risk is 'inconclusive'. The failure of logic, here- by the proponents of Wi-Fi in schools is the presumption that 'inconclusive' harm somehow means that harm 'does not exist'; this is not just bad science, it is wrong.

Further, contrary to what you may have been told, the above US District Court record will show that Portland Public School's lead attorney acknowledged that there is 'no FCC pre-emptive authority' in the case of installing Wi-Fi devices in public schools as governed by with portions of the 1996 Telecommunications Act (TCA) and FCC . But, public schools and institutions are not bound by the TCA's section 704 about 'environmental effects (health effects)' because public schools are expressly excluded. Vendors and commercially interested groups are often confused by the standard and have been applying it incorrectly. This misapplication is a common 'group-think' that governmental decision-making models remind us to be wary of. The privilege of policy-making in the public interest requires constant challenging of group consensus, and requires the conscious pursuit of 'cognitive consistency' at all levels of bureaucratic decisions.

**LAUSD to Invoke Constitutional Non-Compliance With 14th Amendment Due Process:** Further, it is my opinion, and as an argument specialist, one must ask the question if continuing on your path may result in non-compliance with Parental Rights to define their children as vulnerable and granted protections not only under Health and Human Services Title 45, Part 46, (see below) but under Due Process 14th Amendment duties? In this case, argument logic would reveal that the district will not enjoy, as described in the previous section, 'cover of law' protections under FCC rulemaking, nor under rules for 'rational' State educative policy. Legal textual interpretations can be argued to reveal a harmonizing interpretation where public institutions, such as schools and libraries, that are not privileged to FCC field pre-emption protections. Instead, jurisdictional analysis puts civil suits by parents into US District Court jurisdiction where, when there is no subject matter that rises to the cognizance of FCC jurisdiction, then the matter is subject to entirely to Federal Question review, and not subject to FCC cover of rule-making. Under such circumstances, the Bond Oversight committee could be seen to bear

responsibility of the very plausible risk for costly litigation and removal of Wi-Fi, as a violation of under a Federal Question due to toxic substance exposure of children to a known carcinogen broadcast by the installation of proprietary business devices that emit wireless radiation. Since the classification of Wi-Fi as a Class 2B carcinogen (WHO Press Release, No. 208, May 31, 2011) is consistent with analogous exposure of children to Lead and DDT, this new standard of exposure is ripe for the violation of fundamental parental rights claims of interference to the care and nurture of their child, and for their child to be free from exposure to illness and disease.

**Experts Obfuscate and Confuse Terminology and Diffuse Title 45 'Research Safety' for Children:**

Part of the confusion over these matters rests on biased and contradictory oversight in the creation of wireless radiation safety standards created by agencies like IEEE- a key FCC contributor to the Federal standards. On one hand, IEEE issued a position paper where they "concluded that the **balance of scientific evidence does not indicate that**…**"** any cause for concern over wireless radiation emissions. They represent themselves as public 'safety experts' for RF technology, and as one of FCC's primary developers of health and safety guidelines. But on the other hand, IEEE's own mission statement contradicts this position, citing their primary aim is defined as "the world's largest technical professional society dedicated to the advancement of technology," and technology professionals. You can easily see that the public 'good' is far down their list; only as an ancillary goal do they mention 'helping' define public health issues. http://www.ieee.org/publications_standards/index.html) In fact, IEEE has no expertise in children's health and makes no representations about their FCC recommendations conformed to Title 45, Part 46; a simple textual read of Title 45, Part 46 will refer to express rules for experimenting with children; IEEE, nor any other agency will admit they have tested SAR thermal absorption rates for children. They did no such experimentation on Children- as they did for adults- in order to develop safety standards. If you query IEEE they will disavow any notion that they have even declared that wireless devices are 'safe'; instead they will plead the fallacious Wake Forest argument of 'no conclusive evidence'.

In fact, the agencies FCC relies on to guide their policy making for wireless radiation's 'thermal' standards, like IEEE, ANSI, and others, are comprised of members whose best interests and sheer survival heavily weighted in Defense industry contracts. Here, you will find a strong bias towards combat uses of wireless technology that requires broad, private consumer R&D in order to provide the platforms too costly for military budgets to develop, like nascent drone technology deployed in early versions of toy cars, or combat laser and infrared targeting technology refined directly from video game industries.

Resultantly, there exists no political will to acknowledge the inherent failure of policy and the pretense that there exists any 'safe' wireless exposure for children, either in positive or implied law. Simply put, express mandates exist under Title 45, Part 46, section 46.404, which categorically, and by definition, disallow the inclusion of children in the testing required for FCC rulemaking. Those standards only designate wireless exposure as 'safe' for the general public. Children, under Title 45, are expressly defined as NOT part of the 'general public'.

In a close, textual read, then, under US statutory law, FCC 'approved research protocol' does not escape its duty under Title 45 USC 46.101 and 46.102, proscribing use of children as research subjects. This is simply because Title 45, Part 46 standards, admits no testing protocol design that is possible for the inclusion of children, even if that research is used in FCC rulemaking over wireless radiation exposure. Such testing on children is, pure and simple, not legal.

You will find, instead, that the FCC record will only provide research ruling and compliance for adults, based upon 200 lb. males, a model that does not include children, or compliance with Title 45 statutory law. FCC regulatory pre-emptive authority, therefore, extends neither its mandate to, nor its protection over, the installation of Wi-Fi devices in any educational or institutional setting. Wi-Fi safety rules in schools do not exist and, by definition, Wi-Fi use in conjunction with children is categorically excluded from FCC regulatory oversight; therefore- under this logic- LAUSD has no legal cover for rulemaking compliance; therefore any litigated jurisdictional claims will fall, not to State Court to resolve at a 'rational' standard of review, but to the Federal Rights domain in Federal US District Courts under standards of 'strict scrutiny', and a deducible loss for LAUSD.

The cue for the above fallacious arguments that Wi-Fi has been deemed safe for children is the FCC rulemaking currently quoted as 'vogue 'by uninformed persons, or representatives of self-interested industry, that FCC declares all this 'safe' 47 CFR 1.1310, titled Radiofrequency Radiation Exposure Limit with its table for Maximum Permitted Exposure. But this standard does not apply to public institutions, nor to children, who, with pregnant women, are accorded vulnerable status by Health and Human Services. Again, a close, textual read will discover that this rule only applies to pre-emptive categories that include the 'general population' and 'portable' devices, and 'personal' communication devices, not children in institutional settings, being exposed to non-portable devices used for institutional purposes.

**'Federal Question' Will Decide No Law or Rule That Declares Wi-Fi Safe for Children:**

As you can see, no one claims that exposure to radiation from wireless technology is safe for children. The reason is clear- it is impossible to legally make the case that Wi-Fi devices are safe for children- all that remains is costly litigation in order resolve an adversarial position that has only one conclusion, Wi-Fi devices are NOT defined as safe for children. The question remains for the Bond Oversight Committee to ask, is LAUSD protected from lawsuits under FCC pre-emptive authority? In the case of LAUSD installing wireless device emitting radiation, is the district, then, deeply vulnerable to personal injury lawsuits where, when involving children, these domains remain under the jurisdictional protection of Federal District Courts on the merit of the Federal Question? This is fair and plausible concern for those trusted with the efficient expenditure of public money. Under the most basic 'courts' structure that any undergraduate, or first year law student, can know the Federal question seizes jurisdiction from FCC regulatory authority- FCC involvement is then boundaried by whether the federal subject matter even rises to their Agency cognizance; that rise is an impossible bar to surmount under the Federal Question. At this point, the entire matter of law will be subject to resolution of the Federal Question in Civil Rights Due Process litigation, which Federal Question resolution is fully able to be delivered under

the least intrusive means, that is, NOT exposing children to a known toxin and carcinogen, NOT using wireless internet service delivery.

But, happily, this problem, for LAUSD, becomes moot when internet services are delivered in compliance with the 1996 Telecommunications Act as a 'wired' product. Wired telecommunications do not activate the Federal Question of Parental Rights, its subject matter escapes cognizance under FCC orders or definitions, and it satisfies the less intrusive means bar under 14th Amendment parental and child rights.

**Exacting Legal Language Available to Protect LAUSD from FCC and Section 704 Oversight:** Wireless Education Action would be happy to provide for your legal counsel or committee- no compensation required- the exact and cited texts, and textual interpretations that protect LAUSD from FCC Code of Federal Rules under section 47 USC 332(c), and from the Congressional 1996 Telecommunications Act section 704 oversight, Instead, the rules can show that the State is protected from intrusive Federal oversight with respect to intra-state devices such as wireless broadcasting masts, with ample room to move on behalf of 'public' policy guidelines that remove children from exposure to Wi-Fi devices. These rules exemptions will still leave LA USD in full compliance with the Congressional Act language and the corresponding Agency rule making, and will not frustrate Congressional intent for delivery of internet services to public schools when done so by cabled and shielded means.

In this way, and as a manner of correcting conflict, any position the State makes that rejects wireless technology on behalf of protecting children in the school setting cannot be abridged by Federal policy. This is as Congress intended, where even under legal Daubert standards- the scientific cornerstone theory- it is not a sufficient standard of duty that public policy ought to rely on commercial industrial policy to install wireless in schools- until it can be proved as safe for children. To rely on the opposite standard, that Wi-Fi is safe until it can be proved as 100% unsafe is fallacious reasoning. Such a backwards approach leaves only one foundational position, an underlying presumption that Wi-Fi is safe until statistics and decades of research can show that mass illness and death occurs in children, and that those deaths can be attributed with 100% medical certainty to the presence of Wi-Fi**, and only Wi-Fi**. That is the philosophy in legal standard you- as the Bond Oversight Committee- are being asked by commercial interests to apply. This standard can only predicate, then, that until such 100% and incontrovertible proof can be found, then cumulative radiation exposure of children is acceptable until, logically, those children should sicken and die. Only then, when proof that Wi-Fi is NOT safe, should the device be avoided. Obviously, this is a thought experiment, and any such an assertion when used a basis for public policy will be, to every right thinking person, 'shocking to the consciousness', and qualifies- even at the rational level of review- as a 14th Amendment violation of Parental Rights.

**Wi-Fi Vendors Claim Free Speech Right To Hide Medical Harm Evidence, Thwart Public Policy Theory**: But exactly as the previous section claims, opponents of the position that Wi-Fi is not safe for children often attempt to confuse mathematical 'sufficiency' with social contract theory for 'sufficiency' in the public's interest. Theory of Governance moves on no such plane of confused understanding that substitutes 'mathematical' statistics of safety with the

'public good'. Public trust is held as sacred for democratic principles, and is not subject to Free Market definitions. The Free Market purchase of Wi-Fi qualifies as a commodity whose makers are protected by freedom from self-incrimination, even in the face of evidence of harm. As such, there is NO Federal requirement- no US Industrial Policy, in fact- for LAUSD to install a wireless device structure that is documentable as against its constituent's interests or desires.

'Wired' systems are fully qualified to meet the US Department of Education standards for delivery of internet services, and this position would be supported by a vast delta of highly credentialed, public health experts and researchers from institutions charged with the public's trust, including the renowned Karolinska Institute in Sweden, responsible for the selection of the Noble Prize for Medicine.

Unfortunately for LAUSD, the vendor and consultants supplying information about your district's purchase of wireless devices are NOT bound by the public's interest, and are even able to claim for themselves the 'Nike defense' in order to obscure relevant public policy data, while **"arguing that they have a First Amendment right to keep their own customers in the dark until there is absolute scientific proof that their products are dangerous to human health."** (San Francisco City Attorney Dennis Herrera, News Release, Tuesday, August 7, 2012, Contact: Matt Dorsey, phone: (415) 554-4662). Despite this outrageous position, consumer products manufacturers and distributors have no positive law duty to inform you, or your Committee for Bond Oversight, of the grave liability and moral risk that LAUSD incurs- to its children, and to its own self, by the purchase and installation of wireless devices- devices that emit radiation of a class 2B carcinogen. Worse, any of these publically traded 'private- for-profit' entities are actually barred from sharing such information, by their fiduciary duty to their stock holders, should such information chill any sale to you of their service or products. At base, then, is a dramatic conflict of interests for these manufacturers; a conflict that negates the common sense interests to your constituents, and your duty to protect the well-being of the children in your care; a conflict that not only puts as last, your duty to effectively disburse and decide- in the public's interest and for the common good- the $150 million in public funds in your care, but is contradictory to your raison d'etre under governance theory.

**LAUSD Has Amply Qualified Persons to Judge- Has Already Rejected Wireless As Bad Policy:** Fortunately, LAUSD has ample, qualified personnel to advise you on the legal and moral matter of installing Wi-Fi as a district policy: one of your board members is a Los Angeles Deputy City Attorney in the Neighborhood Prosecutor Program and can likely attest to legal jurisdictional matters that will run afoul of Civil Rights actions, actions and protests that are up-trending against Wi-Fi installations in schools. Another board member holds degrees in biology and zoology from Cal State Long Beach and UCLA and has experience with radiation safety where his expertise likely extends to an unbiased review of the notable epidemiological failures, which notable failures equate sound public policy with mathematical formulas for insignificance of harm- as if 'harm' to a single child in, for example every thousand, is somehow a sufficient and utilitarian standard for radiation exposure. I don't believe any parent- given a choice- would sacrifice their child to such banal standards of 'significance'. Even the FCC acknowledged as long ago as in 1999, the inherent difficulty in scientific measurements to quantify certainty of non-thermal effects. So the standard fell- at that time- to thermal effects, only- the famous and inadequate

SAR standard facetiously referred to as the 'hot dog' standard that refers to the heating of 'meat'. Along this vein, the American Academy of Pediatricians (AAP)recently came out strongly against the exposure of children to wireless radiation, and in support of a Congressional bill, HR 6358, where, 'due to the bone density and amount of fluid in a child's brain':

"The AAO strongly supports HR 6358's emphasis on examining the effects of radiofrequency (RF) energy on… children and pregnant women….Children are disproportionately affected by …. [RF] radiation…compared to an adult brain…" (Press Release, December 13, 2012, For Immediate Release, (202)225-5871, AAP President Thomas K. McInerny, MD, FAAP)

In fact, there is no FCC regulation that asserts anything other than a utilitarian standard for exposure to adults, which exposure was designed under single device standard. Our reality, now, is much different, and there are now several devices- even dozens- that never were included in the arguably already inadequate 'thermal' standard for cumulative exposure.

A test for commercial industry's OWN lack of confidence in their wireless device safety, it can be predicted that- if asked- manufacturers and distributors will not- ever- indemnify LAUSD against Parental lawsuits under 14th Amendment violations of their Fundamental Rights. Any such a lawsuit will require of LAUSD not the normal governance 'rational' scrutiny standards, but will be judged under 'high scrutiny' standards for compliance with Constitutional Rights. Nor will the manufacturers and distributors indemnify LAUSD from personal injury and sick children suits by grieving parents due to LAUSD's failure to inform the parents about exposing their children to a known toxin and an acknowledged Class 2B carcinogen. In any of these cases, any layman's reading of the law will show that LAUSD will be required to pass the high scrutiny review, where Constitutional law requires that the child is 'no mere creature of the state' and is to be free from exposure to ill health and disease. Your vendors, consultants and manufacturers have no such exposure or duty to inform the public.

Further, you have on your board members whose names have become synonymous with progressive programs that benefit LAUSD families, and whose efforts have not- up to this time- been dependent upon success due to any controversial method of service delivery, such as the highly debated 'wireless' system of delivery of services. You have a board member who has credentials in the grass roots, environmental justice community dedicated to the creation of "healthy, environmentally safe and sustainable living", and who manages environmental education programs, including the Community Inspectors Program, the Safer Homes for a Healthy Community Program. These exemplary individuals anchor their careers on environmentally sound and healthy alternatives, all the while your technology division is advocating for a system of internet delivery that is known to cause biologically hazardous effects due to radiation exposure. Resultantly, for LAUSD to pursue the adoption of such a controversial system for the delivery of internet services goes against the self-avowed standards of the people who make up your regulatory board. In fact, such continued action is clearly a violation of LAUSD's own procedurally declared processes where, on December 10, 2009 was passed a lengthy resolution against the placement of wireless technology near schools for the exact reasoning in this treatise. In fact, 9th Circuit rulings found that such ordinances against certain zoning placements were entirely supported- when not in violation of pre-emptive FCC regulatory authority, which authority allows that gaps in coverage are not unreasonable, and that city authorities are recognized as

having dual regulatory authority under section 704. (Sprint v. San Diego, 543 F.3d 571 (2008).

**Conclusion of No Safe Level, New Area of Law and Public Policy:**
There is no level of regulatory law that requires LAUSD refrain from use of wireless internet services, just as there is no level of compliance with regulatory law that will protect LAUSD from the moral and legal burdens of wireless radiation exposure delivered to our most vulnerable population, children. This is a new area of legal reasoning where over-eager industrial policy implementation- attempting to gain 'grandfathered' status- has outstripped the legal application of regulatory rule making and superior court case-law. But recent and pending litigation proves that it has been very easy to make the case against agencies such as yours- and against industrial vendors- when involving public schools and the exposure of children to this new and dangerous technology.

There is ample evidence that the call to protect our children from exposure to RF radiation is neither hysterical, nor frivolous. There is no 'sufficiently' good or plausible cause or reasoning for your present course of action to install unproven to be safe for children, wireless radiation devices in LAUSD. I can only surmise that this is an oversight, and that no-one has come forward with the information your committee needs to make a balanced judgment. Wireless Education Action (WEA) would be happy to provide in person and at no cost, any further information necessary for a reasoned legal and scientific treatise and/or perspective to support a change in direction of your present policy. WEA has at its disposal- and for your benefit- any number of, and any area of discipline of scientists and political policy makers who are world renowned, from institutions thick with Noble Laureates and Research experts- both American and International in origin- including the UN and the WHO.

Further, any corporation or consultancy you have requested to review RF standards for you will likely not be able to provide you with this type of unbiased review; in fact, they would likely experience grave financial risks due to exposure to Enterprise Liability from Failure to Warn tort claims, should they provide any report to you that supports conclusions that run contrary to that Wi-Fi is 'safe' for LAUSD to install in schools. My foundation can assist you in choosing and delivering a symposium of scientific and policy experts to help you arrive at the correct decision. I make no qualms that, in my opinion, the correct decision will be to deploy an entirely 'wired' system for the delivery of internet protocol; there has been determined 'no safe level' of wireless radiation exposure for children. And, too, since there exists no evidence that wireless educative tools have produced any improvement in actual 'learning' for children, I am certain that you can find more than ample reasons to change course than those reasons that can only be defined as convenience driven, and financial cost/benefit, value-add driven.

Yours Very Truly,

Merry Callahan, Co-Founder, Wireless Education Action, a 501(c)

Hypersensitive Adult with a Disability '504' rating for EMF in secondary education settings,

Law Argument & Philosophy Analyst/ REITs Analyst,

Masters of Political Science, Governance Theory, Candidate 2013