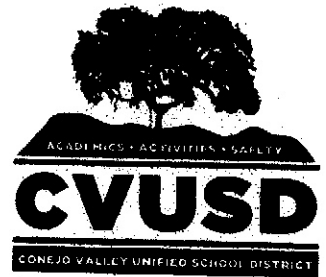


Ann N. Bonlatibus, Ed.D.  
Superintendent

Robert Iezza  
Deputy Superintendent, Instructional Services



June 27, 2016

Via Email to [REDACTED]@gmail.com  
and Certified Mail

Mark and Christina Abbott  
[REDACTED]  
Newbury Park, California 91320

**RE: Written Report of District's Investigation and Decision relating to  
Abbott Uniform Complaint**

Dear Mr. and Mrs. Abbott:

On May 27, 2016, you submitted a Uniform Complaint ("Complaint") to the Conejo Valley Unified School District ("District"). (Exhibit A.) Pursuant to District Administrative Regulation 1312.3, I sent you a letter dated June 1, 2016, offering you an opportunity to meet with me in person regarding your Complaint. (Exhibit B.) We met on June 3, 2016 so that you could have an opportunity to discuss the complaint with me and to allow me and Mrs. Jeanne Valentine to gather any additional information the District may need to fulfill its investigatory obligations.

Jeanne Valentine, Director of Elementary Education, and I conducted the investigation. We considered the following evidence as part of the investigation:

- (1) May 27, 2016, Complaint (Exhibit A);
- (2) Mr. Jeffrey Rickert's May 31, 2016, letter to Valentine responding to your Complaint (Exhibit C);
- (3) Emails between Mr. Rickert and Mrs. Abbott dated May 13, 2016, May 20, 2016, May 23, 2016, May 24, 2016, May 25, 2016, May 27, 2016, May 31, 2016, June 1, 2016, June 2, 2016, and June 3, 2016, and an email from Ms. LaMontagne to Ms. Abbott dated May 9 (Exhibit D); and
- (4) Emails between Ms. LaMontagne and Mr. Rickert dated June 1, 2016, June 2, 2016, and June 3, 2016 (Exhibit E).

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**Deputy Superintendent, Instructional Services**

Additionally, we conducted interviews with EARTHS Academy ("Earths") personnel and you (Mr. and Mrs. Abbott). Those interviews were also considered as part of this administrative determination.

## **1. Interviews**

### **Mr. and Mrs. Abbott (parents of Natalie Abbott)**

Mr. and Mrs. Abbott reported the following during their interview:

- [REDACTED]'s first year at Earths is this 4th grade year. She previously attended Madroña Elementary School.
- At the beginning of the year, Mrs. Abbott had a concern about meditation that was occurring in Ms. LaMontagne's classroom. She shared her concern with Ms. LaMontagne regarding the religious and spiritual influences. Mrs. Abbott was assured by the teacher that there were no spiritual influences. Mrs. Abbott trusted the teacher and tolerated the meditation all year. Over time, music had been introduced during class time and breathing exercises with names such as "square," "rectangle" and "circle."
- On May 4th, 2016, [REDACTED] came home excited about a science experiment assigned to the class. She spoke about Mr. Emoto. Mr. Abbott reported that he became concerned when he heard his daughter speaking about Mr. Emoto and using "prayer and great man" in the same sentence. He feared that Mr. Emoto had become important to [REDACTED]. He reported that [REDACTED] spoke about the man with reverence. When asked about the prayer reference, [REDACTED] stated, "It is not really praying, it's just like praying." [REDACTED] stated that the class had started an experiment on May 2nd with two bowls of rice. Students were directed to write in their journals about the experiment. Part of the experiment included students thinking negative or positive thoughts about the rice. Mrs. Abbott emailed Ms. LaMontagne right away after hearing about the experiment. On May 9th, Ms. LaMontagne emailed her answering the question about the experiment. When Mr. and Mrs. Abbott researched on-line about Mr. Emoto, they found references to a book that was classified as spiritual and something called "Hado," intrinsic vibration in all matter.
- According to Mrs. Abbott, during the rice experiment Ms. LaMontagne encouraged students to think "I hate you," "You are a fool," and other thoughts such as "Have a nice day" and "I love you." Students were told to write in their journals their thoughts with emphasis on sending positive energy.

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- On May 12th at Open House, Mrs. Abbott approached Mr. Rickert about the experiment; he said he had just learned about it an hour ago. At Open House, Ms. LaMontagne was playing music with no words that were "potentially spiritual" according to Mr. Abbott.
- When Mrs. Abbott approached Ms. LaMontagne about her concerns about the experiment, the teacher was very excited and told her to try the experiment at home.
- On May 13th Mrs. Abbott met with Mr. Rickert who reportedly said he would stop the experiment. At that time, Mr. Rickert wanted to recreate the experiment. The Abbotts feel [REDACTED] wanted to believe the experiment. They believe it is an issue of indoctrination- praying to rice, praising existence, teaching as fact- all has become ingrained.
- May 17th the class conducted the experiment, adding a third container. In addition to a positive thought container and a negative thought container, a third container "neglect" was added. Mr. Rickert wanted to restructure the experiment. He felt he could correct what the students incorrectly learned by controlling variables and recreating scientifically.
- May 23rd Ms. LaMontagne showed the first half of the video, "Secret of Water," to [REDACTED]'s class. The Abbotts wanted to keep [REDACTED] home the next day, but after speaking with Mr. Rickert he assured them he would talk to Ms. LaMontagne.
- The very next day May 24th Ms. LaMontagne showed the second half of the video to the class. [REDACTED] was more enamored -spoke about living to 120, etc.
- On May 25th Mr. Abbott found out that [REDACTED] had memorized a song in a different language. Mrs. Abbott asked Mr. Rickert for the music, and found that the songs have titles with the word "prayer" in them. Mrs. Abbott told Mr. Rickert she wanted it all gone, all done. He assured her it would be.
- May 26th Mrs. Abbott went into the class and saw one experiment was still there. Two had been taken out. They spoke with [REDACTED] that day about meditation and asked her to sing the song which was in a different language. Mr. Abbott stated this is not of their religious beliefs. Mrs. Abbott believes there is an agenda by Ms. LaMontagne to indoctrinate students to her beliefs.
- Mr. and Mrs. Abbott stated that [REDACTED] now has a bad attitude about school; [REDACTED] told them, "Why should I learn if everything is not true?"
- The parents stated the meditation on the surface seems harmless, although it is not a practice they want at home. In context the accumulation is too much.
- Parents are disappointed that so much class time has been spent learning about this person (Emoto). They are concerned about the song [REDACTED] memorized- which pretty much repeats. They want to know

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what the words are that she memorized. Prayer or chanting is against their beliefs. Mrs. Abbott feels [REDACTED]'s science education has been compromised. Parents asked to see [REDACTED]'s journal, but Ms. LaMontagne was unable to locate the "Energy Journal."

- Mr. Abbott reported seeing Ms. LaMontagne greet students with Namaste- Indian customary greeting, and all the kids did it back.
- Mrs. Abbott related that Mr. Rickert went into the classroom to speak with the kids. She said that Mr. Rickert used the analogy of a penny and chance to explain why the rice changed. That is, some things happen just by chance.
- Mrs. Abbott really wants to know what [REDACTED] was exposed to, because she wants to help her daughter. She said new age values are not what they want instilled in their daughter.

**Lisa LaMontagne (4th Grade Teacher, Earths)**

Ms. LaMontagne reported the following during her interview:

- Ms. LaMontagne stated that her students meditate every day when they come into the classroom from lunch. She plays music with no lyrics in English (because she does not want the kids singing along.) In the beginning of the year she teaches the students how to meditate, but after a while the daily line leader takes the lead. The leader tells the students to breathe, inhale, exhale- 3 cleanses. Breathing techniques are taught to reduce stress, be mindful. Three different techniques: Square- inhale 4, exhale 4 breaths; rectangle- inhale 6, hold 2, exhale 6, hold 2; trapezoid- inhale 4, hold 2, exhale 6, hold 2. Usually the breathing exercises last the length of the song being played, approximately 7-8 minutes. At the end, the leader tells the students to take another cleansing breath. After, on many days, students do incorporate yoga poses for exercise after meditation. Students have only practiced three basic poses while still sitting in their desk chairs. Normal stretching activities with breathing include the tree pose, eagle pose, and "thread the needle." Yoga is about 10 minutes, but not every day- never on Wednesdays because students have physical education.
- Ms. LaMontagne reported that she never asked the students if they were comfortable doing the meditation.
- Ms. LaMontagne did encourage students to meditate at home if they felt stressed. She spoke at Back to School Night during her presentation and with parents at parent/teacher conferences. Parents request her



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just for the meditation and thanked her for doing it. When asked if students meditate at any other time of day, she replied that students learn to breathe a lot – not meditation- just breathing, to calm down. It is spontaneous at times. The class is collaborative because of the breathing exercises.

- Ms. LaMontagne really could not recall the Abbotts being concerned about the meditation. Another parent expressed concern about the meditation and was invited in to the classroom to observe. That parent came with Mr. Rickert, and even though it was really awkward because they were just watching the students breathe- the parent understood once they saw it in action. Ms. LaMontagne stated that she would have invited the Abbotts in, or found a way to explain the benefits of meditation to the parents, if she had known there was a problem.
- Ms. LaMontagne began the rice and water experiment after Mr. Rickert asked the teachers to support the school science fair. Only two kids in the class wanted to participate. Ms. LaMontagne went online and found the rice and water experiment which seemed exciting. She saw Japanese students doing the same thing. The experiment was about energy and controlling variables. Energy is a focus of the 4th grade curriculum. The idea was to send positive thoughts to rice, like “I love you” and negative thoughts like “you fool” and such, and see what happens to the rice in the water. At Open House, the students had the experiment out, which included the board and the observations. Ms. LaMontagne reported that Mrs. Abbott approached her and said the experiment was all bogus, she was a scientist and could not see it based on facts. Ms. LaMontagne told her she was not claiming it was true or false, that she could try it at home. As a scientist she could really test and see the outcome.
- Ms. LaMontagne showed the class various You Tube videos of the experiment- families who completed the experiment at home- all starting with two containers of rice. Some videos had other variables and other outcomes. One video showed a mom and son describing how the container could have been affected or contaminated when opened. No other 4th grade classes at Earths were doing this experiment. Ms. LaMontagne reported that this time of year she’s just filling in stuff that is high interest. Students were excited. She knows how to get kids lit up. Mr. Rickert was concerned- he spoke with me -thought I was too excited about the experiment.
- Regarding the journals, Ms. LaMontagne reported that students wrote in their Energy journals in the morning after math. She assigned nine students for nine days to be a committee that shared their observations with the rest of the class. A member of the committee would type the observation after she wrote it on the board. She followed the Step-Up-To Writing format- T Chart-with a Star designating the topic sentence. A student who was a committee member would observe and describe what the rice

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looked like in the positive thought jar and the negative thought jar. She would write on board as the students copied into their journals. One student typed the observation and glued it on the class project poster board.

- Ms. LaMontagne used the same format for other units and experiments. She stated that the students do not take journals home during the year. Students do take their journals to the lab, the outdoor classroom, the computer lab and the animal lab. [REDACTED]'s journal, as well as the journals of three other students, was missing at the end of the year. Ms. LaMontagne did not know what happened to it. She shared that she does not collect or grade the journals. She believes it is the students' responsibility to record. All four student journals were still missing when school ended. She reported that she tried looking for the journal without success. She reported that she believes Mrs. Abbott doesn't like her. She told me about an incident which happened after school one day. Mrs. Abbott and [REDACTED] were outside her classroom. [REDACTED] asked to get something from her desk. The teacher reported that Mrs. Abbott laid into her about sunscreen and [REDACTED] not putting sunscreen on and then about not finding the energy book. Ms. LaMontagne let her look in the classroom with [REDACTED] after school. They didn't find the journal.
- Ms. LaMontagne reported that she had no idea the Abbotts were concerned about the rice and water experiment until Open House. She could tell Mrs. Abbott was irritated when she confronted her. Ms. LaMontagne said she didn't want to argue with Mrs. Abbott. She suggested the Abbotts try the experiment at home because as a scientist- Mrs. Abbott would know how to conduct the experiment. Ms. LaMontagne did not remember when or if Mrs. Abbott said anything to her again. Ms. LaMontagne shared that her class is set up in teams of four at desks. She tells students to sit with three new people to get a new perspective. By the end of the year eight different teams have been together for a month. They work as partners and work together well. [REDACTED] really became a good partner. She really helps others.
- When asked about Hado, Ms. LaMontagne replied that she had no idea what Hado was. She indicated that she knew that many Japanese and other students around the world have done a similar experiment.
- Ms. LaMontagne showed the video to her class because of the connection to Mr. Emoto. Ms. LaMontagne explained that in the video many scientists from around the planet talk about water. She showed it from (she thinks) You Tube. She didn't show it to Ms. Valentine because she did not want to give out her password. She did not tell anyone she was showing the video. She planned on only showing it on one day, but the kids were so excited the next day and asked her to play the rest of the video, so she did.

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- When asked if she ever presented the rice and water experiment with another class in the past, she explained she never did the experiment before or showed the video. She said she was not trying to be defiant- it was not an act of defiance to not take board out of the room- she was just extremely busy. She showed other segments on Emoto. She wanted to make connections to the original experiment. She showed You Tube videos of the experiment not working as well. She reportedly spent no more than 5 minutes a day on the activity. She stated she showed both sides- and tried to talk about all the variables and what could happen.
- Ms. LaMontagne explained that music is only played during meditation and yoga time. The songs played are not in English. She was not sure what language the music she played was from. Lyrics only/instrumentals. Songs are soothing; some songs contain lyrics that repeat in the same language. Ms. LaMontagne stated she considers words repeating to be soothing. Ms. LaMontagne also stated that the words could just be syllables, she doesn't know. She said she doesn't want to play songs that students are familiar with; it's not good for meditation. She finds music on Pandora and You Tube. She could not remember the titles of the songs. She did send Mr. Rickert an email with the names of songs that she could remember playing throughout the year.
- Ms. LaMontagne stated that when she spoke with Mrs. Abbott at the Open House, and invited her to do the experiment at home, she spoke in an excited way. She was not arguing. There were 50 people in her room, in no way was she mean. She really did not know anything was wrong until Open House.

**Jeffrey Rickert (Principal, EARTHS Academy)**

Mr. Rickert reported the following during his interview:

- Mr. Rickert reported that the school science fair is held on the same night as Open House, which was May 12th this year. The fair is optional for students. Kids only participate if they want to participate. There are some times when a small group of kids or an entire class participates as was the case with Ms. LaMontagne's class-- it was not unusual.
- Mr. Rickert learned that the Abbotts were concerned when Mrs. Abbott forwarded him an email the morning after Open House. Mrs. Abbott had questioned the teacher about the experiment. She asked Ms. LaMontagne about the basis of the science experiment she saw the night before. Mr. Rickert looked

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into her concern and, as he believed the experiment to be a science fair experiment by three kids (because their names were on the board), he thought it was going to be taken home.

- Mr. Rickert received an email from Mrs. Abbott on Friday, May 20th sharing her concern that the class was going to conduct the rice and water experiment again. He responded to her after he spoke with the teacher on Monday the 23rd. He believed, as he told Mrs. Abbott that recreating the experiment would be a good idea as he thought by controlling the variables the experiment would have a different outcome. He sent Mrs. Abbott an email detailing his thoughts about the experiment.
- Mr. Rickert reported that Mrs. Abbott left him a voice mail about the video [REDACTED] had seen in class. He was not able to speak with Mrs. Abbott until after school on May 24- early release day. He scheduled a meeting with Ms. LaMontagne for Wednesday, May 25 along with her UACT site representative. At the May 25th meeting he directed Ms. LaMontagne to make sure everything was removed from class and everything taken home. He directed her to stop any further mention of Mr. Emoto or his experiments. He also told her at that time that the energy she was teaching in the rice and water experiment was not in any way connected to the energy – heat or kinetic- found in the 4th grade standards at Earths. Ms. LaMontagne assured Mr. Rickert that everything would go home.
- While Mrs. Abbott was at school on the 26th of May she reportedly saw the poster board with information from the rice and water experiment still in the classroom. She called the school upset about the poster still being in the room. Mr. Rickert took the poster board out of the class.
- Mr. Rickert received the formal complaint on May 27th and spoke with Ms. LaMontagne and her UACT representative that same afternoon.
- The Abbotts asked Mr. Rickert to look for [REDACTED]'s journal. He asked Ms. LaMontagne to search for the journal and she explained she did not know what had happened to the journal. She reported to him that there were four students missing journals. He did observe students sitting in class completing a writing activity and four students around the circle did not have their notebooks- they were writing on notebook paper instead of in their journals.
- Mr. Rickert did not have any knowledge that Ms. LaMontagne was showing a video about Emoto and water until Mrs. Abbott told him about it.

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## **2. Findings:**

### **Allegation 1: Ms. LaMontagne violated the First Amendment by attempting to indoctrinate students into a religion during the 2015-2016 school year: NOT SUSTAINED**

The Abbotts contend that Ms. LaMontagne often had her 4<sup>th</sup> grade students meditate during class in the 2015-2016 school year, and this is not part of the District's curriculum. Ms. LaMontagne does not deny that she had her students meditate in class. Ms. LaMontagne stated that her students would meditate each day when they came into the classroom from lunch, and she played music with no lyrics in English during this time because she did not want the kids singing along. Ms. LaMontagne stated that she used meditation to reduce student stress.

Additionally, Ms. LaMontagne admitted that she occasionally had the students do Yoga in class. She reported that she taught students three basic poses that they did while sitting at their desk chairs. The Yoga activities included normal stretching activities, breathing techniques, and various Yoga poses.

Ms. LaMontagne said that she informed parents at Back-To-School night about her use of the above practices, and she does not recall if the Abbotts said they did not want their child participating in Yoga or meditating. Ms. LaMontagne said one parent expressed concern about the meditation and she invited the parent to the classroom to observe. After observing the meditation, that parent no longer had any concern about having his/her child meditate in class.

Ms. LaMontagne also admitted that she shared the teachings of Mr. Emoto with the class in connection with a rice and water experiment.

It is undisputed that Ms. LaMontagne taught students Yoga and had students meditate in class during the 2015-2016 school year. It is also undisputed that Ms. LaMontagne shared the teachings of Mr. Emoto as part of a rice and water experiment. Teaching Yoga and meditation techniques to students are not part of any District-approved curriculum. Nor are the teachings of Mr. Emoto.

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The Abbotts further contend that Ms. LaMontagne violated the Establishment Clause of the First Amendment through her use of Mr. Emoto's rice experiment in class and when she had students meditate and do Yoga.<sup>1</sup> While it is clear that Ms. LaMontagne strayed from the District-approved science curriculum, there is no evidence to support that she violated the First Amendment when doing so.

It is undisputed that Ms. LaMontagne utilized teachings of Mr. Emoto in the classroom. However, it also appears to be undisputed that Ms. LaMontagne was using these teachings in connection with a science lesson, as well as to assist students with an experiment related to energy and a school science fair. The uses of Mr. Emoto's teachings are not part of the District's curriculum, but concepts about energy are, which is what Ms. LaMontagne was attempting to teach. Thus, to the extent that Ms. Ms. LaMontagne may have used the teachings of Mr. Emoto, she did so for the secular purpose of conducting a science experiment, not to indoctrinate students into a particular religion.

In addition to the "secular purpose" considerations, above, we must determine if Ms. LaMontagne's lessons conveyed a message of endorsement or disapproval of a particular religion. As set forth in *Trunk v. City of San Diego* (9<sup>th</sup> Cir. 2011) 629 F.3d 1099, "By 'endorsement,' we are not concerned with all forms of government approval of religion—many of which are anodyne—but rather those acts that send the stigmatic message to non-adherents "that they are outsiders, not full members of the political community, and an accompanying message to adherents that they are insiders, favored members...."

The law does not allow us to measure the endorsement or disapproval from the perspective of an individual, rather we need to determine if Ms. LaMontagne's actions advanced or inhibited a religion when viewing the matter from an "objective standard." (See, *Trunk v. City of San Diego* (9<sup>th</sup> Cir. 2011) 629 F.3d 1099, 1109) As noted in *Sedlock v. Baird* (2015) 235 Cal.App.4th 874, in the elementary school context, "Courts ... have considered the more vulnerable nature of school-age children when analyzing the primary effect of state actions...." However, courts do not consider the effect that the challenged government practice has had "on a particular public school student," but rather, employ an "objective standard." (*Sedlock, supra*, 235, Cal.App. at 888) (internal citations omitted)

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<sup>1</sup> See, generally, Article 1, section 4 of the California Constitution; *Lemon v. Kurtzman* (1971) 403 U.S. 602; *Sedlock v. Baird* (2015) 235 Cal.App.4th 874 for the law regarding the First Amendment and religious indoctrination.

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Here, the record does not support the claim that Ms. LaMontagne's actions conveyed a message of endorsement or disapproval of a particular religion when viewing it from an objective standard. First, there is no evidence of any other complaints being received regarding Ms. LaMontagne's experiment other than what came from the Abbott family.<sup>2</sup> Other families were certainly aware of the rice experiment because it was on display at the class's Open House. Further, when Principal Rickert visited Ms. LaMontagne's class after the Abbotts complained that the experiment lacked scientific value; Mr. Rickert determined that Ms. LaMontagne was attempting to teach science to the students through an experiment. The principal did not make any finding or observation that the lesson conveyed a message of endorsement or disapproval of a particular religion.

Moreover, it does not appear that the Abbott family initially seemed to be concerned about their child being subjected to impermissible religious indoctrination; instead they were upset because they felt that the rice experiment was scientifically unsound. This is reflected, for example, in the May 20 and 23 emails from Mrs. Abbott to Principal Rickert. (Exhibit D) Despite knowing about what Ms. LaMontagne was teaching in class, Mrs. Abbott never mentions in those emails that she felt her child was being subjected to impermissible religious indoctrination. It wasn't until May 24 that Mrs. Abbott first suggests, in passing, that there may be some form of impermissible religious indoctrination as a result of the rice experiment. (Exhibit D)

Finally, as noted above, it is undisputed that Ms. LaMontagne had her students meditate and do Yoga in class. It is also undisputed that Yoga and meditation are not part of the District's Fourth grade curriculum. Nevertheless, Ms. LaMontagne did not violate the First Amendment by having students participate in such activities because the courts have expressly found that the use of Yoga and meditation in a public school is not a violation of the First Amendment. (*See, Sedlock v. Baird* (2015) 235 Cal.App.4th 874, 896, finding that use of Yoga in a public elementary school is not a violation of the First Amendment)

Ms. LaMontagne's use of the rice experiment, Mr. Emoto's teachings, meditation, and Yoga were done for a secular purpose. Additionally, we find no evidence that Ms. LaMontagne's rice experiment lessons and use of Yoga or meditation in class advanced or inhibited a religion from an "objective standard." Thus, allegation 1 is not sustained.

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<sup>2</sup> Ms. LaMontagne stated that one parent was concerned about having students meditate in class, but after that parent observed the meditation, it no longer appeared to be a concern.

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**Allegations 2-3: CVUSD Administration and Board of Education failed to provide oversight of Ms. LaMontagne's classroom curriculum and failed to protect Natalie's civil rights. NOT SUSTAINED**

As reflected by the record, the Abbotts were initially upset with Ms. LaMontagne's science lessons. (Exhibit D) The Abbotts seemed to feel that the lessons lacked a scientific basis, and this is what they conveyed to Mr. Rickert on May 12, 13, and 20. (Exhibit D) Mr. Rickert responded to the Abbotts immediately in each instance, and he made diligent efforts to investigate the Abbott's concerns. (Exhibit D)

After meeting with Ms. LaMontagne on or around May 23, Mr. Rickert was comfortable with the experiment because it taught scientific procedure, and he felt it would show students that "positive thoughts" *cannot* change water. In other words, the students would create a hypothesis, control the variables, test the hypothesis, and then see the outcome. The Abbotts told Mr. Rickert that they were considering not sending their child to school on the day of the experiment, and Mr. Rickert said he would excuse the absence. (Exhibit D)

It wasn't until May 24, 2016, that the Abbotts alluded to "indoctrination" in an email to Mr. Rickert. Mr. Rickert immediately responded to the Abbotts, met with Ms. LaMontagne, and took all necessary and appropriate remedial measures that were available to him. (Exhibits C and D) This included, among other things, Mr. Rickert informing Ms. LaMontagne to stop the rice experiment, end any discussions about Mr. Emoto's teachings, and to stop having the students meditate and do Yoga in class. (Exhibit C) Mr. Rickert also addressed Ms. LaMontagne's class on May 27 to explain to them how careful they need to be as scientists to test hypothesis thoroughly before drawing any conclusions regarding their validity. (Exhibits C and D) Mr. Rickert also told the class that water is not a living entity, it doesn't have feelings or emotions, and it cannot be purified through positive thoughts. (*Id.*) The Abbotts filed their uniform complaint on the same day.

There is insufficient evidence to show that Mr. Rickert failed to timely address the Abbott's concerns about Ms. LaMontagne's lessons. Each step of the way Mr. Rickert responded to the Abbotts quickly, investigated their claims, and attempted to take appropriate remedial measures available to him at the time.

Likewise, there is no evidence that District administration or the District's Board of Education failed to provide proper oversight over Ms. LaMontagne. There was no prior indication that Ms. LaMontagne was deviating from District curriculum in her classroom. And, as soon as the District received this Complaint, it immediately commenced this investigation, met with the Abbotts, conducted interviews, and gathered and reviewed of all relative documentation.



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Allegations 2-3 are not sustained.

### **3. Corrective Actions**

Teachers have a reasonable amount of discretion to use various teaching mechanisms in the classroom. However, teachers must refrain from using methods that are inconsistent with the overall educational goals of the District; in the field of science, District Policy requires giving students "an understanding of key scientific concepts and a capacity for scientific ways of thinking." (District Board Policy 6142.93)

In this instance, there is evidence that the rice experiment had *some* scientific value (e.g., recreating an experiment and teaching students about the scientific process, controlling variables, developing a hypothesis, and the like) Nevertheless, we believe Ms. LaMontagne could have chosen a different experiment that was better grounded in scientific fact, and she could have refrained from referencing material that was inconsistent with the District's goals as they apply to science instruction. Moreover, the record suggests that Ms. LaMontagne could have been more receptive to the concerns expressed by the Abbotts about the curriculum that she opted to use in her classroom.

The District will take all necessary steps to ensure that Ms. LaMontagne will adhere to the District's science curriculum and the California State Standards in the future and not supplement it with lessons that are inconsistent with the District's educational goals. This includes directing Ms. LaMontagne to not make use of the rice experiment in the future and refrain from referencing the teachings of Mr. Emoto or any other individuals that are inconsistent with the District's educational standards.

### **Appeal Procedures - CVUSD Administrative Regulations 1312.3**

If you are dissatisfied with this decision you may, within five business days, file your complaint in writing with the Conejo Valley Board of Education. The Board of Education may consider the matter at its next regular Board meeting or at a special Board meeting. The Board of Education may decide not to hear your complaint, in which case my decision shall be final.

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**Superintendent**

**Robert Iezza**  
**Deputy Superintendent, Instructional Services**

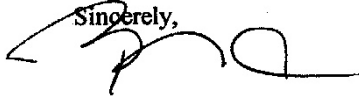
If the Board of Education hears your complaint, I shall send the Board of Education's decision to you within 60 calendar days of the District's initial receipt the complaint or within the time period that has been specified in a written agreement with you should an extension be necessary. (5 CCR 4631.)

If you are dissatisfied with the District's decision, you may appeal in writing to the California Department of Education (CDE) within fifteen calendar days of receiving the District's decision. When appealing to the CDE, you must specify the basis (or bases) for the appeal of the decision and whether the facts are incorrect and/or the law has been misapplied. The appeal shall be accompanied by a copy of the locally filed complaint and a copy of the District's decision. (5 CCR 4632.)

You may pursue available civil law remedies outside of the District's complaint procedures. If you are interested in pursuing such a claim or claims, we encourage you to seek legal counsel.

For complaints alleging discrimination, harassment, intimidation, and bullying based on state law, a complainant shall wait until 60 calendar days have elapsed from the filing of an appeal with the CDE before pursuing civil law remedies, provided the district has appropriately and in a timely manner apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622. The moratorium does not apply to injunctive relief and to discrimination complaints based on federal law. (Education Code 262.3)

Sincerely,



**Robert Iezza**  
**Deputy Superintendent, Instructional Services**

Cc. Ann N. Bonitatibus, Ed.D., Superintendent  
Jeanne Valentine, Director, Elementary Education

Encl:

CVUSD Administrative Regulation 1312.3

# **EXHIBIT “A”**

CONEJO VALLEY UNIFIED SCHOOL DISTRICT  
**UNIFORM COMPLAINT FORM**



In accordance with Board Policy 1312.3, the district shall investigate and seek to resolve any complaints alleging unlawful discrimination, harassment, intimidation, bullying, requiring fees or other charges for participation in educational activities, failure to develop or adopt a school safety plan, and failure to comply with state or federal laws in adult education programs, consolidated categorical aid programs, migrant education, career technical education and training programs, child care programs, child nutrition programs, and special education programs. Persons wishing to lodge a formal Uniform Complaint are asked to complete the following and submit it to the Office of the Deputy Superintendent, Conejo Valley Unified School District, 1400 E. Janss Road, Thousand Oaks, California 91362.

**Complaint Submitted By:**

Name: Christina Abbott  
Address: [REDACTED] City: Newbury Park Zip: 91320  
Cell: (213) [REDACTED] Home/Work: (805) [REDACTED]  
Email: [REDACTED]@gmail.com

Date this complaint was submitted: May 27, 2016

Date the event occurred: May 2016

Name of school or office, or name of employee and job location, against whom complaint is directed:

Earth's Magnet School, Teacher Mrs. Lisa LaMontagne, Principle Jeff Rickert

Charge or complaint (attach additional page if necessary): See Attached Letter to CVUSD Board of Education.

Who is the employee, principal, or supervisor that you discussed the complaint with? When?

Name, Title: Mrs. LaMontagne Date: 12 May 2016

Name, Title: Mr. Jeff Rickard Date: 12 May 2016

Name, Title: \_\_\_\_\_ Date: \_\_\_\_\_

What was the result of the discussion? See attached letter to CVUSD Board of Education.

\_\_\_\_\_  
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*I (we) understand that the Governing Board may request from me (us) further information about this matter, and if such information is available to me (us), I (we) shall present it upon request. I (we) certify under penalty of perjury that the foregoing is true and correct.*

Complainant's Signature:  Date: 05/27/2016

Complainant's Signature: Christina Alford Date: 05/27/2016

Distribution: White: Deputy Superintendent Yellow: Site Administrator Pink: Complainant Retains

7/2015

**Mark & Christina Abbott**

**[REDACTED]**, Newbury Park, CA 91320

May 27, 2016

CVUSD Board of Education  
1400 E. Janss Road  
Thousand Oaks, CA 91362

Dear CVUSD Board of Education; Superintendent Mrs. Bonitatibus; Deputy Superintendent Mr. Iezza; Principle Mr. Rickert; and Educator Mrs. LaMontagne:

While attending EARTH's Magnet School, my daughter has been inculcated with several New Age and Eastern religious beliefs and practices, including those of a spiritual author and philosopher named Mr. Emoto.

I informed my daughter's teacher, Mrs. LaMontagne, of my disagreement of the teachings of Mr. Emoto and class experiment based on Mr. Emoto's philosophy. I voiced my concern that Mr. Emoto and his experiments are controversial and not accepted in the scientific community. My concerns about the validity of the Mr. Emoto's experiment were met with argument and defensiveness.

I informed the principle, Mr. Rickert, that my daughter was being taught the rituals described by the spiritual author Mr. Emoto to summon the positive and negative energy of water and subsequently being given daily assignments to perform the rituals and document the progress towards the truth of how water can be manipulated to control peace and harmony. After being reassured by Mr. Rickert that the experiment and the spiritual teachings would stop, my daughter was then shown the full-length spiritual documentary "The Secret of Water". This documentary reinforced the teachings of Mr. Emoto that Mrs. LaMontagne had been providing lessons on. Some of the ideas that were presented as fact, (in both the video and by Mrs. LaMontagne's teachings) have been described by my daughter as:

- Water is living
- It can be manipulated by prayer, positivity and negativity
- It can take the forms of the things it touches
- You will die at an early age if you drink dead water
- You can purify water with positive thoughts

There have been five requests to administration to put a stop to the religious lessons and pseudo-science with no resolution. We have kept her home from school and allowed her to return

because we were told the lessons had stopped and the experiment removed, when they actually still have not stopped.

I am trying to re-teach my daughter about the real scientific properties of water and I have had to tell her that what she had learned was not true. My daughter is confused and frustrated about trusting conflicting information that comes from her parents and her teacher. So trying to un-ring this bell is proving to be difficult. However, what concerns me most are both the depth of spiritual indoctrination that we have since discovered elsewhere in Mrs. LaMontagne's teachings, and the interference this has caused in our family's plan of religious development for our daughter. Both of which could have been prevented with proper oversight of the classroom curriculum, and the immediate halt of the lessons before my daughter was subjected to viewing the spiritual documentary.

On a daily basis my daughter is required to meditate for eleven minutes in Mrs. LaMontagne's class.

She has been taught seven yoga poses over the course of the school year and is required to perform them at each PE time.

The documentary, Mr. Emoto's rituals, the meditations and yoga are all derivatives of fundamental doctrines that have descended from several Eastern religions and have been commonly shared by many New Age Spiritual religious sects and organizations. Such doctrine is contradictory of my family's religion.

Unfortunately Mrs. LaMontagne has crossed the line through her continued teachings of some specific subject matters, her emphasis on a specific prominent spiritual leader and his writings, and her use of specific materials. These actions combined with the yoga teachings, and the daily meditation rituals, have altogether served to promote and successfully inculcate her students with philosophical, spiritual, and religious doctrine disguised as science, music, and breathing exercises. This indoctrination has interfered with the religious development of my child to a degree of damage that I cannot yet ascertain or quantify.

I am relieved that the summer break is upon us in a few weeks. The harm that has occurred to our family will need to be resolved. In the meantime I would like [REDACTED] to be able to return to school for the rest of the year in a safe environment. By safe environment, I mean the immediate removal of any and all traces of the Emoto experiment. No further lessons using his spiritual books or videos about his theory's and ideas. No more New Age indoctrination. This includes the presence of any spiritual music, spiritual books or spiritual symbols that may be in the classroom that are not relevant to the 4<sup>th</sup> grade curriculum approved by the Board of Educators. The daily practice of meditation also needs to stop immediately. The bottom line is that this is a serious matter:

1)

Mrs. LaMontagne failed to respect each student's individual right to freedom of religious practice by practicing religious indoctrination, which is clearly forbidden in the public schools. The reason religious indoctrination is forbidden in the public schools is because the Public

School Teacher is considered to be an arm of the Government and such a practice by the Government is a violation of the Establishment Clause of the United States Constitution. Which is a Civil Rights Violation that occurred not only to my daughter, but also to her classmates.

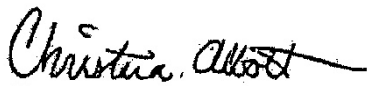
2)

Upon notification of the violation, Mr. Rickert failed to immediately enforce CVUSD Board policy and Educational Code to the extent that my daughter was further harmed when she was shown the "The Secrets of Water" documentary that is based on the spiritual books written by Mr. Emoto. Furthermore (and prior to any notification), Mr. Rickert failed to provide adequate oversight of the teacher's classroom curriculum, as well as the so-called "quiet time/meditations" to insure that such daily practices were conducted in a manner so as not to be spiritual in practice. Mr. Rickert conveyed to us that other parents in the past have expressed to him that they have a problem with the daily meditation, (even though it is not supposed to have included spiritual elements). With that in mind Mr. Rickert should have maintained careful oversight of the teacher's daily meditation practice to ensure daily compliance with Board Policy, State Educational Code, and the Protection of Student's Civil Rights.

3)

CVUSD Administration and Board of Education are also culpable as they failed to provide oversight of the teacher's classroom curriculum and enforcement of Board Policy, California State Educational Code, and the Protection of Student's Civil Rights.

Thank you,



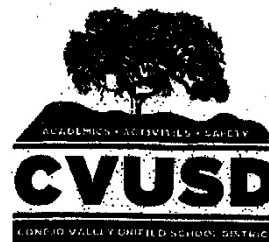
Christina Abbott  
Mark & Christina Abbott



# **EXHIBIT “B”**

Ann N. Bonitatibus, Ed.D.  
Superintendent

Robert Iezza  
Deputy Superintendent, Instructional Services



June 1, 2016

Via Email @ [abbottonline@gmail.com](mailto:abbottonline@gmail.com)  
and Certified Mail

Mark and Christina Abbott  
[REDACTED]  
Newbury Park, CA 91320

Re: Formal Grievance – Uniform Complaint

Dear Mr. and Mrs. Abbott:

On May 27, 2016, the Conejo Valley Unified School District (District) received the formal Uniform Complaint grievance that you submitted by email regarding allegations of New Age indoctrination and use of Grade 4 curriculum not approved by the Board of Education. Conejo Valley Unified School District Administrative Regulation 1312.3 states:

*Within 10 calendar days of receiving the complaint, the compliance officer shall provide the complainant and / or his / her representative an opportunity to present the complaint and any evidence, or information leading to evident, to support the allegations in the complaint.*

This provision allows you the opportunity to 'present' the complaint to the District in person. During this meeting, you may offer any evidence or information to support the allegations set forth in the complaint. Please note that the meeting is not a formal hearing and the District is not required to present any information itself at that time. It is an opportunity for you to meet with me to share any additional information regarding the complaint.

If you would like to schedule a meeting to present the complaint, please contact me at 805-497-9511, extension 239.

Sincerely,

Robert Iezza  
Deputy Superintendent  
Instructional Services

cc: Ann N. Bonitatibus, Ed.D., Superintendent  
Jeanne Valentine, Director, Elementary Education  
Jeff Rickert, Principal, Earths Magnet School ✓

Tel: 805-497-9511, ext 238

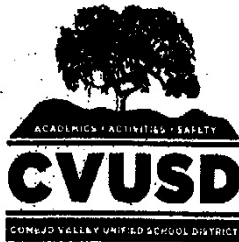
Fax: 805-379-5756

[www.conelousd.org](http://www.conelousd.org)

1400 East Janss Road

Thousand Oaks, CA 91362

# **EXHIBIT “C”**



**EARTHS MAGNET SCHOOL**  
2626 Michael Drive  
Newbury Park, CA 91320-3292  
Ph: (805) 498-3686 Fx: (805) 375-5602  
**Jeff Rickert**  
Principal

**Ann N. Bonitatibus, Ed.D.**  
Superintendent



May 31, 2016

Mrs. Valentine,

I want to take this time to formally respond to the letter of complaint you received and let you know where things are currently regarding this matter.

On the morning of May 13, an email was forwarded to me from parent, Mrs. Christina Abbott, after a conversation we had about a concern with a Science Fair water and rice experiment in Ms. LaMontagne's fourth grade classroom. The initial concern was that the experiment was covering a topic "that was not really science" and that students were potentially receiving incorrect information. I told her I would go into the classroom to see the experiment.

As I walked into the classroom that day, I saw three names on the poster board that went along with the Science Fair project. At that time, I believed the experiment was simply something three students were interested in and, because the Science Fair had just occurred the night before, my belief was that the project would be taken home and the matter would be concluded.

When Mrs. Abbott and I spoke about this in person the following week, I learned the experiment was still there and being discussed. I told Mrs. Abbott that, being a science magnet, I thought it would be a good idea to allow the class to go through the scientific process to allow the students to see for themselves that positive thoughts cannot change water. I spoke to Ms. LaMontagne about it to make sure all variables were being controlled and she confirmed that would be the case. I also asked Ms. LaMontagne to be careful in that the topic was scientifically questionable.

On Friday, May 20 at 5:32 pm, I received another email from Mrs. Abbott stating further concerns and that Ms. LaMontagne was planning on repeating the experiment with the class. I responded on Monday, May 23 with the information that I talked through the process with Ms. LaMontagne and that everything would be handled as a true scientific experiment.

Mrs. Abbott sent another email on Monday, May 23 and talked about a video the class watched on the power of water that highlighted the rice experiment and Mr. Emoto. In my response I indicated I would be speaking with my Director as I had certain questions I needed to ask her regarding this matter. I said I would call Mrs. Abbott the following morning after I had a chance to speak with both Ms. LaMontagne and my Director. I sent a follow-up email with the complaint procedure she had asked about.

I was not able to call Tuesday morning due to student discipline issues at school. However, upon my return from a training later in the day, I met with Mrs. Abbott in person. I explained the formal meeting I was going to have with Ms. LaMontagne the following day and went into detail with what I would be telling her, most importantly of which would be that all lessons around this topic as well as any mention of Mr. Emoto would need to stop immediately.

Conejo Valley Unified School District  
1400 East Janes Road, Thousand Oaks, California 91382  
Telephone (805) 497-9511 • FAX (805) 379-9230

I met with Ms. LaMontagne formally on Wednesday, May 25. In advance of the meeting, I asked our school site UACT Representative, Moira Sauvé, to please sit in with us. We covered every part of every concern the parent had, as well as a few additional concerns that I had. I was assured the experiment was over, the materials would be leaving the classroom, and there would be no further mention of anything related to the rice and water experiments and/or Mr. Emoto.

I believe on Thursday, May 26 at some point during the day, Mrs. Abbott entered Ms. LaMontagne's classroom and saw a poster board with information on it from the rice and water experiment still in the room. I had left campus for our Principals Meeting but my Office Manager notified me when I checked in with her after school that Mrs. Abbott was extremely upset to see the poster in the room. I received a phone call from you a short while later stating that you met with Mrs. Abbott regarding her concerns. I went to school later that evening to ensure the student water and rice experiment poster was removed from the room.

I received the email with Mrs. Abbott's formal complaint on the morning of Friday, May 27.

I met with Ms. LaMontagne (with Moira Sauvé present) on Friday, May 27 in another formal setting to again insist that all conversations and attention given to the water and rice experiment along with Mr. Emoto cease. I also insisted Ms. LaMontagne cease her practice of meditation/breathing exercises with her students along with her practice of doing yoga with her students for PE time. I explained that any other practices or "things" that could be misconstrued as metaphysical or spiritual in nature be stopped immediately until I can make the determination of what was acceptable and allowable by law. I handed Ms. LaMontagne a copy of the complaint at that time. I also explained to Ms. LaMontagne that I would be coming to class later that day to have a conversation with her students that included the following information:

- Water is NOT a living entity
- Water DOES NOT have feelings and/or emotions
- Water molecules CANNOT be manipulated by prayer and/or positive/negative thoughts and energy
- People are roughly 66% water but CANNOT be affected with positive/negative thoughts and energy
- You WILL NOT die at an early age if you drink "dead" water, though polluted water is never good to drink
- Water CANNOT be purified through positive thoughts and/or prayers
- Pure water DOES NOT have miraculous healing powers

I also discussed how careful they need to be as scientists and in "real life" about drawing conclusions with little information or data. I posed the question, "If you flip a penny and it lands on 'heads' one time, does that make it a scientific fact that pennies will always land on their heads when flipped?"

On the afternoon of Friday, May 27, Mr. and Mrs. Abbott both came to my office and we talked through the issues once again. I summarized my responses for them and recapped the conversations I had with Ms. LaMontagne and the students in the classroom.

Conejo Valley Unified School District  
1400 East Janss Road, Thousand Oaks, California 91362  
Telephone (805) 497-9511 • FAX (805) 379-9230

I apologized once again to both of them that this whole situation rose to the level it did. I truly believe things are in a good place now with the parents. That said, I was sure to ask them to please inform me at once if their daughter informed them of anything else concerning at any time.

I also thanked them for meeting with me on Friday afternoon. I thought we had a very good conversation and told them I was looking forward to a positive end to the school year.

I met with Ms. LaMontagne for one brief moment again this morning as she passed by simply to remind her how important it is to not mention any of the topics I covered with her. I also suggested ways to handle it if a student asked about any of the topics we discussed as well as how to handle it if/when students asked why they were no longer meditating.

Please let me know if you have any questions or require any other information.

Respectfully,

Jeff Rickert,  
Principal

# **EXHIBIT “D”**

**From:** Rickert, Jeffrey E  
**Sent:** Friday, June 03, 2016 7:45 AM  
**To:** 'Christina Abbott' <[REDACTED]@gmail.com>  
**Cc:** Mark Abbott <[REDACTED]@me.com>  
**Subject:** RE: Document Attached | CVUSD Complaint Letter\_EARTHIS\_Abbott\_27May2016

Hello,

I hesitate to answer at this moment because I am still asking questions to be absolutely sure. I will hopefully be able to respond by the end of the day but certainly by Monday afternoon at the very latest. I am really trying to get you the answers you want, though, so I will work to have your answers today.

Jeff

Jeff Rickert, Principal  
EARTHIS Magnet School  
Environmental Academy of Research Technology and Earth Sciences  
Conejo Valley Unified School District  
Office: (805) 498-3686  
Fax: (805) 375-5602  
[www.conejousd.org/earthis](http://www.conejousd.org/earthis)

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**From:** Christina Abbott [mailto:[REDACTED]@gmail.com]  
**Sent:** Thursday, June 02, 2016 10:26 PM  
**To:** Rickert, Jeffrey E <[REDACTED]@conejousd.org>  
**Cc:** Mark Abbott <[REDACTED]@me.com>  
**Subject:** Re: Document Attached | CVUSD Complaint Letter\_EARTHIS\_Abbott\_27May2016

Hi Mr. Rickert,

What did you find out about the mediation and yoga?

Thanks,  
Christina

Sent from my iPhone

On May 27, 2016, at 9:47 AM, Rickert, Jeffrey E <[REDACTED]@conejousd.org> wrote:

Good morning,



Thank you again for meeting with me this morning. I read your letter and want you to know there will be no meditation or yoga practices until I can confirm with certainty there are no religious or spiritual overtones embedded within the activities. I will let you know what I find.

Thank you,

Jeff

Jeff Rickert, Principal  
EARTHS Magnet School  
Environmental Academy of Research Technology and Earth Sciences  
Conejo Valley Unified School District  
Office: (805) 498-3686  
Fax: (805) 375-5602  
[www.conejousd.org/earth](http://www.conejousd.org/earth)

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From: Christina Abbott [mailto: [REDACTED]@gmail.com]  
Sent: Friday, May 27, 2016 7:15 AM  
To: Bonitatibus, Ann N <[REDACTED]@conejousd.org>; Iezza, Robert <[REDACTED]@conejousd.org>; Rickert, Jeffrey E <[REDACTED]@conejousd.org>  
Cc: Mark Abbott <[REDACTED]@me.com>  
Subject: Document Attached | CVUSD Complaint Letter\_EARTHS\_Abbott\_27May2016

Dear CVUSD Administration,

Please see attached formal complaint and confirm receipt.

Thank you,  
Christina Abbott

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Fax: (805) 375-5602

[www.conejousd.org/eartha](http://www.conejousd.org/eartha)

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**From:** Christina Abbott [mailto: [REDACTED]@gmail.com]  
**Sent:** Tuesday, May 31, 2016 9:50 PM  
**To:** Rickert, Jeffrey E <[REDACTED]@conejousd.org>  
**Cc:** Mark Abbott <[REDACTED]@me.com>  
**Subject:** Re: Checking in

Hi Mr. Rickert,

I spoke to [REDACTED] after school today and I was glad to hear that there was no Meditation in class. We talked to [REDACTED] a bit more about the meditation and she said that Mrs. LaMontagne encourages the class very often to meditate at night before bed and when they wake up in the morning. I would have never wanted or condoned encouraging meditation outside of class. This led to me having to further explain to [REDACTED] about how meditation is not in line with our religious beliefs. We remain very concerned about what we don't know is going on.  
We are still assessing the impact on her following everything that has occurred in totality.

We do have a few new questions I hope you can answer for us.

We would like to know more about the song that [REDACTED] sings that was played during meditation.

In order for us to look it up and listen to it ourselves can you let us know the following information:

1. Title of the song?
2. The time length (duration) of the exact song played in class?
3. The name of the performing/composing artist and any published associated artists of the exact song played in class?
4. The name of the compilation or album of the song that was played in class?
5. The format of which the specific song played in class? (Record, Tape, CD, Mp3, Mp4, iTunes, etc.)

We haven't talked to [REDACTED] to get the specifics of the talk you had in Friday with the class. I'm waiting for a good time to bring it up and inquire about the details. She didn't openly talk about it as she has other things in class other than tell us you came to talk to the class.

Thanks,  
Christina

Sent from my iPhone

On May 31, 2016, at 4:12 PM, Rickert, Jeffrey E <[REDACTED]@conejousd.org> wrote:

Good afternoon,

I just want to thank you again for talking with me on Friday afternoon. As I mentioned then, I truly believe the issues are over with and that you will no longer have to worry about anything we discussed. I also want to hear how [REDACTED] is doing and whether she mentioned the discussion I had with the class on Friday. I am sincerely hoping my talk made the kids think and that they heard what it was I was saying. I felt like they did.

Please let me know if you have any further questions and certainly if you have any additional concerns.

Thank you,

Jeff

Jeff Rickert, Principal  
EARTHS Magnet School  
Environmental Academy of Research Technology and Earth Sciences  
Conejo Valley Unified School District  
Office: (805) 498-3686  
Fax: (805) 375-5602  
[www.conejousd.org/earths](http://www.conejousd.org/earths)

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**Rickert, Jeffrey E**

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**Subject:** FW: Questions re: Music

**From:** Rickert, Jeffrey E  
**Sent:** Thursday, June 02, 2016 7:10 AM  
**To:** LaMontagne, Lisa R <[REDACTED]@conejouisd.org>  
**Subject:** RE: Questions re: Music

Hi Lisa,

Thank you very much for answering these questions. I'll let you know if I need to know more.

Jeff

Jeff Rickert, Principal  
EARTHS Magnet School  
Environmental Academy of Research Technology and Earth Sciences  
Conejo Valley Unified School District  
Office: (805) 498-3686  
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**From:** LaMontagne, Lisa R  
**Sent:** Wednesday, June 01, 2016 6:33 PM  
**To:** Rickert, Jeffrey E <[REDACTED]@conejouisd.org>  
**Subject:** RE: Questions re: Music

Hello Jeff,

I have compiled my sources of music for you:

I choose Pandora channels with meditation music.

Recently subscribed to iMusic and choose meditation radio.

Pull from U-tube sometimes too.

I changed it up all year.

Songs I can name that I believe I have played this school year include:

Beth Quist's song called Ritual from the album Shall We Dance 8:26

Mirabai Celba's songs called Aja Alai and Ante from the album Ocean 10:51

Terry Oldfield's song called Aum from the album Yoga Harmony 6:36

Ayub Ogada's song called Kothbiro from the album En Mana Kuoyo 5:33

Maneesh de Moor's song called Om from the album Signatures on Water Piano Meditation Music

Hope that helps.

Warmly,  
Lisa

---

**From:** Rickert, Jeffrey E  
**Sent:** Wednesday, June 01, 2016 2:30 PM  
**To:** LaMontagne, Lisa R  
**Subject:** Questions re: Music

Hi Lisa,

I meant to send this to you earlier today but I have been in IEP meetings literally all day long. Would you please answer the following questions regarding the music you usually play (with vocals in another language) during your meditation time with the kids? See below...

1. Title of the song?
2. The time length (duration) of the exact song played in class?
3. The name of the performing/composing artist?
4. The name of the compilation or album of the song that was played in class?
5. The format of which the specific song played in class? (CD, Mp3, iTunes, etc.)

I know you're busy but I would appreciate it if you can answer the questions above by the end of the day tomorrow. I'm assuming you know the answers or at least can access the info quickly since I believe it was part of your regular routine. If that's not the case, please let me know if you need more time.

Thank you!

Jeff

Jeff Rickert, Principal  
EARTHS Magnet School  
Environmental Academy of Research Technology and Earth Sciences  
Conejo Valley Unified School District  
Office: (805) 498-3686  
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**From:** Christina Abbott [mailto:██████████@gmail.com]

**Sent:** Wednesday, May 25, 2016 7:11 AM

**To:** Rickert, Jeffrey E <██████████@conejousd.org>

**Subject:** Re: Please confirm receipt of email::Re: Please Respond::Fwd: Mrs. LaMontagne Rice experiment::Fwd: Science project::Re: Future Teacher

One more point -

I had to undo the teachings that ██████████ apparently learned that "water absorbs or takes on the characteristics/features/feelings of the things that it comes into contact with and remembers and modifies its form to adapt to its surroundings."

This might be something you want to undo with the class as well.

I look forward to your call. I would like ██████████ at school when you address the class. Please also help to ensure that this will not have any impact on ██████████ or our family or strain the relationship with the teacher. We just want the spiritual - power of water- teaching to cease.

Thanks!

Sent from my iPhone

On May 24, 2016, at 9:09 PM, Rickert, Jeffrey E <██████████@conejousd.org> wrote:

I'm sorry, I realized I did not mention the complaint procedure. You can write a formal letter addressed to me stating your full complaint. I will address this entire issue with Ms. LaMontagne tomorrow morning regardless as I am equally concerned by all of this. However, upon receipt of your formal complaint the issue will be addressed once again in a formal manner and your letter will be placed in her file here at school.

I will be speaking with Ms. LaMontagne before school but I have a meeting immediately afterwards. Therefore, I will have to call you later in the morning with an update after my conversation with her.

I'll be in touch tomorrow.

Jeff

Sent from my iPhone - Please excuse typos.

**From:** Rickert, Jeffrey E

**Sent:** Tuesday, May 24, 2016 8:54 PM

To: Christina Abbott <[REDACTED]@gmail.com>  
Cc: Mark Abbott <[REDACTED]@me.com>  
Subject: Re: Please confirm receipt of email::Re: Please Respond::Fwd: Mrs. LaMontagne Rice-  
experiment::Fwd: Science project::Re: Future Teacher

Good evening,

Yes, I just read this email and I am so sorry things have progressed like this. As I said to you in person this afternoon, I will be addressing this issue with Ms. LaMontagne again tomorrow morning and it will all end immediately.

I will excuse [REDACTED] absence tomorrow and am sorry things have rise to the point to where you feel you need to keep her home.

Again, I will be talking to Ms. LaMontagne before school tomorrow morning.

Jeff

Sent from my iPhone - Please excuse typos.

On May 24, 2016, at 7:17 PM, Christina Abbott <[REDACTED]@gmail.com> wrote:

Hi Mr. Rickert,

I should have kept [REDACTED] home today. I am angry that the class watched the rest of the video on Mr. Emoto this afternoon and that this wasn't resolved sooner. This issue really needed to be prioritized and addressed sooner. I got another earful after I picked up [REDACTED] after we talked.

Below are some phrases/issues and quotes from [REDACTED]:

- teaching [REDACTED] that water is living
- teaching that water must be loved as if it has feelings.
- pure water can heal or has miraculous healing power
- people have the power to change water with positive energy and destroy it with negative

According to [REDACTED], The video showed a group of volunteers that prayed and sent positive thoughts to a jar of water and then the same group sent negative thoughts to a different jar of water. To yet another jar they blew meditation music at it. All the jars were tested and there were really big changes in each of the groups of water. She spoke about Mr. Emoto as if he is a great famous leader and should be revered. I have been corrected many times on how to pronounce his name! [REDACTED] said that when the teacher told the class that Mr. Emoto died in 2014, many kids in the class were very upset. Another experiment was with an overweight man with a "pink" spot seen on a colorful X-ray of his head. They also tested his blood under a microscope. He drank nature's pure water that was untouched by people for a month and lost weight, became healthy and was cured. [REDACTED] said that all of the interference that people have done to water by making dirty pipes that carry it into to our house has made it unhealthy and bad. The water we drink is dead water. We argued about the average lifespan of a human tonight because the video in class said that with pure water the average lifespan is

120 years. [REDACTED] is bothered by this because she said she doesn't want to die at age 65 because she is not drinking living water. I was really upset listening to the description of the video and I stopped to look it up. [REDACTED] confirmed that she watched the secret of water video. Link is here. The class watched the full length video. The 3 different trailers were enough for me to be very disturbed. I'm not sure if the full video is on the website. There is also a strange symbol that [REDACTED] also seemed to connect with from the video trailer. This is clearly crossed the line and indoctrinating my child.

<http://secretofwaterthemovie.com/>

Now that she has watched the full video this issue is much more serious to us and there has been harm done to [REDACTED]. I would like to document my complaint more formally with the school. Please let me know what the proper procedure is for this.

I am not going to bring [REDACTED] to school tomorrow until you have confirmed that the issue has been resolved and the experiment removed from the class.

I look forward to your phone call indicating when I can bring her to school. I would like her to be there when you are addressing the class.

I know that the ridiculous experiment was going on around May 2nd and maybe earlier. The conflicts started around May 4th in our house as I began correcting [REDACTED] on the things she said she was learning about on this topic at school. I am with the New York Times reviewer of the video I found on the Internet "There's a whole lot of hogwash in 'Secret of Water,' a cheesy documentary stuffed full of pseudoscience masquerading as profound truth."

My number is 916-[REDACTED]

Thank you,  
Christina  
Sent from my iPhone

On May 23, 2016, at 10:27 PM, Christina Abbott <[REDACTED]@gmail.com> wrote:

Thank you for your email. I will send [REDACTED] to school. I truly don't want to impact her or cause any issues between her and her teacher. There are so many more important lessons to be learned in 4th grade and I'm so confused why so much attention has been given to voodoo science. It is very disappointing and something [REDACTED] will not be participating in anymore. Please contact me in the morning.

Thanks,  
Christina

Sent from my iPhone

From: Rickert, Jeffrey E  
Sent: Monday, May 23, 2016 6:40 PM  
To: Christina Abbott <[REDACTED]@gmail.com>



Subject: Re: Please Respond::Fwd: Mrs. LaMontagne Rice  
experiment::Fwd: Science project::Re: Future Teacher

Hi there,

I'm sorry I did not get a chance to call you back or respond to your email. I talked this through with Ms. LaMontagne as I said I would. The class is conducting the experiment with all controls of a true experiment. I'm looking forward to there being no difference between the specimens. I will also be addressing the class to ensure they know there are many sides to science and that many people do not believe this particular topic is science at all. I will tell them that true research is needed before accepting things like this as many have debunked the person they have been discussing.

That said, I did not know they were watching a documentary on the subject. I will be talking to Ms. LaMontagne again about this first thing tomorrow morning. My understanding after her and I spoke was that they were "toning things down" and simply performing the experiment, which as I told you I thought was the best way to address this, by effectively debunking this as a class.

Again, I apologize it took me this long to respond and that we even need to have this conversation. I will call you in the morning after school starts when I've had a chance to speak to both my Director and Ms. LaMontagne.

I hope you will rethink sending [REDACTED] to school tomorrow but I understand your reason and will excuse her absence if you choose to keep her home until this is finally resolved.

Jeff

Sent from my iPhone - Please excuse typos.

On May 23, 2016, at 5:18 PM, Christina Abbott  
<[REDACTED]@gmail.com> wrote:

Mr. Rickert,

I left you another VM. [REDACTED] watched a documentary today on the power of water that highlighted the rice experiment and Mr. Emoto. This is not science but spiritual teachings that don't belong in the classroom. I look forward to learning about any validated and scientifically accepted experimental data to prove me wrong if in fact you have changed your position from when we spoke about it on Friday May 13th.

I will keep [REDACTED] at home tomorrow. Please notify me when the nonsensical teachings have stopped and have been removed from

the classroom. It is a shame that [REDACTED] will now suffer the effects of this as it should have been resolved over a week ago.

Thank you,

Christina Abbott  
916-[REDACTED]

Sent from my iPhone

Begin forwarded message:

**From:** Christina Abbott <[REDACTED]@gmail.com>  
**Date:** May 20, 2016 at 5:31:27 PM PDT  
**To:** "Rickert, Jeffrey E" <[REDACTED]@conejousd.org>  
**Subject:** Re: Mrs. LaMontagne Rice experiment::Fwd: Science project::Re: Future Teacher

Hi Mr. Rickert,  
I left you some VMs this afternoon. [REDACTED] mentioned today that Mrs. LaMontagne is planning on repeating the rice water experiment before school is out and include another bucket of rice that will be ignored. As voiced before, this project is driven by an spiritual author with no scientific basis. [REDACTED] is already confused by the whole thing and I continue to have to undo the teachings of Mrs. LaMontagne and reiterate to [REDACTED] that water is not living. I do not want [REDACTED] involved with this experiment any longer and I expected the experiment to have been stopped early this week. Please let me know the next steps. I am prepared to have [REDACTED] stay home from school if the experiment continues.

Thank you,  
Christina Abbott

Sent from my iPhone

On May 13, 2016, at 11:46 AM, Rickert, Jeffrey E  
<[REDACTED]@conejousd.org> wrote:

Thank you!

Jeff Rickert, Principal  
EARTHS Magnet School  
Environmental Academy of Research Technology and Earth Sciences  
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**From:** Christina Abbott [mailto: [REDACTED]@gmail.com]  
**Sent:** Friday, May 13, 2016 11:41 AM  
**To:** Rickert, Jeffrey E < [REDACTED]@conejouisd.org>  
**Subject:** Mrs. LaMontagne Rice experiment::Fwd: Science project::Re: Future Teacher

Sent from my iPhone

Begin forwarded message:

**From:** "LaMontagne, Lisa R" < [REDACTED]@conejouisd.org>  
**Date:** May 9, 2016 at 10:37:23 AM PDT  
**To:** Christina Abbott < [REDACTED]@gmail.com>  
**Subject:** RE: Science project::Re: Future Teacher

Sure. Masaru Emoto's rice and water experiments are what we are replicating. You can go online and find children in Japan doing the same experiment. Have fun!!!!

Lisa

---

**From:** Christina Abbott [mailto: [REDACTED]@gmail.com]  
**Sent:** Wednesday, May 04, 2016 8:56 PM  
**To:** LaMontagne, Lisa R  
**Subject:** Science project::Re: Future Teacher

Hi Mrs. LaMontagne

Can you provide a little more information on the class science project? I wasn't understanding the water and rice experiment she was explaining.

Thanks,  
Christina  
Sent from my iPhone

# **EXHIBIT “E”**

**From:** Rickert, Jeffrey E

**Sent:** Friday, June 03, 2016 1:43 PM

**To:** 'Christina Abbott' [REDACTED]@gmail.com>; Mark Abbott <[REDACTED]@me.com>

**Subject:** Please check...

Dear Mr. and Mrs. Abbott,

I apologize in advance for the length of this email. However, I want to be sure you get a very clear picture of what is happening in the classroom. I looked into the meditation and yoga Ms. LaMontagne practices with her students. I will describe what meditation looks like first and then will describe yoga for you both.

**Meditation:**

- Students come in from lunch at or around 1:00 (Ms. LaMontagne says it's usually around 1:02 or 1:03 by the time the class is in the room completely and settled).
- While the students are seated at their desks with the lights out, a designated Line Leader comes to the front of the room and asks the students to place their hands by their sides or folded in their laps.
- Students are asked to take three cleansing breaths to channel or focus or direct their energy. She uses the three terms interchangeably. When I asked what she meant by those terms, Ms. LaMontagne said it simply means to focus and breathe in and exhale very deeply to calm their bodies down after coming into the room from recess. The kids exhale and say, "Haaaaa" simply to make sure they are exhaling through their mouths (which she has explained to the students). It's not any form of chanting.
- The Line Leader then asks the students to select square, rectangular, or trapezoid breaths.
  - Square Breaths: If you picture the four equal sides of a square, a square breath means they inhale for 4 seconds, hold it for 4 seconds, exhale for 4 seconds, and then hold it for 4 seconds.
  - Rectangular Breaths: The same breathing routine is true but the ratio would be inhaling for 6 seconds, holding it for 2, exhaling for 6 seconds, and holding it for 2. The actual numbers can vary but the ratio is the same.
  - Trapezoid Breaths: The same breathing routine is true except the ratio is 4 seconds, 2 seconds, 6 seconds, and 2 seconds.

- The students go through the "shape" routine for 3 or 4 times and then Ms. LaMontagne asks the Line Leader to sit down and join the other students.
- Ms. LaMontagne then puts music on as described in my other email and continues the same "shape" routine with the students until around 1:10 or so. Ms. LaMontagne is silent at this time so all that is heard in the room is the music.
- At that time, the Line Leader is called to the front of the room again to close by having the students take three more deep breaths as they did to begin.

Some teachers have their students silent read or draw to settle down after recess, others have kids stretch or do other types of active "cool down" activities. Ms. LaMontagne says the best way to prep her kids for the learning that needs to take place in the afternoon is to do the breathing exercises she described to me.

I can attest that I have seen this classroom "meditation" in practice from start to finish a few times this year and it does not seem to me like anything other than breathing exercises. I have directed Ms. LaMontagne to refer to the practice as "breathing exercises" to avoid any confusion with what true meditation is in a spiritual sense.

We also agreed that instrumental music will be used from now on, meaning without any vocals whatsoever in any language.

In addition, Ms. LaMontagne will use the term "deep" breaths instead of "cleansing" breaths to also avoid any confusion with what might be seen as anything spiritual in nature.

#### Yoga:

- Sometimes after students finish their meditation, which we're now calling breathing exercises, Ms. LaMontagne will often walk students through various stretches.
- She does refer to the stretches as "poses" but they only use the Tree pose, Thread the Needle pose, and Eagle pose.
  - Tree Pose: The best way to describe this is standing on one leg with the other bent in. Click here to see it but I have not found any sort of spirituality attached to this basic pose in the classroom: <http://www.yogabasics.com/asana/tree/>
  - Thread the Needle: For this pose they sit in their chair and twist their backs. It's what I used to do to stretch my back and "crack" my back before exercising (though I didn't know it was also a yoga move — I was just stretching). Click here to see it but in this picture she is laying down. In the classroom, the kids are sitting at their desks and twisting their backs: <http://www.yogabasics.com/asana/threading-the-needle/>
  - Eagle: This pose is what a lot of kids do on their own. Arms go out and twist up like you're putting your arms in a knot. Click here to see what I mean: <http://www.artofliving.org/us-en/yoga/yoga-postures/eagle-pose-garudasana>
  - Those are the only poses Ms. LaMontagne does with her students.

I have directed her to call the practice "stretching exercises" now and to refer to the poses as "stretches" to remove any doubt of a perceived potential connection to spirituality of any sort. Also, because this activity often comes after the breathing exercises, music is usually still playing. I made sure there will be no music changes. Anything played in the classroom for the breathing and/or stretching exercises in the future will still need to be solely instrumental.

I can also attest that I have seen the stretching exercises and nothing to me looks like anything that would include spirituality. It simply looks like stretching.

All of this being said, please know both practices have ended for the school year in Ms. LaMontagne's classroom. Please let me know if you have any other questions with regard to meditation or yoga in the classroom...or about anything else at all for that matter.

Thank you,

Jeff

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**From:** Rickert, Jeffrey E  
**Sent:** Friday, June 03, 2016 8:37 AM  
**To:** 'Christina Abbott' <[REDACTED]@gmail.com>  
**Subject:** RE: Checking in

Ok, thank you for clarifying. I'll track it down for you and will get back to you.

Jeff

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**From:** Christina Abbott [mailto:[REDACTED]@gmail.com]  
**Sent:** Friday, June 03, 2016 8:05 AM  
**To:** Rickert, Jeffrey E <[REDACTED]@conejousd.org>  
**Subject:** Re: Checking in

[REDACTED] said it was a black notebook that was her journal that she used to record what she learned about magnets and record her daily writing assignment when the rice experiment was taking place. She has not written about the experiment since it has stopped. She said it was called her energy journal.

Thanks!

Sent from my iPhone

On Jun 3, 2016, at 7:40 AM, Rickert, Jeffrey E <[REDACTED]@conejousd.org> wrote:

Good morning,

I will see if I can locate the journal for you. When you say she wrote about the rice experiment, I assume you meant before I put a stop to the activity, correct? I just want to be sure there was no writing (or anything else for that matter) since things were brought to a halt last week.

Again, I'll check on the journal and will let you know.



Jeff

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From: Christina Abbott [mailto: [REDACTED]@gmail.com]  
Sent: Thursday, June 02, 2016 10:14 PM  
To: Rickert, Jeffrey E < [REDACTED]@conejousd.org>  
Cc: Mark Abbott < [REDACTED]@me.com>  
Subject: Re: Checking in

Hi Mr. Rickert,

Thanks for the information about the music.

One more thing..... [REDACTED] told us she wrote about the rice experiment in her journal at school. She said she had the journal last Friday at school and meant to bring it home but forgot. She said when she looked for it in her desk Tuesday the journal was not there. I helped her look in her desk on Wednesday after school and we still didn't see it. Can you please help us to locate the journal. It is her energy journal. She also wanted to show me some fun work she did on magnets that is in that journal. We want to review all of her work.

Thanks,  
Christina

Sent from my iPhone

On Jun 2, 2016, at 1:19 PM, Rickert, Jeffrey E < [REDACTED]@conejousd.org> wrote:

Good afternoon,

I have answers to the questions you asked about the music that was played in Ms. LaMontagne's classroom. I copied your questions with the responses below.

1. Title of the song? It might be hard to nail down one particular song. Ms. LaMontagne informed me she uses "Pandora channels with meditation music" and that she has subscribed to iMusic and chooses "meditation radio" to play. She also stated she uses music from YouTube, as well. Song titles she's used a few times are below along with answers to questions 2, 3, and 4
2. The time length (duration) of the exact song played in class?
3. The name of the performing/composing artist and any published associated artists of the exact song played in class?
4. The name of the compilation or album of the song that was played in class?

From Ms. LaMontagne:

"Songs I can name that I believe I have played this school year include:

Beth Quist's song called Ritual from the album Shall We Dance 8:26

Mirabai Ceiba's songs called Ajai Alai and Ante from the album Ocean 10:51

Terry Oldfield's song called Aum from the album Yoga Harmony 6:36

Ayub Ogada's song called Kothbro from the album En Mana Kuoyo 5:33

Maneesh de Moor's song called Om from the album Signatures on Water Piano  
Meditation Music"

5. The format of which the specific song played in class? (Record, Tape, CD, Mp3, Mp4, iTunes, etc.) The formats she said she used include YouTube via her computer speakers (only the music, not videos) and she plugged her phone into the same speakers.

I know some of the answers are not as detailed as you might like but Ms. LaMontagne said her answers were to the best of her knowledge.

Please let me know if you have more questions.

Jeff

Jeff Rickert, Principal

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From: Rickert, Jeffrey E

Sent: Wednesday, June 01, 2016 7:24 AM

To: 'Christina Abbott' <[REDACTED]@gmail.com>

Cc: Mark Abbott <[REDACTED]@me.com>

Subject: RE: Checking in

Good morning,

I was not aware Ms. LaMontagne was suggesting kids meditate at home. I will address that first thing this morning. As far as your questions regarding the music that was played during their meditation time in class, I will get answers for you as soon as possible.

Jeff

Jeff Rickert, Principal

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