

# LUJAN & WOLFF LLP

ATTORNEYS AT LAW

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**\*\*\*\*\*PRESS RELEASE\*\*\*\*\***

## **STATEMENT**

Attorney David Lujan, on behalf of Superintendent Jon Fernandez, issued the following statement today:

“Superintendent Fernandez has been patient and cooperative despite the unfair process by which he was terminated and despite the numerous and one-sided leaks of information to the media,” said Lujan. “However, it is clear that due process has been ignored and that Mr. Fernandez was terminated without a fair opportunity to be presented with the allegations made against him and to defend himself. This is in violation of his contract and of basic fairness.”

“Mr. Gumataotao has made himself readily available to reporters throughout this process to confirm information contained in his confidential investigation report as well as in his confidential bill of particulars. It is deplorable that he would do so even before Mr. Fernandez had a chance to receive and review this sensitive information,” said Lujan. “Board members themselves have claimed to have been left in the dark as they claim not to have reviewed or approved the bill of particulars. Mr. Fernandez has a contract with the board, not Mr. Gumataotao.”

“I demand that the board regain control of its legal counsel, fulfill its responsibilities as a board in reviewing and approving substantive matters being sent in its name, and ending this witch hunt which started as an allegation made by a student almost five months ago, which has yet to be substantiated or resolved,” said Lujan. “Instead of addressing this immediate Title IX allegation, which we believe to be built on false accusations and a conspiracy by several individuals to obtain several benefits from the board and superintendent, Mr. Gumataotao has spent more of his time trying to find other ways and other excuses to substantiate the illegal and unfair termination of Mr. Fernandez.”

“When the time comes, we look forward to answering any allegations made against Mr. Fernandez and clearing his name,” said Lujan. “However, the way this process has gone, this board has already denied Mr. Fernandez due process, which means a fair and impartial opportunity to defend his name and his performance has been lost.”

“Guam’s public schools have improved under Mr. Fernandez’s watch, which was substantiated in several performance evaluations by this board and by their unanimous approval to renew his contract this past March,” said Lujan. “He should be reinstated as soon as possible so he can get back to work ensuring that we continue the progress for our school children, teachers and parents.”