

**CHICO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION**

**Special Session**

**Wednesday, April 6, 2011**

**6:00 p.m. Open Session**

**Pleasant Valley High School, Library**

**1475 East Avenue, Chico, CA 95926**

**AGENDA**

- 6:00pm** 1. **CALL TO ORDER**
2. **CONSENT CALENDAR**
- 2.1. EDUCATIONAL SERVICES
- 2.1.1. Consider Expulsion Clearance of Students with the Following IDs: 36867, 38987, 39184, 39831, 40346, 40600, 42161, 43097, 43602, 51382, 51508, 58855, 58953, 59572, 61498, 63101, 66113
- 2.1.2. Consider Expulsion of Students with the Following IDs: 44078, 56153, 68077
- 2.1.3. Consider Approval of the Field Trip Request for 8<sup>th</sup> Grade Peer Mediators to Visit with Holocaust Survivors in Mendocino, CA from 4/10/11-4/11/11
3. **DISCUSSION/ACTION CALENDAR**
- 3.1. EDUCATIONAL SERVICES
- 6: 05pm** 3.1.1. Information: Update on Progress of CUSD Elementary Schools (Joanne Parsley) **(60 minutes)**
- 7:05pm** 3.1.2. Discussion/Action: The Blue Oak School Charter Petition (John Bohannon) **(60 minutes)**
- 3.2. BOARD
- 8:05pm** 3.2.1. Discussion/Action: Development of 2011-2012 CUSD Board Goals (Kelly Staley) **(60 minutes)**
- 9:05pm** 4. **CLOSED SESSION**
- 4.1. Conference with Legal Counsel  
Anticipated Litigation  
Significant exposure to litigation pursuant to Government Code Section 54954.5(b)
- 4.2. Update on Labor Negotiations  
Employee Organizations:  
  
Representatives:
- Attending:  
Kelly Staley, Superintendent  
Bob Feaster, Asst. Superintendent  
Maureen Fitzgerald, Asst. Superintendent  
Paul Gant, Attorney at Law
- CUTA  
CSEA, Chapter #110  
Kelly Staley, Superintendent  
Bob Feaster, Assistant Superintendent  
Maureen Fitzgerald, Asst. Superintendent
5. **ADJOURNMENT**

Kathleen Kaiser, President  
Board of Education  
Chico Unified School District

The Chico Unified School District Board of Education welcomes you to this meeting and invites you to participate in matters before the Board.

**INFORMATION, PROCEDURES AND CONDUCT  
OF CUSD BOARD OF EDUCATION MEETINGS**

***No disturbance or willful interruption of any Board meeting shall be permitted. Persistence by an individual or group shall be grounds for the Chair to terminate the privilege of addressing the meeting. The Board may remove disruptive individuals and order the room cleared, if necessary. In this case, further Board proceedings shall concern only matters appearing on the agenda.***

**CONSENT CALENDAR**

The items listed on the Consent Calendar may be approved by the Board in one action. However, in accordance with law, the public has a right to comment on any consent item. At the request of a member of the Board, any item on the consent agenda shall be removed and given individual consideration for action as a regular agenda item. Board Bylaw 9322.

**STUDENT PARTICIPATION**

At the discretion of the Board President, student speakers may be given priority to address items to the Board.

**PUBLIC PARTICIPATION FOR ITEMS ON THE AGENDA (Regular and Special Board Meetings)**

The Board shall give members of the public an opportunity to address the Board either before or during the Board's consideration of each item of business to be discussed at regular or special meetings.

- Speakers will identify themselves and will direct their comments to the Board.
- Each speaker will be allowed three (3) minutes to address the Board.
- In case of numerous requests to address the same item, the Board may select representatives to speak on each side of the item.

**PUBLIC PARTICIPATION FOR ITEMS NOT ON THE AGENDA (Regular Board Meetings only)**

The Board shall not take action or enter into discussion or dialog on any matter that is not on the meeting agenda, except as allowed by law. (Government Code 54954.2) Items brought forth at this part of the meeting may be referred to the Superintendent or designee or the Board may take the item under advisement. The matter may be placed on the agenda of a subsequent meeting for discussion or action by the Board.

- Public comments for items not on the agenda will be limited to one hour in duration (15 minutes at the beginning of the meeting and 45 minutes at the end of the meeting).
- Initially, each general topic will be limited to 3 speakers.
- Speakers will identify themselves and will direct their comments to the Chair.
- Each speaker will be given three (3) minutes to address the Board.
- Once 2 speakers have shared a similar viewpoint, the Chair will ask for a differing viewpoint. If no other viewpoint is represented then a 3<sup>rd</sup> speaker may present.
- Speakers will not be allowed to yield their time to other speakers.
- After all topics have been heard, the remainder of the hour may be used by additional speakers to address a previously raised issue.

**WRITTEN MATERIAL:**

The Board is unable to read written materials presented during the meeting. If any person intends to appear before the Board with written materials, they should be delivered to the Superintendent's Office or delivered via e-mail to the Board and Superintendent 10 days prior to the meeting date.

**COPIES OF AGENDAS AND RELATED MATERIALS:**

- Available at the meeting
- Available on the website: [www.chicousd.org](http://www.chicousd.org)
- Available for inspection in the Superintendent's Office prior to the meeting
- Copies may be obtained after payment of applicable copy fees

**AMERICANS WITH DISABILITIES ACT**

Please contact the Superintendent's Office at 891-3000 ext. 149 should you require a disability-related modification or accommodation in order to participate in the meeting. This request should be received at least 48 hours prior to the meeting in order to accommodate your request.

Pursuant to Government Code 54957.5, If documents are distributed to board members concerning an agenda item within 72 hours of a regular board meeting, at the same time the documents will be made available for public inspection at the Chico Unified School District, Superintendent's Office located at 1163 East Seventh Street, Chico, CA 95928 or may be viewed on the website: [www.chicousd.org](http://www.chicousd.org).

AGENDA ITEM: MJHS Peer Mediators Field Trip

Prepared by: Jay Marchant, MJHS Principal / Pam Bodnar, MJHS Counselor

Consent

Board Date April 6, 2011

Information Only

Discussion/Action

**Background Information**

Fourth Annual MJHS Peer Mediators (8<sup>th</sup> graders) visit to Holocaust survivors, Monique and Jay Frankston, in Little River, CA (Mendocino County) to supplement mediation curriculum.

**Educational Implications**

Culminating event for Peer Mediator studies related to social justice and tolerance, Holocaust witnesses/survivors' stories provide a personal and emotional connection for students between historical events and the impact of their lives. Promotes acceptance and understanding.

**Fiscal Implications**

No impact on general funds. Costs are covered through fundraising efforts. Parents/guardians and presenters have graciously volunteered and donated their time for the project.

**Additional Information**

Depart Sunday, April 9 at 8:30 a.m. Return Monday, April 10 approximately 5:00 p.m. Overnight accommodations at Franston home. Parents and staff will drive private vehicles with a 4:1 student/chaperone ratio.

CHICO UNIFIED SCHOOL DISTRICT

1163 East Seventh Street  
Chico, CA 95928-5999  
(530) 891-3000

FIELD TRIP REQUEST

TO: CUSD Board of Education Date: March 11, 2011  
FROM: Pam Bodnar School/Dept.: MJHS Counseling Department  
SUBJECT: Field Trip Request

Request is for 8th Grade Peer Mediators at Marsh Junior High School  
(grade/class/group)

Destination: Mendocino, CA Activity: Visit w/Holocaust Survivors

from Sunday April 10/ 8:30 a.m. to Monday April 11/ 6:00 p.m.  
(dates) / (times) (dates) / (times)

Rationale for Trip: Culminating event of our studies of social injustice and a  
call for action. Our theme this year is to "spread the word" throughout  
our school and community.

Number of Students Attending: 14 Teachers Attending: 1 Parents Attending: 4

Student/Adult Ratio: 4:1

Transportation: Private Cars X CUSD Bus Charter Bus Name  
Other:

All requests for bus or charter transportation must go through the transportation department - NO  
EXCEPTIONS.

ESTIMATED EXPENSES:

Fees \$ -0- Substitute Costs \$ -0- Meals \$ Donations  
Lodging \$ -0- Transportation \$ Donations Other Costs \$ -0-

ACCOUNT NAME(S), NUMBER(S) and AMOUNT(S):

Name Peer Mediators (ASB) Acct. #: 01-0000-0-1232-1000-070 \$  
(534)  
Name Acct. #: \$

Requesting Party

Date 3/11/11

Site Principal

Date 3/11/11

Approve/Minor  Do not Approve/Minor  
or  
 Recommend/Major  Not Recommended/Major  
(If transporting by bus or Charter)

Director of Transportation

Date

IF MAJOR FIELD TRIP

Director of Educational Services

Date 3-22-11

Recommend  Not Recommended  
 Approved  Not Approved

Board Action

Date

PROPOSED AGENDA ITEM: Update on Progress of CUSD Elementary Schools

Prepared by: Joanne Parsley, Director Curriculum and Instruction

Consent

Board Date April 6, 2011

Information Only

Discussion/Action

**Background Information**

Six CUSD Elementary Schools presented Information regarding their site elementary programs and practices on February 2, 2011. The remaining six CUSD Elementary Schools will update the Board this evening regarding programs and practices in use on their sites.

**Educational Implications**

The programs and practices of our elementary schools help meet the needs of students as we seek to continually improve student learning.

**Fiscal Implications**

n/a

AGENDA ITEM: **The Blue Oak School Charter Petition**

Prepared by: **John Bohannon, Charter School Liaison**

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- Consent
- Information Only
- Discussion/Action

**Board Date:** April 6, 2011

**Background Information**

The Blue Oak Charter School was originally denied by the Chico Unified Board of Education ten years ago. Blue Oak appealed and was chartered by the Butte County Office of Education (BCOE). The Charter was renewed by Butte County Board of Education in 2006. Charter Petitions receive a five-year renewal when they are approved for renewal. Blue Oak petitioned BCOE for another renewal this fall as the charter is set to expire June 30, 2011. Citing a lack of academic achievement, concerns about special education funds being inappropriately used, Brown Act concerns and continual turnover of leadership, the Butte County Board of Education denied the petition for renewal.

The statutory rights for Blue Oak were to appeal the Butte County Board's decision to the State Board of Education. Instead, the Blue Oak petitioners made the decision to petition Chico Unified on February 2, 2011, to authorize The Blue Oak School as a new charter.

The CUSD Board of Education held a public hearing as required by the California Education Code on February, 16, 2011. By mutual agreement the 60-day period for CUSD to make a decision to approve or deny the Blue Oak decision was extended to allow time for members of the CUSD Charter Committee to visit the school.

Now the Charter Committee will provide the CUSD Board Of Education with two options:

**Option A** – Adopt the attached resolution denying the Blue Oak Charter petition using the following California Education Code reasons for denial:

- 1.) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- 2.) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- 3.) The petition does not contain reasonably comprehensive descriptions of all of the criteria set forth in Education Code section 47605 (b)(5)(A)-(Q).

**Option B** – Adopt the attached resolution for a two-year approval with the stipulations as addressed in the resolution.

**Educational Implications**

Blue Oak is petitioning to continue to offer Chico students a Waldorf Method educational option.

**Fiscal Implications**

Blue Oak is petitioning as an independent charter, meaning the funds for Chico Unified students choosing this charter will leave CUSD and flow to Blue Oak.

**OPTION A**

**Resolution 1142-11**

**RESOLUTION OF THE GOVERNING BOARD  
OF THE CHICO UNIFIED SCHOOL DISTRICT  
DENYING PETITION TO FORM THE BLUE OAK CHARTER SCHOOL AND  
WRITTEN FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, by enacting the Charter Schools Act (Ed. Code §§ 47600, *et seq.*), the Legislature has declared its intent to provide opportunities to teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure for the purposes specified therein; and

**WHEREAS**, the Legislature has declared its intent that charter schools are and should become an integral part of the California educational system and the establishment of charter schools should be encouraged, and that charter schools are part of and under the jurisdiction of the Public School System and the exclusive control of the officers of the public schools; and

**WHEREAS**, although charter schools are exempt from many of the laws governing school districts, in return for that flexibility they are accountable for complying with the terms of their charters and applicable law; and

**WHEREAS**, Education Code section 47605(b) charges school district governing boards with the responsibility of reviewing charter petitions to determine whether they meet the legal requirements for a successful charter petition; and

**WHEREAS**, a successful charter petition must contain reasonably comprehensive descriptions of the criteria set forth in Education Code section 47605(b)(5)(A)-(Q), as well as the affirmations and other requirements set forth in Education Code section 47605; and

**WHEREAS**, a governing board may deny a petition to form a charter school if it makes written findings to support any of the following under Education Code section 47605(b): “(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school; (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; (3) The petition does not contain the number of signatures required by [the statute]; (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d); and (5) The petition does not contain reasonably comprehensive descriptions of all of the [criteria set forth in Education Code section 47605(b)(5)(A)-(Q).]”; and

**WHEREAS**, on or about February 1, 2011, the Chico Unified School District received a petition to form the Blue Oak Charter School, a public charter school to serve grades Kindergarten through Eight, with an enrollment of 408 students, growing to 478 in five years; and

**WHEREAS**, the Blue Oak Charter School has been operating as a charter school sponsored by the Butte County Office of Education (BCOE) since the 2001-2002 school year; and

**WHEREAS**, in December 2010, Blue Oak submitted a petition for renewal of its charter, which expired in June 2011, to BCOE. At its January 10, 2011, meeting, the Butte County Board of Education voted to deny Blue Oak’s petition for renewal. Blue Oak subsequently submitted its charter petition to the District in February 2011; and

**WHEREAS**, the Board of Education, under Education Code section 47605(b), is obligated to take action to grant or deny the Petition within 60 days of its submission; and

**WHEREAS**, the Board of Education may take into account the petitioners’ “past history of involvement in charter schools,” in determining whether the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition (5 C.C.R. section 11969.5.1(c)(1)); and

**WHEREAS**, the District provided a written summary of its concerns with the Charter Petition to the Petitioners, and provided the Petitioners an opportunity to respond to those concerns in writing before the Board meeting;

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** by the Governing Board of the Chico Unified School District that the Petition be DENIED based on the findings enumerated below:

1. Blue Oak’s academic performance demonstrates that the charter school has an unsound educational program. Blue Oak’s Growth API remains below the District average, and below the performance of most District schools, since 2005. (*See*, 2008 Base API Report, Exhibit A) In every year since 2005, Blue Oak’s Base API score has fallen below the District average, as well as most of the District’s schools serving the same grade levels:

**2010 Growth API Report**

	2010	2009	2008	2007	2006
<b>CUSD</b>	789	781	770	758	754
<b>Blue Oak</b>	732	674	727	705	673
<b>Neal Dow</b>	781	804	815	778	781
<b>Little Chico Creek</b>	797	817	805	814	789

2. Blue Oak also has failed to consistently perform commensurate with District schools serving a similar demographic population to that claimed by Blue Oak. Neal Dow, Emma Wilson, Hooker Oak, and Little Chico Creek have outperformed Blue Oak in every year since 2005 in Base and Growth API scores. Chapman has outperformed Blue Oak in 5-year API growth by 75 to 61 points.

3. Blue Oak has never met or exceeded the District average proficiency rate (proficient or above) in the CST’s in either ELA or Math, and in fact never met the 50% threshold for proficiency in any area or any year:

	2010 ELA	2009 ELA	2008 ELA	2007 ELA	2006 ELA
<b>CUSD (gr.2-8)</b>	53.5%	53.5%	49.9%	49.0%	48.1%
<b>Blue Oak</b>	46.1%	41.0%	42.9%	43.8%	35.3%
<b>Neal Dow</b>	53.7%	54.4%	54.1%	49.5%	50.8%
<b>LCC</b>	52.7%	63.4%	53.1%	52.2%	52.7%



	2010 Math	2009 Math	2008 Math	2007 Math	2006 Math
<b>CUSD (gr.2-8)</b>	52.7%	56.0%	53.3%	52.1	53.5%
<b>Blue Oak</b>	31.6%	27.0%	22.1%	20.5%	25.5%
<b>Neal Dow</b>	49.8%	64.8%	55.7%	56.6%	55.0%
<b>LCC</b>	47.8%	56.6%	55.9%	55.8%	50.6%

In fact, although Blue Oak met or exceeded the proficiency rate for a few District schools in ELA, in some limited instances, since 2006, it failed to meet or exceed the proficiency rate for Math in *any* District school since 2006. (See, Exhibit B)

4. When disaggregated by Caucasian students, Blue Oak’s proficiency rates were well below District averages for 2006-2010:

	2010 ELA	2009 ELA	2008 ELA	2007 ELA	2006 ELA
<b>CUSD</b>	63.3%	63.3%	59.2%	57.7%	57.4%
<b>Blue Oak</b>	47.5%	41.9%	41.4%	42.6%	42.5%
<b>Neal Dow</b>	56.3%	60.6%	55.5%	51.5%	54.5%
<b>LCC</b>	62.0%	69.1%	56.2%	57.4%	56.5%

	2010 Math	2009 Math	2008 Math	2007 Math	2006 Math
<b>CUSD</b>	60.5%	63.9%	60.6%	59.1%	61.4%
<b>Blue Oak</b>	35.3%	28.0%	18.6%	19.7%	25.0%
<b>Neal Dow</b>	53.9%	69.7%	57.3%	58.3%	59.0%
<b>LCC</b>	56.5%	59.6%	59.7%	60.9%	52.7%

In fact, Blue Oak met or exceeded the proficiency rates for District schools in ELA with much less frequency in this demographic than for all students, and, again, never met or exceeded the performance of any District school in math, and never met the 50% threshold, from 2006-2010. (See, Exhibit C)

5. The pattern continues when the proficiency rates are disaggregated for low-SES students.

	2010 ELA	2009 ELA	2008 ELA	2007 ELA	2006 ELA
<b>CUSD</b>	36.8%	37.6%	33.0%	31.9%	30.1%
<b>Blue Oak</b>	31.7%	15.0%	33.0%	N/A	N/A
<b>Neal Dow</b>	42.0%	41.3%	42.5%	40.6%	38.7%
<b>LCC</b>	37.3%	50.8%	40.7%	44.9%	41.1%

	2010 Math	2009 Math	2008 Math	2007 Math	2006 Math
<b>CUSD</b>	37.8%	43.4%	39.5%	38.2%	38.1%
<b>Blue Oak</b>	28.3%	15.0%	25.0%	N/A	N/A
<b>Neal Dow</b>	36.4%	54.3%	43.8%	46.2%	43.5%
<b>LCC</b>	34.8%	47.7%	45.8%	44.6%	41.9%

Though there are some limited instances when Blue Oak’s proficiency rate met or exceeded that of a District school, in this demographic as well, Blue Oak’s performance was consistently below that of District schools. (See, Exhibit D)

6. Blue Oak's API decile ranking fell from 3 to 1 in 2009. (See, Exhibit E)

7. Despite the school's poor academic performance, the academic program submitted in the petition to CUSD was nearly identical to that submitted on appeal to the BCOE (with the exception of special education, which was revised to reflect the status the school would assume as a "school of the District" were it to be chartered by the district.) Given the school's academic performance, it is inexplicable why the Petitioners would submit the identical educational program in its petition. The two-page "Program Improvement Plan" submitted as Attachment 5 does not contain a reasonably comprehensive description of a modified educational program, instructional strategies, or intervention measures required to substantially turn around the school's performance. The school's performance would require a significant overhaul in these areas, and the measures identified in the "Program Improvement Plan" do not constitute sufficiently rigorous changes to the school's instructional methodologies, instructional materials or assessment measures to warrant granting of the charter.

8. The District hereby incorporates by reference the findings of the BCOE, dated January 13, 2011, supporting denial of Blue Oak's appeal. (See, Exhibit F) Among BCOE's findings, in addition to the school's inadequate academic performance, were findings that Blue Oak did not meet its obligations in providing special education services, including assessments, to its students, and that the school misspent special education funding on unauthorized uses. Included in exhibit F is a letter from BCOE Administrator of Charter Schools Alison Watson to Blue Oak requiring Blue Oak to reimburse BCOE \$188,375.36 used inappropriately.

9. The Petition's governance section contains the following deficiencies:

a. The governance section contains only a one-sentence provision calling for board members to recuse themselves from any matter in which they have a conflict of interest. (Petition, p. 60). The Petition lacks a reasonably comprehensive description of what legal standards would be used to determine a conflict of interest, and fails to commit that board members will comply with the terms of Government Code 1090, and other requirements applicable to public officials. (The "Affirmations" section of the Petition (p. 8) does state that the Charter School will comply with the Political Reform Act.);

b. Article VII, Section 4 of the bylaws, allowing no more than 49% of board members to be interested persons (i.e., persons with a financial interest in Board transactions), as well as Article X, are inconsistent with applicable conflict of interest laws. Government Code 1090 would prohibit the Board from even entering into a contract in which a single member has a defined financial interest.

c. Section 12 of the bylaws also permits the board to meet "any place within California," though the Board should meet within the jurisdiction of the school district, consistent with the Brown Act, which applies to the Charter Council.

d. Article VII, Section 24's provision that "[n]o Council member shall be personally liable for the debts, liabilities and other obligations of the corporation" is inconsistent with the potential liability of public officials.

10. The Petition's Dispute Resolution procedure fails to contain the required statement that the procedure will not apply to disputes potentially leading to revocation of the charter. (5 C.C.R. section 11969.5.1(f)(14)(D)) (Petition, pp. 66-67.) The statement that the District shall not

intervene in a dispute unless it “directly relates to one of the reasons specified in law for which a charter may be revoked” is overboard and impermissibly restricts the District’s oversight duties. (Petition, p. 66)

11. It is noteworthy that the Petitioners chose to recommence the charter petition process with the District, as opposed to exhausting their statutory appeals from the BCOE’s denial to the State Board of Education under Education Code section 47605(j)(1). The Petitioners’ attempt to recast this submission as a “change in authorizer,” though this facile description evades the question of why the Petitioners did not choose to appeal BCOE’s denial to the State Board, and Petitioners do not provide any explanation for this procedural tactic.

The Board hereby finds that, under Education Code section 47605(b):

- (1) The Petitioners are demonstrably unlikely to successfully implement the program set forth in the Petition;
- (2) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
- (3) The Petition does not contain reasonably comprehensive descriptions of all of the criteria set forth in Education Code section 47605(b)(5)(A)-(Q).

The Board is therefore compelled to deny the Petition under the provisions of the Charter Schools Act. The Petition is hereby denied.

**PASSED AND ADOPTED** on April 6, 2011, by the Governing Board of the Chico Unified School District by the following vote:

**AYES:**  
**NOES:**  
**ABSTENTIONS:**  
**ABSENCES:**

I declare under penalty of perjury that the foregoing resolution was duly passed and adopted on the date and by the vote stated.

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Secretary of the Governing Board for  
CHICO UNIFIED SCHOOL DISTRICT

# EXHIBIT A

## 2008 Base API Report

	2010		2009		2008		2007		2006		2005			
	Growth API	Base API	Growth API	Base API	Growth API	Base API	Growth API	Base API	Growth API	Base API	Growth API	Base API		
Chico Unified	789	778	11	781	771	10	770	758	12	758	-1	754	748	6
Chapman	712	701	11	701	686	15	687	670	17	674	21	655	644	11
Citrus	720	724	-4	730	734	-4	744	700	44	703	-4	702	723	-21
Emma Wilson	792	800	-8	802	791	11	797	784	13	776	8	768	777	-9
Hooker Oak	786	821	-35	823	813	10	818	791	27	793	-25	820	799	21
LCC	797	816	-19	817	803	14	805	810	-5	814	27	789	789	0
Marigold	843	829	14	832	832	0	836	833	3	835	8	830	807	23
McManus	721	740	-19	744	731	13	731	726	5	707	-25	728	710	18
Neal Dow	781	802	-21	804	802	2	815	776	39	778	-1	781	789	-8
Parkview	749	713	36	714	717	-3	719	726	-7	722	-5	728	732	-4
Rosedale	738	729	9	730	739	-9	736	672	64	675	1	672	666	6
Shasta	848	871	-23	873	866	7	869	871	-2	873	1	874	851	23
Sierra View	868	847	21	848	850	-2	850	819	31	824	-21	847	851	-4
Blue Oak	732	674	58	674	722	-48	727	705	22	705	34	673	676	-5

# EXHIBIT B

## Math/ELA Proficiency Rates: All Students

	2010 ELA		2009 ELA		2008 ELA		2007 ELA		2006 ELA		2010 Math		2009 Math		2008 Math		2007 Math		2006 Math			
	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv		
All Students	53.5%	53.5%	49.9%	49.0%	48.1%	48.1%	48.1%	52.7%	56.0%	53.3%	52.1%	52.7%	56.0%	53.3%	52.1%	52.7%	56.0%	53.3%	52.1%	52.7%	56.0%	
Chico Unified	33.6%	22.9%	19.9%	24.8%	17.9%	17.9%	17.9%	41.0%	39.9%	40.0%	36.4%	41.0%	39.9%	40.0%	36.4%	41.0%	39.9%	40.0%	36.4%	41.0%	39.9%	
Chapman	37.9%	40.8%	35.1%	27.4%	27.6%	27.6%	27.6%	41.4%	43.3%	48.8%	43.0%	41.4%	43.3%	48.8%	43.0%	41.4%	43.3%	48.8%	43.0%	41.4%	43.3%	
Citrus	50.6%	54.2%	52.9%	48.0%	46.6%	46.6%	46.6%	55.5%	58.0%	55.2%	54.3%	55.5%	58.0%	55.2%	54.3%	55.5%	58.0%	55.2%	54.3%	55.5%	58.0%	
Emma Wilson	56.3%	59.3%	60.6%	56.8%	56.0%	56.0%	56.0%	46.1%	56.2%	53.9%	45.4%	46.1%	56.2%	53.9%	45.4%	46.1%	56.2%	53.9%	45.4%	46.1%	56.2%	
Hooker Oak	53.4%	63.2%	53.4%	54.7%	52.7%	52.7%	52.7%	48.2%	56.6%	55.9%	55.8%	48.2%	56.6%	55.9%	55.8%	48.2%	56.6%	55.9%	55.8%	48.2%	56.6%	
LCC	67.4%	64.6%	60.9%	62.2%	61.0%	61.0%	61.0%	65.6%	61.6%	60.9%	63.4%	65.6%	61.6%	60.9%	63.4%	65.6%	61.6%	60.9%	63.4%	65.6%	61.6%	
Marigold	38.0%	46.2%	34.3%	35.6%	39.2%	39.2%	39.2%	38.4%	47.0%	42.2%	43.4%	38.4%	47.0%	42.2%	43.4%	38.4%	47.0%	42.2%	43.4%	38.4%	47.0%	
McManus	53.7%	54.4%	54.1%	49.8%	50.8%	50.8%	50.8%	50.0%	64.8%	55.7%	57.2%	50.0%	64.8%	55.7%	57.2%	50.0%	64.8%	55.7%	57.2%	50.0%	64.8%	
Neal Dow	43.8%	41.6%	35.6%	38.4%	37.4%	37.4%	37.4%	44.4%	43.8%	38.8%	43.3%	44.4%	43.8%	38.8%	43.3%	44.4%	43.8%	38.8%	43.3%	44.4%	43.8%	
Parkview	42.6%	37.6%	36.5%	29.1%	28.4%	28.4%	28.4%	40.6%	42.3%	41.7%	35.3%	40.6%	42.3%	41.7%	35.3%	40.6%	42.3%	41.7%	35.3%	40.6%	42.3%	
Rosedale	64.1%	69.5%	67.3%	69.4%	65.7%	65.7%	65.7%	67.5%	74.7%	71.0%	72.9%	67.5%	74.7%	71.0%	72.9%	67.5%	74.7%	71.0%	72.9%	67.5%	74.7%	
Shasta	71.0%	67.8%	67.3%	61.1%	64.1%	64.1%	64.1%	75.3%	63.9%	68.2%	58.4%	75.3%	63.9%	68.2%	58.4%	75.3%	63.9%	68.2%	58.4%	75.3%	63.9%	
Sierra View	46.1%	41.0%	42.9%	43.8%	35.3%	35.3%	35.3%	31.6%	27.0%	20.1%	20.5%	31.6%	27.0%	20.1%	20.5%	31.6%	27.0%	20.1%	20.5%	31.6%	27.0%	
Blue Oak																						

# EXHIBIT C

## Math/ELA Proficiency Rates: Caucasian Students

Caucasian	2010 ELA			2009 ELA			2008 ELA			2007 ELA			2006 ELA			2010 Math			2009 Math			2008 Math			2007 Math			2006 Math					
	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv				
Chico Unified	63.3%	45.0%	58.7%	59.2%	57.7%	N/A	32.0%	57.4%	60.5%	63.9%	50.0%	N/A	59.1%	61.4%	52.2%	50.0%	N/A	32.0%	60.5%	63.9%	50.0%	N/A	59.1%	61.4%	52.2%	50.0%	N/A	32.0%	59.1%	61.4%			
Chapman	40.9%	48.5%	58.1%	58.1%	54.9%	39.7%	33.1%	52.9%	51.5%	58.1%	63.0%	60.1%	55.0%	50.4%	51.5%	58.1%	64.6%	55.0%	59.6%	63.0%	60.1%	59.5%	59.2%	59.2%	59.2%	59.2%	59.2%	59.2%	59.2%	59.2%			
Citrus	55.3%	59.9%	62.0%	61.6%	57.4%	56.8%	56.5%	56.8%	50.0%	59.6%	60.9%	61.9%	64.4%	69.8%	59.6%	62.0%	54.0%	47.2%	50.0%	62.0%	54.0%	47.2%	60.9%	52.7%	52.7%	52.7%	52.7%	52.7%	52.7%	52.7%			
Emma Wilson	71.3%	49.8%	56.3%	59.7%	43.8%	63.8%	63.8%	63.8%	68.3%	60.9%	60.9%	61.9%	64.4%	69.8%	68.3%	60.9%	61.9%	64.4%	42.3%	60.9%	61.9%	64.4%	49.6%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%		
Hooker Oak	49.8%	56.3%	59.7%	43.8%	43.3%	43.3%	50.2%	50.2%	42.3%	54.8%	54.8%	49.1%	49.6%	52.0%	42.3%	54.8%	49.1%	49.6%	53.9%	69.7%	57.3%	58.3%	49.6%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%		
LCC	56.3%	50.0%	57.1%	53.6%	58.3%	55.8%	55.8%	55.8%	64.5%	60.0%	60.0%	45.7%	62.2%	56.5%	64.5%	60.0%	45.7%	62.2%	53.9%	69.7%	57.3%	58.3%	49.6%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%	52.0%		
Marigold	71.0%	69.1%	72.1%	70.3%	73.7%	68.5%	68.5%	68.5%	71.0%	77.8%	77.8%	74.5%	74.7%	77.4%	71.0%	77.8%	74.5%	74.7%	71.0%	77.8%	74.5%	74.7%	74.7%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	
McManus	69.1%	75.1%	70.1%	69.3%	62.8%	66.5%	66.5%	66.5%	77.4%	67.5%	67.5%	69.2%	60.3%	68.6%	77.4%	67.5%	69.2%	60.3%	77.4%	67.5%	69.2%	60.3%	60.3%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	
Neal Dow	47.5%	41.9%	41.4%	42.6%	42.6%	42.6%	42.6%	42.6%	35.2%	28.0%	28.0%	18.8%	19.7%	55.0%	35.2%	28.0%	18.8%	19.7%	35.2%	28.0%	18.8%	19.7%	19.7%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	
Parkview	50.0%	53.0%	57.1%	53.6%	39.4%	41.3%	41.3%	41.3%	62.0%	52.6%	52.6%	50.5%	41.7%	53.7%	62.0%	52.6%	50.5%	41.7%	62.0%	52.6%	50.5%	41.7%	41.7%	53.7%	53.7%	53.7%	53.7%	53.7%	53.7%	53.7%	53.7%	53.7%	
Rosedale	71.0%	69.1%	72.1%	70.3%	73.7%	68.5%	68.5%	68.5%	71.0%	77.8%	77.8%	74.5%	74.7%	77.4%	71.0%	77.8%	74.5%	74.7%	71.0%	77.8%	74.5%	74.7%	74.7%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%	77.4%
Shasta	69.1%	75.1%	70.1%	69.3%	62.8%	66.5%	66.5%	66.5%	77.4%	67.5%	67.5%	69.2%	60.3%	68.6%	77.4%	67.5%	69.2%	60.3%	77.4%	67.5%	69.2%	60.3%	60.3%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	68.6%	
Sierra View	47.5%	41.9%	41.4%	42.6%	42.6%	42.6%	42.6%	42.6%	35.2%	28.0%	28.0%	18.8%	19.7%	55.0%	35.2%	28.0%	18.8%	19.7%	35.2%	28.0%	18.8%	19.7%	19.7%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	
Blue Oak	47.5%	41.9%	41.4%	42.6%	42.6%	42.6%	42.6%	42.6%	35.2%	28.0%	28.0%	18.8%	19.7%	55.0%	35.2%	28.0%	18.8%	19.7%	35.2%	28.0%	18.8%	19.7%	19.7%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	55.0%	

# EXHIBIT D

## Math/ELA Proficiency Rates: Low SES Students

Low-SES	2010 ELA		2009 ELA		2008 ELA		2007 ELA		2006 ELA		2010 Math		2009 Math		2008 Math		2007 Math		2006 Math	
	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv	Prof/Adv
Chico Unified	36.8%	37.6%	33.0%	31.9%	30.1%	37.8%	43.4%	39.5%	38.2%	38.1%	37.8%	43.4%	39.5%	38.2%	37.8%	43.4%	39.5%	38.2%	38.1%	37.8%
Chapman	27.7%	21.7%	19.4%	22.8%	16.9%	35.4%	39.1%	40.5%	35.1%	35.7%	35.4%	39.1%	40.5%	35.1%	35.4%	39.1%	40.5%	35.1%	35.7%	35.4%
Citrus	33.9%	33.5%	31.3%	25.0%	23.1%	38.0%	39.2%	45.3%	40.2%	39.2%	38.0%	39.2%	45.3%	40.2%	38.0%	39.2%	45.3%	40.2%	39.2%	38.0%
Emma Wilson	32.6%	41.8%	30.8%	26.7%	26.1%	42.8%	48.7%	37.7%	36.0%	29.7%	42.8%	48.7%	37.7%	36.0%	42.8%	48.7%	37.7%	36.0%	29.7%	42.8%
Hooker Oak	39.3%	42.3%	49.0%	37.3%	36.0%	38.2%	46.5%	43.0%	29.3%	46.0%	38.2%	46.5%	43.0%	29.3%	38.2%	46.5%	43.0%	29.3%	46.0%	38.2%
LCC	37.3%	50.8%	40.7%	44.9%	41.1%	34.8%	47.7%	45.8%	44.6%	41.9%	34.8%	47.7%	45.8%	44.6%	34.8%	47.7%	45.8%	44.6%	41.9%	34.8%
Marigold	59.2%	51.0%	44.6%	48.4%	35.3%	53.4%	46.0%	43.0%	50.8%	47.9%	53.4%	46.0%	43.0%	50.8%	53.4%	46.0%	43.0%	50.8%	47.9%	53.4%
McManus	34.7%	42.6%	29.8%	29.2%	31.5%	35.2%	44.0%	37.6%	37.4%	32.5%	35.2%	44.0%	37.6%	37.4%	35.2%	44.0%	37.6%	37.4%	32.5%	35.2%
Neal Dow	42.0%	41.3%	42.5%	40.6%	38.7%	36.4%	54.3%	43.8%	46.2%	43.5%	36.4%	54.3%	43.8%	46.2%	36.4%	54.3%	43.8%	46.2%	43.5%	36.4%
Parkview	38.1%	27.7%	19.8%	22.6%	20.2%	36.4%	29.9%	22.8%	27.5%	26.6%	36.4%	29.9%	22.8%	27.5%	36.4%	29.9%	22.8%	27.5%	26.6%	36.4%
Rosedale	23.8%	27.2%	25.6%	22.4%	22.6%	26.4%	35.4%	31.9%	29.4%	35.3%	26.4%	35.4%	31.9%	29.4%	26.4%	35.4%	31.9%	29.4%	35.3%	26.4%
Shasta	31.9%	38.4%	42.6%	41.3%	42.6%	43.2%	55.7%	43.2%	53.8%	53.3%	43.2%	55.7%	43.2%	53.8%	43.2%	55.7%	43.2%	53.8%	53.3%	43.2%
Sierra View	69.4%	77.8%	44.8%	36.9%	47.0%	67.3%	46.7%	36.1%	34.5%	47.0%	67.3%	46.7%	36.1%	34.5%	67.3%	46.7%	36.1%	34.5%	47.0%	67.3%
Blue Oak	31.7%	15.0%	33.0%	N/A	N/A	28.3%	15.0%	35.0%	N/A	N/A	28.3%	15.0%	35.0%	N/A	28.3%	15.0%	35.0%	N/A	N/A	28.3%

# EXHIBIT E

	ELA		Math		ELA		Math		Schoolwide AYP		Subgroup AYP	
	Proficient	Target	Proficient	Target	Target	Met?	Target	Met?	Met?	Met?	Met?	
Chico Unified	55.6%	56.0%	53.9%	56.4%	56.0%	NO	56.4%	NO	NO	NO	NO	
Chapman	33.6%	56.8%	41.0%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Citrus	37.9%	56.8%	41.4%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Emma Wilson	50.6%	56.8%	55.5%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Hooker Oak	56.3%	56.8%	46.1%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
LCC	53.4%	56.8%	48.2%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Marigold	67.4%	56.8%	65.6%	58.0%	56.8%	YES	58.0%	YES	YES	YES	YES	
McManus	38.0%	56.8%	38.4%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Neal Dow	53.7%	56.8%	50.0%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Parkview	43.8%	56.8%	44.4%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Rosedale	42.6%	56.8%	40.6%	58.0%	56.8%	NO	58.0%	NO	NO	NO	NO	
Shasta	64.1%	56.8%	67.5%	58.0%	56.8%	YES	58.0%	YES	YES	NO	NO	
Sierra View	71.0%	56.8%	75.2%	58.0%	56.8%	YES	58.0%	YES	YES	YES	YES	
Blue Oak	46.1%	56.8%	31.6%	58.0%	56.8%	NO	58.0%	NO	NO	NO	YES	

	2009		2008		2007		2006	
	State Rank	State Rank	State Rank	State Rank	State Rank	State Rank	State Rank	
Chapman	2	1	1	1	1	1	1	
Citrus	2	3	3	2	2	3	3	
Emma Wilson	6	6	6	6	6	6	6	
Hooker Oak	7	7	7	6	6	8	8	
LCC	7	7	7	7	7	7	7	
Marigold	7	8	8	8	8	8	8	
McManus	3	3	3	4	4	4	4	
Neal Dow	6	7	7	6	6	6	6	
Parkview	2	3	3	4	4	4	4	
Rosedale	2	4	4	2	2	2	2	
Shasta	9	9	9	9	9	9	9	
Sierra View	8	8	8	8	8	8	8	
Blue Oak	1	3	3	3	3	3	3	



## **EXHIBIT F**

BCOE Letter dated January 13, 2011

BCOE Letter dated March 15, 2011

BUTTE  
COUNTY  
OFFICE OF  
EDUCATION

DON McNELIS  
SUPERINTENDENT

January 13, 2011

Michael Ramos, Executive Director  
Blue Oak Charter School  
450 W. East Ave.  
Chico, CA 95926

Re: Blue Oak Charter School

Dear Mr. Ramos:

As you are aware, the Butte County Board of Education ("County Board") voted to not renew the charter for Blue Oak Charter School ("Charter School") for 2011-2016. As you were in attendance for the discussion and decision that lasted over 90 minutes, you are aware of the reasons for the decision. However, I set forth below the findings regarding the County Board's decision as set out in Education Code section 47607 and 47605.

Charter renewals are governed by the same standards and criteria that govern charter approvals. These are listed in Education Code 47605.

1. The charter school presents an unsound educational program for the pupils to be enrolled in the charter school.
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
3. The petition does not contain the number of signatures required by subdivision (a).
4. The petition does not contain an affirmation of each of the conditions described in subdivision (d).
5. The petition does not contain reasonably comprehensive descriptions of all of the following (the 16 elements).

The Board's decision was based on standards #1 and #2 above. The Board concluded and finds that the Charter School does not meet either Standard #1 or #2. The Board's conclusions and findings are based upon the following facts:

1. The Charter School has a Decile 1 ranking. It has steadily declined over the past five years.
2. The students in the majority of the grades at the Charter School are not proficient in language arts and math.

Mia Osborne-Ng  
Sr. Executive Assistant  
mng@bcoe.org

Board of Education

*Dr. Ladd Johnson*  
*Jeanine MacKay*  
*Brenda J. McLaughlin*  
*Dr. Robert W. Purvis*  
*Pat Matthews Spear*  
*Betty Vassar*  
*Mike Walsh*

1859 Bird Street  
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Fax (530) 532-5762  
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"WHERE CHILDREN COME FIRST"

1. The County Board recognizes the recent API growth but also recognizes the decline in prior years.
2. The Charter School has not made reasonable progress in meeting the educational goals they set for themselves in the revised petition five years ago.
3. The Charter School has not met AYP for the past four years.
4. There is a serious concern about the lack of services for special education students for the last five years. Toward the end of last year, there were only three children on IEPs. That is approximately 1 percent of the student body. Very limited services were available to students. In addition, AB 602 funds were spent inappropriately on items such as a music teacher, administrative salaries, intervention staff and other items having nothing to do with services for special education students. There appears to be a pattern of this type of misuse of AB 602 funds over the past several years.
5. There have been multiple violations of the Brown Act Open Meeting law by the Charter School board of directors. While charters in general are exempt from complying with the Brown Act, the Charter School is obligated to comply with the law based on the agreed upon MOU.
6. The charter will not be successfully implemented due to ongoing leadership issues. There has been a large turnover in staff and there have been three Executive Directors in the last six months. The current executive director is part time.

Please contact me if you have any questions. I will glad to meet with you to discuss any issues mentioned above.

The Butte County Office of Education remains committed to working with Blue Oak through the 2010-11 school year. If there is anything we can do to assist, please let me know.

Sincerely,



Don McNelis, Superintendent  
Butte County Office of Education

**BUTTE  
COUNTY**  
OFFICE OF  
EDUCATION

DON McNELIS  
SUPERINTENDENT

Student Programs

Dr. Steve Olmos  
Assistant Superintendent

Dr. Alison Watson  
Administrator  
Curriculum  
Charter Schools  
Categorical Programs  
1859 Bird Street  
Oroville, CA 95965  
(530) 532-5644  
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Susie Kruse  
Senior Secretary  
skruse@bcoe.org

Board of  
Education

Dr. Ludd Johnson  
Brenda J. McLaughlin  
Dr. Robert W. Purvis  
Pat Matthews Spear  
Betty Vassar  
Mike Walsh

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3.1.2.  
Page 15 of 18

March 15<sup>th</sup>, 2011

Michael Ramos, Executive Director  
Linda Hovey, Business Manager  
Blue Oak Charter School Council  
c/o Blue Oak Charter School, 450 W. East Ave, Chico

Dear Blue Oak Administrators,

Butte County Office of Education informed you in December 2010 that we suspected BOCS's special education funds had not been used appropriately. This letter is to inform you of our findings and to request repayment of those funds immediately to the Butte County Office of Education.

The attached documents will show that much of the special education funds over the last three years (2007-08, 2008-09, and 2009-10) were spent on teacher salaries, and according to CTC those teachers were not qualified to teach any identified special education students. BCOE recognizes that Blue Oak did have a few identified special education students during the years in question.

Our initial request to you for back up documentation was met, and those documents that you sent us are the ones that have been used to make these findings.

Using that same documentation we ascertained the amount of special education revenue and deducted Blue Oak Charter School's appropriate expenses for special education, e.g. all special education materials, secretarial help for special education purposes, expert special education assessments etc., and are billing you for all the non-special education teacher salaries, benefits, and carryover; see attached details. All repaid funds will be used for special education students in Butte County.

In order to remedy this situation of mis-use of special education funds, Butte County Office of Education requires a reimbursement check made out to Butte County Office of Education from Blue Oak Charter School for the total sum of \$188,375.36 by March 31<sup>st</sup>, 2011. So that there will be no delay in processing these funds at BCOE, please address the envelope to me c/o BCOE.

Sincerely,

Alison Watson

Cc: BCOE Charter review committee  
Don McNelis, Superintendent  
Dr. Roy Applegate, SELPA

**OPTION B**

**Resolution 1143-11**

**RESOLUTION OF THE GOVERNING BOARD  
OF THE CHICO UNIFIED SCHOOL DISTRICT  
APPROVING PETITION TO FORM THE BLUE OAK CHARTER SCHOOL AND  
WRITTEN FINDINGS IN SUPPORT THEREOF**

**WHEREAS**, by enacting the Charter Schools Act (Ed. Code §§ 47600, *et seq.*), the Legislature has declared its intent to provide opportunities to teachers, parents, pupils, and community members to establish and maintain schools that operate independently from the existing school district structure for the purposes specified therein; and

**WHEREAS**, the Legislature has declared its intent that charter schools are and should become an integral part of the California educational system and the establishment of charter schools should be encouraged, and that charter schools are part of and under the jurisdiction of the Public School System and the exclusive control of the officers of the public schools; and

**WHEREAS**, although charter schools are exempt from many of the laws governing school districts, in return for that flexibility they are accountable for complying with the terms of their charters and applicable law; and

**WHEREAS**, Education Code section 47605(b) charges school district governing boards with the responsibility of reviewing charter petitions to determine whether they meet the legal requirements for a successful charter petition; and

**WHEREAS**, a successful charter petition must contain reasonably comprehensive descriptions of the criteria set forth in Education Code section 47605(b)(5)(A)-(Q), as well as the affirmations and other requirements set forth in Education Code section 47605; and

**WHEREAS**, a governing board may deny a petition to form a charter school if it makes written findings to support any of the following under Education Code section 47605(b): “(1) The charter school presents an unsound educational program for the pupils to be enrolled in the charter school; (2) The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; (3) The petition does not contain the number of signatures required by [the statute]; (4) The petition does not contain an affirmation of each of the conditions described in subdivision (d); and (5) The petition does not contain reasonably comprehensive descriptions of all of the [criteria set forth in Education Code section 47605(b)(5)(A)-(Q).]”; and

**WHEREAS**, on or about February 1, 2011, the Chico Unified School District received a petition to form the Blue Oak Charter School, a public charter school to serve grades Kindergarten through Eight, with an enrollment of 408 students, growing to 478 in five years; and

**WHEREAS**, the Blue Oak Charter School has been operating as a charter school sponsored by the Butte County Office of Education (BCOE) since the 2001-2002 school year; and

**WHEREAS**, in December 2010, Blue Oak submitted a petition for renewal of its charter, which expired in June 2011, to BCOE. At its January 10, 2011, meeting, the Butte County Board of Education voted to deny Blue Oak’s petition for renewal. Blue Oak subsequently submitted its charter petition to the District in February 2011; and

**WHEREAS**, the Board of Education, under Education Code section 47605(b), is obligated to take action to grant or deny the Petition within 60 days of its submission; and

**WHEREAS**, the Board of Education may take into account the petitioners’ “past history of involvement in charter schools,” in determining whether the petitioners are demonstrably unlikely to successfully implement the program set forth in the petition (5 C.C.R. section 11969.5.1(c)(1); and

**NOW, THEREFORE, BE IT FURTHER RESOLVED AND ORDERED** by the Governing Board of the Chico Unified School District that the Petition be Approved for a term of two years, beginning July 1, 2011, with the requirements enumerated below:

1. Academic Growth – Blue Oak will continue building an emphasis on standards and continue API growth to produce scores consistent with schools in CUSD with similar demographics. The CUSD average and demographically similar schools are listed below.

**2010 Growth API Report**

	<b>2010</b>	<b>2009</b>	<b>2008</b>	<b>2007</b>	<b>2006</b>
<b>CUSD</b>	789	781	770	758	754
<b>Blue Oak</b>	732	674	727	705	673
<b>Neal Dow</b>	781	804	815	778	781
<b>Little Chico Creek</b>	797	817	805	814	789

2. The percentage of Blue Oak students scoring at least proficient on the ELA and Math CST tests will continue to climb to produce scores consistent with CUSD schools with similar demographics. The CUSD proficiency scores are listed below as well as proficiency scores from demographically similar schools.

	<b>2010 ELA</b>	<b>2009 ELA</b>	<b>2008 ELA</b>	<b>2007 ELA</b>	<b>2006 ELA</b>
<b>CUSD (gr.2-8)</b>	53.5%	53.5%	49.9%	49.0%	48.1%
<b>Blue Oak</b>	46.1%	41.0%	42.9%	43.8%	35.3%
<b>Neal Dow</b>	53.7%	54.4%	54.1%	49.5%	50.8%
<b>LCC</b>	52.7%	63.4%	53.1%	52.2%	52.7%

	<b>2010 Math</b>	<b>2009 Math</b>	<b>2008 Math</b>	<b>2007 Math</b>	<b>2006 Math</b>
<b>CUSD (gr.2-8)</b>	52.7%	56.0%	53.3%	52.1	53.5%
<b>Blue Oak</b>	31.6%	27.0%	22.1%	20.5%	25.5%
<b>Neal Dow</b>	49.8%	64.8%	55.7%	56.6%	55.0%
<b>LCC</b>	47.8%	56.6%	55.9%	55.8%	50.6%

3. Resolution of issues regarding Special Education services and funding with BCOE.
4. Immediately work with CUSD Charter Liaison to Modify Conflict of Interest section of Blue Oak Charter Petition to meet requirement of containing a reasonable description of what legal standards would be used to determine conflict of interest. The wording of this section of the petition needs to be changed to reflect Blue Oak's promise to amend its Bylaws to be consistent with the requirements of Government Code 1090.
5. Immediately work with CUSD Charter Liaison to incorporate Dispute Resolution procedure in the Charter Petition that meets the requirements CUSD has for this section. The Dispute resolution section of the charter petition must include a provision that the procedure will not apply to disputes potentially leading to revocation of the charter. The statement that the District shall not intervene in a dispute unless it "directly relates to one of the reasons specified in law for which a charter may be revoked" must be deleted.

Blue Oak shall execute a Memorandum of Understanding (MOU) no later than May 15, 2011, containing the above terms, and agreeing to their express incorporation into the charter. Should Blue Oak fail to execute the MOU by May 15, 2011, the Board's granting of the charter shall be rescinded by automatic operation.

**PASSED AND ADOPTED** on April 6, 2011, by the Governing Board of the Chico Unified School District by the following vote:

**AYES:**

**NOES:**

**ABSTENTIONS:**

**ABSENCES:**

I declare under penalty of perjury that the foregoing resolution was duly passed and adopted on the date and by the vote stated.

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Secretary of the Governing Board for  
CHICO UNIFIED SCHOOL DISTRICT

AGENDA ITEM: Development of 2011-2012 CUSD Board Goals

Prepared by: Kelly Staley

Consent

Board Date April 6, 2011

Information Only

Discussion/Action

**Background Information**

Each Board member has identified several areas they would like to see as possible Board Goals for the 2011-2012 school year. Board members will discuss these suggestions as well as others brought forward by the community. The Board will set the direction for the District for the upcoming year through the selection of 3-5 goals for primary focus.

**Educational Implications**

The Board Goals will set the educational direction for the upcoming school year.

**Fiscal Implications**

The Board Goals will be reflected in fiscal decisions in the upcoming school year.



## BOARD SUGGESTED GOALS

### A. Academic Achievement

1. New standards from CSU and closing the achievement gap means that the alignment of K-12 standards needs to recognize and dovetail what the higher education expectations are, especially in math and English. Starting in 2012 all students who are college eligible but still remedial will start to be identified back to their communities and their high schools for remediation while in high school – critical that we are following these standards at least starting in eighth grade, formal beginning of the pathway to college.
2. Identify and support K through 12 the areas of curriculum we value (i.e., music, education, technology). Encourage the fullness of the curriculum to reflect broad areas of student, teacher, community interest, so language skills would include foreign languages and related cultural components.
3. Look at what skills need to be taught in the 21<sup>st</sup> century and revise strategies to address using new technologies. (Whole Brain approach):
  - a. Solution fluency – problem solving – divergent thinking
  - b. Information fluency – how to get needed information – assess its value
  - c. Collaboration fluency
  - d. Creative fluency
  - e. Media fluency – analyze communication – create and publish same
  - f. Good digital citizenship
4. Continue to develop educational strategies for EL and SWD which include impact of diversion of funds to other areas of operation.
5. Move the review and assessment of magnet schools and programs to a more transparent and prominent role.
6. Beyond Intervention: PLC strategies for enhancing performance for all students. We have Title One monies for intervention at several of our schools. Has that created a less than fair playing ground for students who are not attending Title One Schools? Comprehensive high schools redesigned their lunch periods and now offer intervention classes for those students who are failing at least one academic course. What opportunities has the new lunch schedule offered to the remaining high school population (maybe 80% or more of the student body)? Similarly after school programs and summer programs of study now focus almost entirely on low achieving students. Make no mistake, I applaud our intervention efforts in assuring that all children have the required skills for success.

Expand our efforts to take a more focused look on creating opportunities for improvement and even enrichment for students who are passing their courses. As I see it, our efforts should be focused in two directions: a) For students who are passing but not excelling- are there PLC strategies we might put in place to help students increase their skills and performance? I think here of the adage of taking the C student and better equipping her to reach the B category, and the B student moving into the A category. So many of our students, particularly in the secondary schools, seem "stuck" in adequate levels of performance. How do we as a district move to help each progress to their potential? b) The second part of this is examining the opportunities for students who are high achievers. While it is true we do have AP and IB courses as well as some opportunities to enroll in a university or community college course, as a whole, are we

offering the best programs and opportunities for our high achieving students? A few ideas along these lines would include the possibility of offering more online courses that would create additional opportunities for our students to progress. In this way students might study foreign languages that we no longer offer or take courses of interest that are no available including anthropology, political geography, classics, religion, ethnic literature, etc. Another component could be a thorough examination of the opportunities we provide our students already enrolled in AP and IB courses. How successful have our students been in pass rates for AP credit as well as earning the IB diploma? etc. Succinctly put, this goal suggests we move beyond intervention strategies to create opportunities for every child in our District to grow and to excel.

7. **Creating a District wide focus on literacy--and here I mean specifically enhancing the writing and critical thinking skills of our students.** As class size increases how are we addressing our students' writing skills? What opportunities for writing instruction and mastery are provided, and how might we enhance them? At the junior & senior high level, is there a sequenced approach to writing instruction: for example, in junior high we focus on the personal essay and the persuasive essay? In 9th grade we learn to use argument and logic along with secondary sources, in 10th grade we....???? In other words, how might we better define our sequence of writing instruction to best prepare our students to be highly literate? Again our larger class sizes have created tremendous workload issues for English teachers who wish to have their students focus on writing and rewriting. To what degree do we support writing in other core courses and provide opportunities for students to write in science classes, social studies, etc.? Are there ways teachers might work together--almost in a team teaching model--to insure that writing has a valued place across the curriculum? (One possible direction is to explore linked classes where English teachers would team up with a teacher in a related discipline and perhaps the students would work on their history essays in the English class, and perhaps the papers could be graded by both teachers--one for content, one for presentation... Or course linked curricula might allow English classes to read literature related to a scientific dilemma or a historical period, and both teachers could work with the students on writing assignments that bridged the courses. I know initially we would think of such efforts as creating even more work for our teachers, but are there ways we can re-structure what we do to allow such efforts to succeed? While this goal essentially is about literacy, in fact, it is also about innovation and encouraging educational practices to shift and grow... There is no reason that our high schools today (or junior highs or elementary schools) should look like the ones we attended as children. If we believe enhanced communication skills--writing and critical thinking in particular--are crucial for our students' success in the 21st century, how are we as a District accommodating our practices and realigning our vision?
8. Another goal is to **focus our attention on the importance of sustainability and environmental awareness both in our curriculum and in our District practices.** A district wide recycling effort, an attempt to cut down on paper, energy and waste is an important complement to coursework which highlights conservation, awareness and sustainability. In some ways this is almost a matter of teaching our students to think of themselves as global citizens.

## **B. Career Technical Education**

1. Establish career tech opportunities and show we value this path as much as college prep.
2. We need to move our career tech (CTE) to a more aggressive match with A-G requirements via applying to Board of Admissions and Relations with Schools (BOARS) for A-G recognition. Many of our CTE would readily fit the revamped BOARS requirements (forced by recent legislation) but the faculty do not seek formal recognition.

## **C. Community and Communication**

1. Improve parental participation in meaningful ways so they have greater ownership of schools. Sierra View had a good contractual example – this should clearly state an exchange of responsibility and investment in the whole health of the school and the child.
2. Establish detailed process for internal and external communication. Said process should be designed to include direction for donations of time, services and monetary contributions to support programs within CUSD.
3. Develop strategies for creating greater opportunities for community members to volunteer their expertise in the areas of fine arts, music and student wellness. This is a legal area and must be negotiated very carefully.
4. Establish more opportunities to showcase the district's offerings for kids (and its successes).
5. Work on charter school relations. Establish a more transparent assessment model for all charters following our legal mandates and obligations. Make clear that district response to charters is both a legal and health of the district assessment – including fiscal.
6. Look for new avenues of communication which encourage students and families to look for programs which entice their child's interest and family investment in CUSD.

## **D. Labor Relations**

1. Improve working relationship between district and labor groups to explore areas of common interest and improve morale. Talk about teacher evaluation and seniority. Place open negotiations on the table for both sides so that the community has a greater understanding and investment in CUSD.
2. Teacher and staff morale. As a District we are committed to hold our teachers and staff in high regard as they implement the vision and carry out the practices defined by our leadership teams. Despite the financial woes, are there ways to encourage teachers or to better support them? Would more decision making at the site level help? Are there ways of utilizing the resources that we have to better address the concerns of staff and teachers?

## **E. Budget**

1. Explore Parcel Tax potential.

## **F. Other**

1. Semi-annual review of compliance with implementation of District policy.

2. The impact of absences on student achievement, fiscal stability of the district and the ability to provide consistent, progressive lesson continuums are adversely effected when students are absent from school.

Providing early identification of students with a negative absence pattern is essential. Communicating the importance of regular school attendance to parents must be a priority in our attempts to increase parent involvement in their student's educational progress.

I believe there is a need to examine this district's programs to decrease the number of student absences. I believe it must be a total commitment of supporting regular student attendance. Support for resolution of health issues, behavioral issues, transportation and other circumstances that impact regular school attendance must be explored.

In testimony before the Assembly Select Committee on the drop-out rate in California, a consultant with the CDE testified students who end up dropping out of school have begun to fall behind their peers in reading and language arts by the third grade. The study also showed that student's whose attendance issues are not successfully mitigated by the sixth grade are more likely not to graduate on time or at all.

Examination of district wide absences for the week of 1/24/11 – 1/28/11 reports 1,637 all day elementary and 1,689 secondary absences. These totals do not include tardies or partial day absences.