

**CHICO UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION**

**Special Session**

**Monday, August 1, 2011**

**5:00 p.m. Closed/6:00 p.m. Open**

**Chico Unified School District Office/Large Conference Room**

**1163 East Seventh St., Chico, CA 95928**

**AGENDA**

**5:00pm**

**1. CALL TO ORDER**

1.1. Public comment on closed session items

**2. CLOSED SESSION**

2.1. Public Employee Appointment

Per Government Code §54957

Title: Principal, Chico Junior High School Principal

2.2. Conference with Legal Counsel

Anticipated Litigation

Significant exposure to litigation pursuant to  
Government Code §54954.5(b)

Attending:

Kelly Staley, Superintendent

Bob Feaster, Asst Superintendent

Maureen Fitzgerald, Asst Superintendent

John Bohannon, Director

John Yeh, Attorney at Law

*If Closed Session is not completed before 6:00 p.m., it will resume immediately following the regular meeting.*

**6:00pm**

**3. CALL TO ORDER**

**4. DISCUSSION/ACTION CALENDAR**

4.1. EDUCATIONAL SERVICES

4.1.1. Public Hearing/Information: Public Hearing Regarding Revocation of Chico Green  
School Charter (John Bohannon) **(60 minutes)**

**7:00pm**

**5. ADJOURNMENT**

Kathleen Kaiser, President  
Board of Education  
Chico Unified School District

Posted: 07/27/11  
:mm

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 PARTICIPATON 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 PARTICIPATON 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: Public Hearing Regarding Revocation of Chico Green School Charter**

**Prepared by:** John Bohannon, Director of Alternative Programs

Consent

Board Date: August 1, 2011

PUBLIC HEARING/Information Only

Discussion/Action

### **Background Information**

The CUSD Board of Education approved the Chico Green School (CGS) Charter on October 14, 2009. After a year of planning, Chico Green opened its doors in September of 2010.

As the Charter Authorizer, CUSD has oversight duties to make sure the charter is following the tenants of its charter and following the law as it applies to charter schools. In carrying out these duties, CUSD sent Chico Green a Notice to Remedy letter in September and again in October.

Among the violations detailed in the September 9, 2010, Notice were the following:

- Failure to take steps to ensure coursework would meet a-g requirements for eligibility for the UC/CSU systems;
- Enrolling 11<sup>th</sup> grade students, in violation of the charter;
- Failing to comply with the Brown Act in the agendaing and conduct of board meetings;
- Failing to implement industry-standard attendance accounting practices. (See, Exhibit A)

A follow up Notice to Remedy was issued in October delivering the following directives:

- Post board meeting agendas and minutes in a consistent location, and in a consistent manner, in a location that is 'freely accessible to the members of the public, including but not limited to the CGS website ...'
- Take steps to ensure that the Board is familiar with all of the requirements of the Brown Act, including but not limited to providing Brown Act training for the Board ...
- Implement a plan to seek accreditation from WASC, allowing eleventh graders to have sufficient coursework for college eligibility by the time they apply to college next year;
- Create a backup plan in the event that CGS does not attain WASC accreditation.

On June 30, 2011, the Accrediting Commission for Schools provided CGS written notification that CGS "was not approved for candidacy" for WASC accreditation.

The impact of Chico Green's lack of WASC Accreditation on its students, combined with continually breaking the Brown Act has propelled CUSD to take steps to revoke the Chico Green Charter.

The first step of revoking the charter is to have a public hearing, which will be accomplished with this special board meeting.

The CUSD Board of Education will follow the Public Hearing with a vote to revoke at the regularly scheduled board meeting on August 17.

### **Educational Implications**

With no WASC accreditation, the students at Chico Green are at an extreme disadvantage when applying for California State University and the University of California systems. There are also public schools that will not accept transfer credits from not-accredited schools.

**EXHIBIT A**



**Administrative Offices** 1163 E. Seventh Street Chico, CA 95928-5999  
phone: (530) 891-3000 • fax: (530) 891-3220 • www.ChicoUSD.org

Office of the Superintendent  
(530) 891-3000, ext. 149

September 9, 2010

**VIA PERSONAL DELIVERY AND ELECTRONIC MAIL**

To the Governing Board  
Chico Green School  
2414 Cohasset Rd  
Chico, CA 95926

**VIA NEXT DAY MAIL**

To the Governing Board  
Chico Green School  
PO Box 7111  
Chico, CA 95927

Re: Chico Unified School District  
Notice to Remedy or Face Revocation  
Request for Information under Education Code section 47604.3

To the Governing Board:

The Chico Unified School District ("District") sends this letter in its capacity as the charter authorizing agency of the Chico Green School. This letter constitutes a Notice to Remedy or Face Revocation under Education Code section 47607(c) and (d), as well as a Request for Information under Education Code section 47064.3.

1. Statutory Authority:

Education Code section 47607(c) permits a charter-authorizing school district to revoke a charter under certain circumstances:

A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:

- (1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- (2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
- (3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- (4) Violated any provision of law.

Under Education Code section 47607(d), a district may issue a Notice to Remedy or Face Revocation if it suspects that the charter school has committed a violation giving rise to potential revocation:

Prior to revocation, the authority that granted the charter shall notify the charter public school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

2. The Notice to Remedy

The Notice to Remedy is based on the following grounds:

a) Educational Program -- Failure to Meet or pursue any of the pupil outcomes identified in the charter:

Education Code section 47605(b)(5)(A)(ii) provides as follows:

If the proposed school will serve high school pupils, a description of the manner in which the charter school will inform parents about the transferability of courses to other public high schools and the eligibility of courses to meet college entrance requirements. Courses offered by the charter school that are accredited by the Western Association of Schools and Colleges may be considered transferable and courses approved by the University of California or the California State University as creditable under the "A" to "G" admissions criteria may be considered to meet college entrance requirements.

The charter petition for the Chico Green School states that the charter school's curriculum shall meet "A" to "G" requirements in the subject areas of English/Language Arts, Mathematics, Science, Social Sciences & History, Foreign Languages and Visual and Performing Arts. (Charter Petition, pp. 8-11)

Violation: Chico Green School's first day of instruction was Tuesday, September 7, 2010. The District has received information that the school has not yet hired teachers in all of the areas creditable under the "A" to "G" admissions requirements for UC/CSU, including but not limited to the following:

- Pre-Calculus and Trigonometry;
- Physics;
- Advanced Foreign Language & Immersion

b) Educational Program -- Violation of the Charter:

The Chico Green School charter states that "[w]e will begin our first year with a population of 50 students in the 9<sup>th</sup> and 10<sup>th</sup> grades. Over the next few years we intend to grow to a size of approximately 200 students in 9<sup>th</sup> through 12<sup>th</sup> grades." (Charter Petition, p. 1)

As of September 7, 2010, the Chico Green School website, under the "Enroll Now" link, states that "Chico Green School is pleased to announce that we are now accepting enrollment for the 11th grade":

## **DECLARE YOUR FREEDOM.**

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### **Enrollment Form**

Chico Green School is pleased to announce that we are now accepting enrollment for the 11th grade. In addition,

c) **Educational Program -- Violation of the Charter:**

The District has been informed that the charter school has failed to develop curriculum for the educational program set forth in the charter, and that the charter school has failed to implement industry-standard attendance accounting practices.

d) **Governance: Committed a material violation of any of the conditions, standards, or procedures set forth in the charter/Violation of the Law:**

The Chico Green School charter states that that charter school shall be governed by a Board of Directors, which shall perform the following duties:

- "To oversee that the School's program and operation are faithful to the terms of its charter and its mission statement.
- To insure that the School's academic program is successful.
- To insure that the School is a viable, financially solvent organization equipped with a competent staff." (Charter Petition, p. 19)

The charter also states that "[a]ll meetings will be conducted in accordance with the Ralph M. Brown Act ..." (Charter Petition, p. 20)

**Violation:** At least two members of the Chico Green School Board have resigned since September 1, 2010. The District also believes that the Board Chair and Secretary have submitted or will soon submit their resignation as well. Such rapid turnover in Board membership during the crucial opening weeks of school threatens the charter school's governance and operations.

In addition, after the Board of Directors placed the Director on administrative leave on September 5, 2010. Therefore, in addition to the Board turnover, the school has no director.

**Violation:** The Board recently took personnel action with respect to the charter school's director. The District believes that a quorum of the Board may have met with the school's staff during the first week of September to discuss personnel matters without an agenda meeting, in violation of the Brown Act. (Government Code section 54952.2, 54954.2.)

**Violation:** The minutes of the Board's meetings appear to be inaccurate in terms of recording the votes cast by Board members, and/or the Board members present when action was taken. In some instances, votes are recorded as "unanimous" even though the number of persons voting differs from the number of members present. (See, e.g., Minutes from meetings of July 25, 2010, September 3, 2010).

**Violation:** The District believes that the Board of Directors has not complied with the posting requirements of the Brown Act, including the failure to post agendas of all meetings at the school site.

e) **Health and Safety/Violation of Law:**

The District has been informed that the charter school's facility does not maintain a sufficient number of fire extinguishers to meet legal requirements.

3. **Directive to Remedy Violations:**

The Charter School is hereby directed to remedy the following violations, or face revocation under Education Code section 47607:

- Maintain properly credentialed teaching staff in all of the areas identified in the charter and necessary to meet "A" to "G" requirements: English/Language Arts, Mathematics, Science, Social Sciences & History, Foreign Languages and Visual and Performing Arts.
- Develop a curriculum in each of the above areas that meets California State Standards, "A" to "G" requirements, and that utilizes recognized instructional materials.
- Cease all efforts to enroll students for the 11<sup>th</sup> grade, in violation of the charter.
- Fill the Board of Directors and Charter School Director positions to ensure continuity of operations.
- Properly agendize all meetings of the Board of Directors in compliance with the Brown Act. Avoid "meetings" consisting of at least a "quorum" of the Board without proper notice and agendizing.
- Train Board personnel to maintain accurate minutes of all board actions, including votes taken.
- Comply with the provisions of the Brown Act with respect to the posting of agendas.
- Develop and approve bylaws, if not already done.
- Adopt and follow industry-standard practices and procedures in attendance accounting and reporting.
- Ensure that all local fire safety requirements are met, including the location and number of fire extinguishers, maintenance of proper fire roads, proper signage indicating maximum capacity in each room, and proper fire exits and signage in each room.

Because of the potential seriousness of these alleged violations, the District requests that the charter school provide a written response to this Notice to Remedy or Face Violation no later than 12 p.m. on September 14, 2010.

Should the charter school fail to comply with either request, the District may exercise its right under Education Code section 47607 to issue Notice of Revocation. Please note that the charter school's failure to remedy the fire safety issues would allow the District to revoke the charter without notice under Education Code section 47607.

4. **Request for Information:**

Education Code section 47604.3 provides as follows:

A charter school shall promptly respond to all reasonable inquiries, including, but not limited to, inquiries regarding its financial records, from its chartering authority, the county office of education that has jurisdiction over the school's chartering authority, or



from the Superintendent of Public Instruction and shall consult with the chartering authority, the county office of education, or the Superintendent of Public Instruction regarding any inquiries.

The District requests that the Chico Green School provide the following information no later than 12:00 p.m. on September 14, 2010:

- A list of all teachers hired by the school, a copy of their credential, and a list of assignments by teacher, evidencing that the school is maintaining properly credentialed teaching staff in all of the areas necessary to meet "A" to "G" requirements in the following areas: English/Language Arts, Mathematics, Science, Social Sciences & History, Foreign Languages and Visual and Performing Arts.
- All curricular materials in the following areas: English/Language Arts, Mathematics, Science, Social Sciences & History, Foreign Languages and Visual and Performing Arts.
- All documentation related to the efforts to enroll students for the 11<sup>th</sup> grade for the 2010-2011 school year, including but not limited to curriculum for courses offered at that grade level.
- Documentation related in any way to the school's retention of a successor Director, as well as successors to any members of the Board of Directors who have resigned within the last month.
- All agendas and minutes from all board meetings since the granting of the charter.
- All documentation relating to training board members in the Brown Act.
- A copy of the Board bylaws, and any and all documentation related to Board approval.
- All documentation related to the school's attendance accounting and reporting practices and procedures.
- All documentation related to compliance with all local fire safety requirements, including an inspection report from the Chico Fire Marshall, the location and number of fire extinguishers, maintenance of proper fire roads, proper signage indicating maximum capacity in each room, and proper fire exits and signage in each room.

Please note that failure of the charter school to comply with this request in a timely manner will lead to the District pursuing revocation of the charter under Education Code section 47607.

Sincerely,

  
Kelly Staley  
Superintendent

**EXHIBIT B**



**Administrative Offices** 1163 E. Seventh Street Chico, CA 95928-5999  
phone: (530) 891-3000 • fax: (530) 891-3220 • [www.ChicoUSD.org](http://www.ChicoUSD.org)

Office of the Superintendent  
(530) 891-3000, ext. 149

October 20, 2010

**VIA PERSONAL DELIVERY AND ELECTRONIC MAIL**

To the Governing Board  
Chico Green School  
2414 Cohasset Road  
Chico 95926

**VIA NEXT DAY MAIL**

To the Governing Board  
Chico Green School  
PO Box 7111  
Chico 95927

Re: Chico Unified School District  
Chico Green School  
Notice of Violation/Notice to Remedy or Face Revocation  
Request for Information under Education Code section 47604.3

To the Governing Board:

The Chico Unified School District ("District") has conducted a thorough investigation into allegations that the Chico Green School ("CGS") has committed numerous violations of law and of its charter. The District has interviewed both former and current CGS Board members, as well as CGS teachers. The District sends this letter, which constitutes a Notice of Violation and Notice to Remedy or Face Revocation under Education Code section 47607(c) and (d), as well as a Request for Information under Education Code section 47064.3, in its capacity as the charter authorizing agency of CGS.

1. **The Statutory Revocation Process:**

Education Code section 47607(c) permits a charter-authorizing school district to revoke a charter under certain circumstances:

A charter may be revoked by the authority that granted the charter under this chapter if the authority finds, through a showing of substantial evidence, that the charter school did any of the following:

- (1) Committed a material violation of any of the conditions, standards, or procedures set forth in the charter.
- (2) Failed to meet or pursue any of the pupil outcomes identified in the charter.
- (3) Failed to meet generally accepted accounting principles, or engaged in fiscal mismanagement.
- (4) Violated any provision of law.

Under Education Code section 47607(d), a district may issue a Notice to Remedy or Face Revocation if it suspects that the charter school has committed a violation giving rise to potential revocation:

Prior to revocation, the authority that granted the charter shall notify the charter public school of any violation of this section and give the school a reasonable opportunity to remedy the violation, unless the authority determines, in writing, that the violation constitutes a severe and imminent threat to the health or safety of the pupils.

Based on the District's investigation and prior Notice of Violation/Notice to Remedy, sent September 9, 2010, the District has good cause to issue this Notice of Violation/ Notice to Remedy based on indications that CGS has violated the law and its charter.

2. The Notice to Remedy

The Notice to Remedy is based on the following grounds:

a. Governance Violations:

The Chico Green School charter states that that charter school shall be governed by a Board of Directors, which shall perform the following duties:

- "To oversee that the School's program and operation are faithful to the terms of its charter and its mission statement.
- To insure that the School's academic program is successful.
- To insure that the School is a viable, financially solvent organization equipped with a competent staff." (Charter Petition, p. 19)

The charter also states that "[a]ll meetings will be conducted in accordance with the Ralph M. Brown Act ..." (Charter Petition, p. 20)

The District's investigation reveals that the CGS Board has committed the violations of the law and/or its charter:

1. Location and Posting of Board Agendas:

A review of CGS's Board agendas shows that, until August 2010, the CGS Board met in a number of locations, including Glenn Hall at Cal State Chico, the Butte County Library, Grilla Bites at 196 Cohasset Road, as well as what appears to be residence addresses at West 11<sup>th</sup> Avenue, Broadway Street, and Oakdale Street. While the District realizes that CGS did not have access to its site until August 2010, the lack of consistency in meeting locations for the CGS board makes the board less accessible to its constituency and the public. The District also understands that there has been a lack of consistency in the location at which the board minutes have been posted, including posting at a Board member's home on one instance, and that, as of the date that this Notice to Remedy has been issued, CGS has a fully-functional website, yet posts neither agendas or minutes on it.

Government Code section 54954.2(a)(1) obligates the Board to post the agenda "in a location that is freely accessible to members of the public." However, if the Board agendas are not posted in a consistent location, effective notice to the public of the Board's meeting and agenda cannot be provided.

2. Disclosure of Closed Session Deliberation:

The District's investigation revealed that CGS Board President Kent Sandoe, and Board Vice President Selena Logan, divulged to a candidate for the Director position closed session discussion regarding whether that person should be hired for the position of Administrative Assistant instead, and that then-Board member Sarah Parada did not like the candidate.

Both Sandoe and Logan stated that they did not divulge any information that was not already public knowledge. However, this excuse does not justify the disclosure of closed-session information. Government Code section 54963(a) states that "[a] person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section 54957 to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information." Possible remedies include injunctive relief to prevent further disclosure, and referral to the grand jury. (Government Code section 54963(c).)

3. Unauthorized "Meetings" of a Board Quorum:

The District's investigation revealed that a quorum of the Board met on at least one occasion without the proper posting of an agenda.

Over Labor Day weekend in 2010, members of the teaching staff asked Sandoe and Logan to attend a meeting. At various times, board members David Orneallas and Martin Schwabe were present at the meeting, which constituted a quorum of the Board as constituted at the time.

The CGS board attempt to cure this violation by re-enacting the meeting on October 5, 2010. However, faculty members received notice of the meeting at approximately 10 p.m. the previous night, which constituted less than 24-hours notice.

The CGS Board, or at least a quorum thereof, also has participated in group e-mail discussions, in violation of the Brown Act.

Government Code section 54592.2(a) defines a "meeting" to include "any congregation of a majority of the members of a legislative body at the same time to hear, discuss or deliberate upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains."

4. Board Membership and Voting:

The CGS Board membership has not been well defined. Board member Carolyn Nava missed approximately 6 months of meetings in early 2010 due to illness, but was still listed as a board member. Furthermore, Board member Harry Winard resigned from the Board in April 2010 after he obtained a new job out of town. However, he was asked to attend the July 2010 Board meeting, at which he submitted his resignation.

The minutes of the Board's meetings appear to be inaccurate in terms of recording the votes cast by Board members, and/or the Board members present when action was taken. In some instances, votes are recorded as "unanimous" even though the number of persons voting differs from the number of members present. (See, e.g., Minutes from meetings of July 25, 2010, September 3, 2010; Corporations Code section 5221(c).)

5. Board Governance Norms:

At least three former Board members indicated that they felt pressured and/or intimidated by Board President Sandoe. Three board members believed that Sandoe was abusive when he yelled at Board member Portia Ceruti at the May 24, 2010, Board meeting. The District also has not yet been provided a copy of the minutes from that meeting, which were originally taken by Ceruti, but which were in the process of being revised.

It also appears that Board President Sandoe and Vice President Logan are attempting to perform too many administrative tasks, and are unable to delegate these responsibilities to the school's staff. Compounding this problem is the fact that the school's newly-hired director has only been hired at a part-time FTE. The Board therefore is failing to adhere to the proper division of roles between the Board and the school's administration, as set forth in the charter.

The school's staff also issued a vote of no confidence in the Board in September, as follows:

"...Since March 2010, Ms. Logan and Mr. Sandoe have demonstrated:

- Inability to build community, including loss of board members
- Unsustainable, unclear, and undefined paths of communication
- Lack of a defined collegial evaluation process, and lack of staff involvement in said process
- Unprofessionalism regarding the calling of impromptu, unscheduled one-on-one meetings with staff members
- Adversarial response to negotiating contracts
- Misplaced priorities
- Delayed prioritization of recruitment and hiring of the Director position (Ms. Ritter was not hired until the end of May)
- Lack of delegation of responsibilities..."

The CGS Board is not functioning as viable governing body of the charter school, as was promised in the Charter.

b. Addition of Eleventh Grade

The CGS charter states that "[w]e will begin our first year with a population of 50 students in the 9<sup>th</sup> and 10<sup>th</sup> grades. Over the next few years we intend to grow to a size of approximately 200 students in 9<sup>th</sup> through 12<sup>th</sup> grades." (Charter Petition, p. 1)

As of September 7, 2010, the CGS website, under the "Enroll Now" link, states that "Chico Green School is pleased to announce that we are now accepting enrollment for the 11th grade." CGS informed the District at its September 15, 2010 Board meeting that it had enrolled 11 eleventh graders for the 2010 school year.

CGS's decision to include the eleventh grade in its first year – contrary to the terms of its charter – constitutes a violation of the charter. The addition of the eleventh grade materially deviates from the terms of charter since the District was unable to verify the following before CGS began to enroll eleventh graders:

- Whether CGS had a curriculum for the eleventh grade that included courses "approved by the University of California or the California State University as

creditable under the 'A' to 'G' admissions criteria" under Education Code section 47605(b)(5)(A)(ii);

- Whether CGS had properly credentialed staff to teach eleventh grade students;
- Whether CGS had an adequate plan in place to seek accreditation from WASC, allowing eleventh graders to have sufficient coursework for college eligibility by the time they apply to college next year;
- Whether CGS has a backup plan in the event that it does not attain WASC accreditation;
- Whether CGS has sufficient resources to prepare students for the college admissions process, including preparation for the required standardized tests, or the development of a vocational career path;
- Whether CGS has a sufficient plan in place to prepare its students to pass the CAHSEE.

Because CGS's decision to add the eleventh grade in its first year is in clear violation of its charter, it is directed not to enroll any further eleventh graders for the 2010-2011 school year. While the District will attempt to avoid disrupting the academic progress of those eleventh grade students who have already enrolled, because CGS is in violation of its charter, it should avoid committing further violations by enrolling additional eleventh graders.

3. Notice to Remedy or Face Revocation:

The Charter School is hereby directed to remedy these violations, including but not limited to the following, or face revocation under Education Code section 47607:

- Post board meeting agendas and minutes in a consistent location, and in a consistent manner, in a location that is "freely accessible to the members of the public," including but not limited to the CGS website;
- Take video or audio recordings of each open session board meeting and make them available to the public as public records upon request;
- Refrain from disclosing any closed session discussion to individuals unauthorized to receive such information;
- Refrain from holding unauthorized "meetings" consisting of at least a quorum of the governing board without notice and agenda in compliance with the Brown Act (including e-mail communications);
- Ensure that current board membership is clearly established and defined in all meeting minutes and agendas, and that the status of board members with prolonged absences is clarified;
- Ensure that all board members present at board meetings vote or take action on all action items;
- Take steps to ensure that the Board is familiar with all of the requirements of the Brown Act, including but not limited to providing Brown Act training for the Board;
- Maintain a board governance culture that is based on respect and collaboration, and that is free of intimidation and abuse, particularly from the Board President;
- Properly allocate the division of responsibilities between the Board and staff, in compliance with the charter;
- Remedy the issues raised in the staff's vote of no confidence in the board, including improving communication with staff, employing a nonadversarial approach to personnel matters, creating a culture of collegiality and delegating responsibilities;
- Cease enrolling new eleventh grade students;

To the Governing Board  
Chico Green School  
October 20, 2010  
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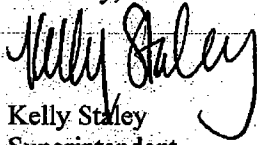
- Implement a plan to seek accreditation from WASC, allowing eleventh graders to have sufficient coursework for college eligibility by the time they apply to college next year;
- Create a backup plan in the event that CGS does not attain WASC accreditation;
- Implement a plan to prepare students for the college admissions process, including preparation for the required standardized tests;
- Implement a plan to provide students with a vocational career path after graduation.
- Implement a plan to prepare students to pass the CAHSEE.

Should the charter school fail to remedy these violations, the District may exercise its right under Education Code section 47607 to issue a Notice of Revocation.

The District asks CGS to provide a written response to this Notice of Violation/Notice to Remedy no later than 10 a.m. on Friday, November 12, 2010. The District also requests that CGS provide documentation, under Education Code section 47604.3, in support of its response.

Please note that failure of the charter school to comply with this request in a timely manner will lead to the District pursuing revocation of the charter under Education Code section 47607.

Sincerely,



Kelly Staley  
Superintendent



**EXHIBIT c**



Administrative Offices  
1163 E. Seventh Street  
Chico, CA 95928-5999

530/891-3000  
fax 891-3220  
www.ChicoUSD.org

December 16, 2010

**VIA PERSONAL DELIVERY AND ELECTRONIC MAIL**

To the Governing Board  
Chico Green School  
2414 Cohasset Road  
Chico CA 95926

**VIA NEXT DAY MAIL**

To the Governing Board  
Chico Green School  
PO Box 7111  
Chico CA 95927

Re: Chico Unified School District  
Chico Green School  
District Response: Notice of Violation/Notice to Remedy or Face Revocation

To the Governing Board:

The Chico Unified School District ("District") has received the November 12, 2010 response of the Chico Green School ("CGS") to the District's Notice to Remedy or Face Revocation. The District responds as follows:

Eleventh Grade:

The District's primary concern with CGS's enrollment of eleventh grade students was that the charter school would not have prepared the necessary and appropriate curriculum and staffing to offer a grade level not identified in its charter. The District has determined that it would not serve the best interests of the currently-enrolled eleventh graders to take any action that would impact their enrollment or academic progress. Therefore, the District requested in its Notice to Remedy that CGS take the prospective remedy of not enrolling any further eleventh graders. CGS indicates in its response that it does not intend to do so. In addition, at the District's request, CGS submitted a Plan with respect to the WASC accreditation process, as well as implementing vocational training and preparation for the CAHSEE.

The District will continue to monitor the education of eleventh grade students to ensure compliance with California State Standards and to ensure that CGS is making satisfactory progress with the WASC accreditation process.

CGS claims that it submitted a request to make a material revision to the charter to add the eleventh grade in its September 13, 2010 response to the District's first Notice to Remedy or Face Revocation. We do not consider the excerpt from page 2 of CGS's September 13, 2010 letter to constitute a formal request for a material revision to the charter. Normally, a material revision in the charter would include the submission of the petition itself, containing the proposed material revision, along with any supplemental curricular material that would correspond to the addition of a new grade to the school. This would be required to meet the requirement set forth in Education Code section 47605(b)(5) that the charter contain a reasonably comprehensive description of all required elements. The District requests that CGS submit a formal request for a material revision to the charter, along with the appropriate supporting documentation. The District will take the request to its Governing Board for action within the 60-day period set forth in Education Code section 47605 and 47607(a)(2).

### Governance Issues:

The District has reviewed CGS's response to the allegations in the Notice to Remedy relating to CGS's governance practices. The District believes that the CGS Board did commit a number of Brown Act violations, but is now aware of the District's concerns, and has taken steps to ensure that they will not recur. However, the District is concerned that CGS has taken an overly technical approach to Brown Act compliance, which may result in attempts to achieve technical compliance at the expense of meeting the spirit and intent of the law, and which might also expose the CGS Board to future allegations of violations. The District notes these instances below:

1) Brown Act Violations: CGS notes that the charter school board "has never been charged with, let alone found guilty of, any violation of law," and that the Board has never received a notice to cure a Brown Act violation (CGS Response, p. 1). Obviously, the fact that the CGS board has never been charged or adjudicated with violating the Brown Act does not mean that such a violation never occurred. As the charter-granting agency, the District has jurisdiction to bring suspected violations of the Brown Act to the charter school's attention.

2) Location and Posting of Board Agendas: CGS notes that the Brown Act does not contain specific provisions regarding the location where the board posts its meeting agendas, or of its meetings, as long as they are within District boundaries. However, Government Code section 54954.2(a)(1) obligates the Board to post the agenda "in a location that is freely accessible to members of the public." The variable locations of the board's agenda posting and meetings made the Board less accessible to the public. This issue appears to have been rectified by the fact that the charter school is now agendaizing and holding its meetings at its school site. Although CGS refuses to "guarantee" posting of its agenda on its website, the District notes that agendas for the November 8 and 12 meetings have been posted. Though not technically required by law, the District encourages CGS to continue posting its agendas on its website, as well as taking other steps, such as making audio records of open sessions available to the public. CGS should strive to exceed the bare minimum requirements of the law to promote greater levels of access and transparency.

The District also notes that CGS Board members underwent training in the Brown Act at their November 12, 2010 meeting.

### 3) Disclosure of Closed Session Deliberations:

CGS denied that Board President Kent Sandoe and Board Secretary Selena Logan divulged to a candidate for the Director Position closed session discussion, because the dispute between former Board member Sarah Parada and the candidate for Director was public knowledge. However, even though certain information discussed in closed session might otherwise be in the public domain, great care must be taken to ensure that no discussions from closed session are divulged to individuals outside of closed session. Here, any discussions with the candidate for director that pertained to the reasons behind the Board's selection of a director ran the significant risk of divulging closed session discussions, or creating the impression that closed session discussion was being divulged.

Government Code section 54963(a) states that "[a] person may not disclose confidential information that has been acquired by being present in a closed session authorized by Section ... 54957 ... to a person not entitled to receive it, unless the legislative body authorizes disclosure of that confidential information."

Although, as CGS notes, no charges have been filed related to this allegation, one former Board member did believe that closed session discussions had been divulged, therefore potentially compromising the candor with which board members engage in closed session discussions.

The District notes that CGS should avoid any situations that may even potentially create the appearance that closed session discussions are being divulged, such as discussions with candidates for employment regarding the rationale for the Board's personnel decisions. The CGS Board should not rely upon the defense that a particular matter discussed in closed session might otherwise be in the public domain. If

circumstances cause any former or current Board member to believe that closed session discussions have been divulged, the potential candor of all Board members in closed session is compromised.

#### 4) Unauthorized "Meetings" of a Board Quorum:

CGS denied that an improper "meeting" occurred over the Labor Day weekend when Board members Sandoe and Logan were at the school, at the same time as Board members Orneallas and Schwabe, since Ms. Logan left the room when a quorum was present. This account is disputed by members of the CGS staff. CGS does acknowledge that e-mail exchanges involving at least a quorum of the Board occurred but were promptly stopped.

CGS states that "the CGS board does not believe that a majority of the members of the Board have ever had a discussion about an item of school business via e-mail." However, CGS is cautioned that a "meeting" might be invoked under the Brown Act even if a quorum of Board members do not actively engage in the discussion. Government Code section 54592.2(a) defines a "meeting" to include "any congregation of a majority of the members of a legislative body at the same time to *hear, discuss or deliberate* upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains." (Emphasis Provided) Therefore, even passive receipt of an e-mail discussion by Board members might invoke the statute's definition of a meeting, since by receipt of the e-mail a Board member is witnessing the deliberation. CGS should exercise caution regarding the use of e-mail by Board members with these statutory provisions in mind.

#### 5) Board Membership and Voting:

The composition of the CGS board appears to have stabilized. The District recommends that CGS continue the practice of listing all board members on its agendas, and board members present and absent, in all meeting minutes. The District also notes that CGS should continue its practice of having the Board chair vote, consistent with the provisions of Corporations Code 5211(c).

#### 6) Board Governance Norms:

The District disagrees with CGS that its governance problems did not rise to the level of a violation of the charter. The CGS charter does list a number of functions to be performed by the charter school Board:

"The Chico Green School charter states that that charter school shall be governed by a Board of Directors, which shall perform the following duties:

- "To oversee that the School's program and operation are faithful to the terms of its charter and its mission statement.
- To insure that the School's academic program is successful.
- To insure that the School is a viable, financially solvent organization equipped with a competent staff." (Charter Petition, p. 19)

The charter also states that "[a]ll meetings will be conducted in accordance with the Ralph M. Brown Act ..." (Charter Petition, p. 20)

The Board cannot perform these functions if it does not maintain the proper allocation of duties between itself and the school's staff, or if present or former board members believe that the Board's culture of communication impedes the Board's ability to govern. Material violation of a provision of the charter does give rise to the right to revoke. (Education Code section 47607(c)(1).)

In response to the Notice to Remedy, the faculty of CGS submitted a collective statement from the school's staff, dated November 10, 2010, noting the following:

- The Board has "made strides at delegating responsibility and authority to the interim director and staff," including the creation of a joint staff/Board priorities chart;

- The Board has hired an "experienced and trusted interim director," and has established a hiring committee to find a permanent Director;
- Board/staff interaction has become more positive, and communication has improved between the two.

CGS appears to have made progress in recalibrating the allocation of duties between the staff and the Board, and improving communication between them. Although this process is ongoing, the District does place weight on the conclusions of the school's staff and teachers.


The District concludes that although CGS might not agree that certain conduct has constituted a violation of the charter or of the law, the charter school has taken a number of measures to remedy past incidents and prevent their recurrence. In light of these measures, the District will not proceed with a Notice of Intent to Revoke at this time.

However, in light of the incidents giving rise to the Notice to Remedy, the District will continue to monitor CGS's governance operations to ensure that the Board performs the following:

- Post Board meeting agendas in a location that is "freely accessible to the members of the public," including the charter school's website;
- Consider taking and maintaining audio recording of its Board meetings;
- Take measures to ensure the confidentiality of closed session discussions, and preserve the confidence that board members may speak candidly in closed session;
- Avoid congregations, whether physical or by e-mail, of a quorum of board members, in which discussion or deliberations of issues within the board's jurisdiction takes place.
- Continue developing a board governance culture that is based on respect and collaboration, and that is free of intimidation and abuse;
- Continue properly allocating the division of responsibilities between the Board and staff, in compliance with the charter.

The District requests that CGS provide a status report on its continuing progress on these matters by April 1, 2011. The District also requests that CGS provide a copy of its Self Study Final draft by that date.

Sincerely,



John Bohannon  
Charter School Liaison

**EXHIBIT D**



# Accrediting Commission for Schools

533 Airport Boulevard, Suite 200  
Burlingame, California 94010  
(650) 696-1060 • Fax (650) 696-1867  
mail@acsWSC.org • www.acsWSC.org

To: John Bohannon  
cc: CUSD Board

DAVID E. BROWN, Ph.D.  
Executive Director

MARILYN S. GEORGE, Ed.D.  
Associate Executive Director

LEE DUNCAN, Ed.D.  
Associate Executive Director

## COMMISSION MEMBERS

DALE MITCHELL  
Chairperson  
Association of California  
School Administrators

HARLAN LYSO  
Assistant Chairperson  
East Asia Regional Council of Schools

KELLY BOCK  
Pacific Union Conference of  
Seventh-day Adventists

RICHARD BRAY  
Association of California  
School Administrators

REBECCA BUETTNER  
Association of California  
School Administrators

JOHN COLLINS  
Western Catholic Educational Association

SUSAN DILLON  
Western Catholic Educational Association

WILLIAM ELLERBEE  
California Department of Education

MARTIN GRIFFIN  
Association of California  
School Administrators

SHABAKA HERU  
Public Member

JESUS HOLGUIN  
California School Boards Association

DAMON KERBY  
California Association of Independent  
Schools

PATRICIA LIVINGSTON  
Western Catholic Educational Association

MARY LUEBBEN  
Association of California  
School Administrators

GERRY MADRAZO  
Hawaii State Department of Education

STEVE MALVINI  
Public Member

GEORGE MARTINEZ  
California Federation of Teachers

ROBERT PETERS  
Hawaii Association of Independent Schools

KATHY RALSTON  
California Association of Private  
School Organizations

LINDA RESER  
Hawaii Association of Independent Schools

LORRAINE RICHARDS  
California Teachers Association

RICHARD SEXTON  
Western Catholic Educational Association

NANCY SODERBERG  
Hawaii Government Employees'  
Association

VALENE STALEY  
Association of California School  
Administrators

CARL TAKAMURA  
Public Member, Hawaii

ROSALINE TURNBULL  
California Congress of Parents and  
Teachers, Inc. (PTA)

WILLIAM WALNER  
Association of Christian  
Schools International

WILLIAM WONG  
Association of California  
School Administrators

June 30, 2011

RECEIVED

JUL 19 2011

SUPERINTENDENT'S OFFICE  
CHICO UNIFIED SCHOOL DISTRICT

Ms. Cheryl Eining  
Director  
Chico Green School  
P. O. Box 7111  
Chico, CA 95927

Dear Ms. Eining:

The Accrediting Commission for Schools of the Western Association of Schools and Colleges during its Summer commission meeting took action on your application for candidacy. Chico Green School was not approved for candidacy.

Enclosed is a copy of the initial visit report that reflects the concerns of the visiting committee. If you should choose to pursue accreditation further, we will be pleased to work with you.

Sincerely,

David E. Brown, Ph.D.  
Executive Director

DEB:mc

Enclosure: Initial Visiting Committee Report

cc: Mr. James F. Johnson, Chairperson  
Superintendent

**EXHIBIT E**





# Accrediting Commission for Schools

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LEE DUNCAN, ED.D.  
ASSOCIATE EXECUTIVE DIRECTOR

## INITIAL VISIT VISITING COMMITTEE REPORT — CALIFORNIA PUBLIC SCHOOLS

This form is to be used in conjunction with the *WASC Initial Visit Procedures Manual for California Public Schools* and is to be used for all California Public and California Charter Schools. Note: Criteria A7 and A8 pertain only to California Charter Schools.

### Part I

Name of School: Chico Green School

School Address: 2414 Cohasset Road, Chico, CA 95926

Grades Reviewed 9 - 11

School Type(s): Independent Charter School

Comprehensive, Community Day School, Alternative Education/Continuation, Independent Study, Charter School, Home Study, Online Distance Learning, etc. (if more than one school type, list approximate percentages)

Initial Visit Chair: Mr. James F. Johnson

Initial Visit Team Member(s): Dr. Ron Zimbalist

Date of Visit: April 27, 2011

## Introduction

Write a paragraph summarizing the important information found in Part I and II of the *Initial Visit Application/School Description for California Public Schools*.

Chico Green School (CGS) is a new charter high school operating in the City of Chico and authorized by the Chico Unified School District. The school's pedagogy is inspired by Waldorf methods, an educational model developed by theorist, Rudolf Steiner. The school is also unique with the incorporation of sustainability as an overall theme for the curriculum. While the school's charter specified enrollment of only 9<sup>th</sup> and 10<sup>th</sup> graders in the first year of operation, CGS currently serves 9th-11th graders and plans to add a 12th grade in the 2011-2012 school year.

Chico is a small city approximately 90 miles north of Sacramento surrounded by agriculture. According to U.S. census, Butte County is 76% White, 2% Black, 2% Native American, 4% Asian, 13% Hispanic, and 3% other. Nearly 20% of the population of Butte County lives below the poverty line.

Chico Green School opened in August 2010 at its current location on Cohasset Road and has not moved. It is situated in a commercial area near highway 99.

Enrollment at GCS has declined during the first year of operation, from 57 students in the fall to the current 46. While CGS has five non-native English speakers, all are English proficient. Students range in age from 13 to 17 years old. 60% of the CGS student body resides in Chico, while 40% commute from the nearby communities of Cohasset, Paradise, Durham, Orland, Oroville, and Magalia.

Eight CGS students receive special education services provided by the district in accordance with their IEPs. (CGS is considered a "school of the district" for special education purposes.) 71% of CGS students qualify for free or reduced price lunches.

Chico Green School has two characteristics that render it unique among California charter schools. First, CGS is a "green" school. This means that the entire curriculum has as its overarching theme the concept of sustainability in education and addresses three kinds of sustainability: economic, environmental, and social. Second, the school is the first chartered Waldorf public high school in the state and nation.

## Category A Organization

**A1. Vision and Purpose Criterion:** *to what extent does the school have a clearly stated vision or purpose based on its student needs, current educational research, and the belief that all students can achieve at high levels?*

Chico Green School has a clear vision built around Expected Schoolwide Learning Results that incorporate the philosophy of Waldorf education. The school's focus is on teaching abstract thinking, ethical judgment and creative imagination.

"Through environmental and civic engagement, students who will develop an understanding of social, economic, and environmental sustainability and have the will to be active and responsible stewards in their community and the world."

**V2. Governance Criterion:** *To what extent does the governing board(a) have policies and bylaws that are aligned with the school's purpose and support the achievement of the expected schoolwide learning results and academic standards based on data-driven instructional decisions for the school; (b) delegate implementation of these policies to the professional staff; and (c) monitor results regularly and approves the single schoolwide action plan and its relationship to the Local Educational Agency plan?*

The school has established a Board of Directors for monitoring the overall school plan. The Director is in charge of operations and procedures for the school. Through collaboration the faculty provides daily monitoring of students and program implementation.

At this time, there is not a clear delineation of roles and responsibilities between the Board the administration of the school. A Board member is currently the CFO, there is an Interim Director serving two days a week, and an Administrative Assistant is charged with day-to-day operations. The school has also undergone changes in leadership during the course of operations in the first year as a charter school.

**V3. Leadership and Staff Criterion:** *To what extent does the school leadership and staff make decisions and initiate activities that focus on all students achieving the expected schoolwide learning results and academic standards?*

Through academic assessments, behavioral observation, and direct student input the faculty and administration plan programs to meet the schoolwide learning results. The use of SDAIE strategies, weekly homework logs, graphic organizers, and a zero period support the school's efforts to teach abstract thinking. Ethical judgment activities explored through the Friday Forums. The small school has added a dance class as well as increased time for music to support creative imagination.

Yearly reviews of program effectiveness will initially be conducted in the spring. The school plans to make educational decisions based upon input from all stakeholders: students, parents and community members, faculty and staff, administration and board.

**A4. Qualified Staff Criterion:** *To what extent does a qualified staff facilitate achievement of the academic standards and expected schoolwide learning results through a system of preparation, induction, and ongoing professional development?*

Credentialed teachers have been hired for all core subject areas. Teacher selection is also based upon a willingness to be trained in and incorporate the use of Waldorf methods for instruction. Current staff are becoming Waldorf trained and are supported by a forgivable loan program. Those instructors teaching out of their areas of major or minors include art, and music. However, those teachers have shown an understanding of the Waldorf philosophy. There are no instructional assistants employed at this time.

**A5. Ongoing Professional Development Criterion:** *How does the school ensure that the leadership and staff are involved in ongoing professional development that focuses on identified student learning needs?*

Aside from initial start-up training to establish the school, the school has conducted trainings as needed or required by Chico Unified School District. After concerns were raised regarding possible violations of the Brown Act in the fall, the Board of Directors completed a Governance Training on Brown Act Compliance and Conflict of Interest Issues. The Board members and administrative staff have participated in conferences including the Annual Conference of the Alliance for Public Waldorf Education and This Way to Sustainability Conference.

**A6. Resources Criterion:** *To what extent are the human, material, physical, and financial resources sufficient and utilized effectively to support students in accomplishing the academic standards and the expected schoolwide learning results?*

Human resources: The school has a full-time administrative assistant, a part-time Interim Director, a part-time resources teacher for special education, and numerous volunteers from parents and community. The student/faculty ration is 7.25:1.

Material resources: The school is in the second year of a three-year \$450,000 implementation grant. All students are provided iPads with most texts in digital format.

Physical resources: The site and facilities are adequate for the current student population. The board has formed a committee to explore additional space as the school grows.

There is some question as to the access of all students to State approved standards-based instructional materials aligned with the Content Standards. Given the Waldorf Philosophy that stresses abstract thinking, ethical judgment and creative imagination.

**A7. Resources Planning and Fiscal Health Criterion:** *To what extent has the charter school's governing authority and the school leadership executed responsible resource planning for the future.*

The Board and Director manage the school's financial resources while realizing the state's current budget difficulties. "As a result, the school is fiscally solvent and maintains positive fund balances. CGS uses sound and ethical accounting practices including (1) a comprehensive annual budgeting process, (2) internal controls that are spelled out in the school's Fiscal Policies

and Procedures Handbook, (3) an annual audit by the region's major school accounting firm, (4) close monitoring of the school's fiscal health by the CFO and Board, and (5) regular reporting to the charter-authorizing district's Director of Fiscal Services including trimester reports to the County Office of Education and the CDE.

**A8. Operational Standards and Procedures Criterion:** *Has the charter school developed policies, procedures, and internal controls for managing the financial operations that meet state laws, generally accepted practices, and ethical standards?*

The school appears to be working in accordance with its Fiscal Policies and Procedures Handbook. Administrative staff and financial officers are participating in fiscal and management training offered by the California Association of School Business Official along with bimonthly mentoring of the office staff by the Director of Financial Reporting Services of a regional CPA firm.

## **Category B**

### **Standards-based Student Learning: Curriculum**

**B1. Standards-Based Curriculum Criterion:** *How does the school ensure that all students participate in a rigorous, relevant, and coherent standards-based curriculum that supports the achievement of the academic standards and the expected schoolwide learning results?*

The school is developing curriculum that aligns to the California State Standards for curriculum pacing and the Waldorf teaching methods for instruction. Students are exposed to a modified Waldorf curriculum and supported by one-on-one tutoring and assessment.

**B2. Student Access Criterion:** *How does the school ensure that all students have access to the school's entire program and assistance with a personal learning plan to prepare them for the pursuit of their academic, personal, and school-to-career goals?*

Each student meets with an advisor to develop an Individualized Graduation Program (IGP). One-on-one tutoring is available to students from teachers and community volunteers. All students complete a bi-monthly Progress Report that is shared with parents. Age appropriate responsibilities are available to students such as inviting guest speakers, gardening on campus, mentoring peers, exploring music, art and drama as well as leading school/community projects.

**B3. Graduation Criterion:** *How does the school ensure that upon completion of the high school program, students will be able to meet all the requirements of graduation?*

Through the small learning environment at Chico Green School, students are able to follow their individualized graduation program with support from the faculty. Graduation requirements are as follows:

- Four years of English courses in literature, writing and inquiry;
- Four years of mathematics, including algebra, geometry, intermediate algebra, and pre-calculus;
- Four years of social science, including economics, geography, history, and political science;

- Three years of integrated science, including earth science, biology, chemistry and physics, as well as one year equivalent of laboratory science; and one year of environmental science;
- Three years in same foreign language;
- Three years of art, including fine arts, practical arts, and performing arts;
- Three years physical education;
- Three and one half years of electives and required coursework in service learning, community issues and current events, and computers and media technology.

While the school has adopted these graduation requirements, the actual delivery of the curriculum and required coursework is still in the development stage.

## Category C

### Standards-based Student Learning: Instruction

**C1. Challenging Learning Experiences Criterion:** *To achieve the academic standards and the expected schoolwide learning results, how does the school ensure that all students are involved in challenging learning experiences?*

The use of Waldorf teaching methods provides students with a holistic high school experience. “Waldorf methods integrate the arts into all areas of curriculum and emphasize the use of creativity and imagination. The school’s curriculum has modified traditional Waldorf curriculum to incorporate current issues of sustainability including resources of the local area.

The challenge for the school will be to meet the entire scope of the A-G requirements as specified for comprehensive high schools while utilizing Waldorf methods.

**C2. Strategies and Resources Criterion:** *How does the school ensure that all teachers use a variety of strategies and resources, including technology and experiences beyond the textbook and the classroom, that actively engage students, emphasize higher order thinking skills, and help them succeed at high levels?*

Student engagement will be driven by three instructional strategies:

Technology: All students receive an iPad at the beginning of the year that is preloaded with most of their textbooks and instructional materials. The iPads are used for note-taking, internet research, and email communication with teachers.

Arts: “Students will have the opportunity to approach all curricular subjects through various artistic media for at least 15 minutes at least one out of every two class periods in every subject.”

Service Learning: All students are engaged in service learning on campus and the community for two hours per week.

The school believes that because of their small school environment, communication is enhanced by personal contact between students and faculty as well as a bi-weekly e-newsletter sent to parents and community members.

## **Category D: Standards-based Student Learning: Assessment and Accountability**

**D1. Data Collection and Analysis Criterion:** To what extent does the school use a professionally acceptable assessment process to collect, disaggregate, analyze and report student performance data to the parents and other shareholders of the community?

**Selected statements from the school application (optional):**

CGS uses a six step Assurance of Learning Model to guide its assessment process.  
The six steps are:

1. Develop Learning Goals and Outcomes
2. Plan Assessment Activities
3. Manage Assessment Execution
4. Analyze and Report Assessment Data
5. Identify Possible Program and Course Improvements
6. Execute Approved improvements

**Visiting Committee comments:**

The school uses the testing program mandated by the State and the Chico Unified School District. However, the school's first administration of the CAHSEE was in February, 2011 and the results indicate that while some enrolled students had previously passed the exam others are still working towards passage.

**D2. Variety of Assessment Strategies Criterion:** How does the school ensure that all teachers employ a variety of strategies to evaluate student learning? How does the school ensure that the students and teachers use these finding to modify the teaching/learning process for the enhancement of the educational progress of every student?

**Selected statements from the school application (optional):**

The following is a list of assessments used at the Chico Green School:

1. Standardized Testing
2. Teacher-Designated Assessments
3. Student Portfolios



4. Written Qualitative Feedback
5. Student Self-Evaluation
6. Peer Evaluation

**Visiting Committee comments:**

Evidence exists that the school uses a variety of informal assessment to determine student performance. However, assessment techniques will need to be aligned with required credit acquisition, grading, and graduation requirements.

**D3. Review of Student Progress Criterion:** To what extent does the school with the support of the district and community have an assessment and monitoring system to determine student progress toward achievement of the academic standards and the expected schoolwide learning results?

**Selected statements from the school application (optional):**

Chico Green School shall meet all statewide standards and conduct pupil assessments required pursuant to Education Code §60605 and any other statewide standards authorized in statute, or pupil assessments applicable to pupils in non-charter public schools. In addition, the educational program will meet or exceed the University of California a-g requirements.

The Chico Green School will also use a variety of statistical data to evaluate school performance. These data include:

- Academic Performance Index (API): API scores, both relative and absolute, can provide a useful snapshot of school performance.
- Average Daily Attendance: CGS will use ADA as a general benchmark of how well the school is engaging its students and community.
- Discipline Report: One indicator of the students' personal development is the overall disciplinary report that will record student misbehavior from tardiness to suspension and expulsion. School-wide trends will be duly noted and acted upon.

**Visiting Committee comments:**

As a new and developing school, Chico Green is in the process of developing and adopting policies, benchmarks and standards for students enrolled in the program. Their Initial Application reported, "CGS attracted a most distinctive group of students in its first year, many of whom have found little success in other educational settings". For that self-stated reason, it will be a challenge for them to meet the testing outcomes required by the State. In addition and as reported by the school, they are in their first year of operation and therefore not all systems are in place.

**D4. Assessment of Student Achievement Criterion:** To what extent does the assessment of student achievement in relation to the academic standards and the expected schoolwide learning results drive the school's program, its regular evaluation and improvement, and the allocation and usage of resources?

**Selected statements from the school application (optional):**

At CGS, formative and summative assessments will be used to track and improve student achievement, refine instruction and the curriculum, monitor the school's progress relative to other schools, and provide a useful means for external accountability to the state, the authorizing district, and the community. Assessment will also serve as a learning tool in and of itself to promote growth and learning through self-reflection and introspection. CGS has procedures in place for the continuous development and review of school-based and classroom-based assessments and rubrics.

**Visiting Committee comments:**

As stated earlier, the school is in its first year and still in the developmental stage. They have high expectations and goals but may have been premature in presenting themselves as WASC prepared this first school year.

## **Category E: School Culture and Support for Student Personal and Academic Growth**

**E1. Parental and Community Involvement Criterion:** To what extent does the school leadership employ a wide range of strategies to encourage parental and community involvement, especially with the teaching/learning process?

**Selected statements from the school application (optional):**

Parents at CGS will play a significant role in governing the school. Some of the ways that parents may participate in the governance of the school include:

- Election of the Board of Directors
- Membership on the Board of Directors or Board Committees
- Membership in the newly forming Parents and Friends of CGS Association
- Participation in Town Hall meetings
- Participation in conflict resolution processes

Parents can also play a significant role in regular activities of the school. Each family is asked to contribute 100 hours of service toward the school each school year as able.

Parents are made aware of all of these opportunities in a variety of ways: Parent Student Handbook, regular e-Newsletters, Back to School Night, and the Welcome to CGS Pancake Dinner. Ninety percent of parents have participated in a one on one personal interview to discuss ways in which they can meaningfully participate in the school. CGS also intends to continue the practice of having introductory interviews with students and their families prior to enrollment.

**Visiting Committee comments:**

As with the majority of Waldorf schools, parent, student and community involvement in the school is high. A major tenet of the Chico Green School is significant involvement by all stakeholders. Their additional challenge will be to model this at the high school level, where student growth, performance and success is measured in large part by credit acquisition and graduation rates.

**E2. Culture Criterion:** To what extent does the school ensure that it is a safe, clean, and orderly place that nurtures learning? To what extent is the culture of the school characterized by trust, professionalism, and high expectations for all students with a focus on continuous school improvement?

**Selected statements from the school application (optional):**

Chico Green School started the year in a 4000 square foot stark white warehouse surrounded by asphalt and chain link fence. Fortunately the warehouse was the perfect size for our three classes of students, has several smaller spaces that lend themselves to individualized activities, and has a beautiful bank of windows that give an air of warmth. It was the perfect site to teach students of sustainability about creation and transformation. The rooms have been furnished and decorated to promote both comfort and attention. The students have led efforts “green the school yard”: fence climbing plants and herb gardens have been interspaced with outdoor patio seating; a lawn has been planted to accommodate volleyball and other outdoor games; an outdoor classroom has been built; and there are projects underway for the students to paint the entry awning and mobile murals all about the yard.

Transitional closing period is a time specifically designed to promote a culture of respect and professionalism. This short period of each day leaves room to have class meetings, discuss particular incidents or issues that have come up, introduce concepts of leadership and fellowship, and promote professional, organizational, and social skills

**Visiting Committee comments:**

CGS is dedicated to creating a clean, safe and orderly campus. In addition, its emphasis on being “green” and focusing on sustainability is key to the school. They are to be commended for transforming a stark industrial setting into a comfortable school campus.

**E3. Student Academic Support Criterion:** To what extent do all students receive appropriate support along with an individualized learning plan to help ensure academic success?

**Selected statements from the school application (optional):**

None

**Visiting Committee comments:**

Given the very small nature of the student body and the number of teachers and support staff at the school, all students receive all the attention they would ask for or need.

**E4. Student Personal Support Criterion:** To what extent do all students have access to a system of personal support services, activities, and opportunities at the school and within the community?

**Selected statements from the school application (optional):**

There is always at least one faculty member and one staff - Director or Administrative Assistant available to assist students with personal support issues.

**Visiting Committee comments:**

None

**Other areas to which the school has responded or to which the committee wishes to respond.**

None

**Selected statements from the school application (optional):**

None

**Visiting Committee comments:**

None

## Ongoing School Improvement

### Schoolwide Areas of Strength

1. The vision and commitment of the founders, Board of Directors, and staff to create a new alternative pathway for students to achieve a public high school diploma using Waldorf methods and associated with the Chico Unified School District.
2. The efforts of the school and community to transform a stark commercial building into an attractive, welcoming, safe environment for students.

### Critical Areas for Follow-up

1. The Board of Directors need to complete efforts to comply with the Brown Act, enact policies and organizational procedures for the school, and clearly define the separation, roles and responsibilities of the governing board, administration, and staff.
2. The school needs to institute clearly defined process and procedures for maintaining formal student records that track needed student information including credit acquisition, course completion, and individual student transcripts.
3. As a charter school associated with the Chico Unified School District, every effort needs to be made by the school and District to recognize that while the delivery and scope of instruction at the school is different, every effort needs to be made to align the curriculum and course content with that offered by the District and set by the State.
4. All teaching staff employed by the school needs to be fully credentialed by the State of California in subjects taught and have clear Waldorf authorization.
5. As a charter school operating as a public school system, the school needs to provide full-time administrative leadership that is fully credentialed to perform staff evaluations.
6. The school needs to formalize student attendance and discipline procedures to ensure compliance with District and State policies and laws.

**EXHIBIT F**



-----Original Message-----

From: David Orneallas [mailto:castlewittier@gmail.com]

Sent: Thursday, July 21, 2011 5:10 PM

To: John Bohannon

Cc: Shana@chicogreenschool.org; Josh

Subject: Missing agendas??

Dear John,

I received a message from one of the staff here at Chico Green School that you had texted her regarding some agendas you had not received.

I apologize for this and take full responsibility. Going forward, I will personally see to it that you receive all agendas in a timely fashion. Per the Brown Act, I would be happy to have agendas for Special Meetings hand carried to you at least 24 hours before meeting time if you'll . We are committed to compliance with all aspects of the Brown Act, our charter, our MOU with CUSD, and all other relevant statutes.

John, let me reiterate my apology and the fact that I, personally, am responsible for any miscommunication. I only recently took over as Board chairman and, as you can see, not every aspect of the change in leadership has gone entirely smoothly. The responsibility of the Chairman to provide you with these documents was not clear to me. If you will let me know which specific agendas you don't have, I'll get them to you right away, if you'll let me know which address to use.

Also, while I'm writing to you, here's the list of our current Board of Directors: Linda Hovey (member), Josh Gertsch (secretary), Martin Schwabe (vice-chair), Kent Sandoe (treasurer), David Gomez Orneallas (chair). Laura Rivero-Fisher recently left the Board.

Hope this helps! And please feel free to attend any of our meetings. We would welcome more interaction with the district.

David Gomez Orneallas  
Chair, Chico Green School

Watching our City's

## Charter Schools

posted July 18

When CUSD's Board of Trustees meet in closed session at 5 p.m. July 20, they'll be asked to promote Chico Junior High School Principal John Bohannon to director of alternative education. Bohannon will replace retired alternative ed director Bernie Vigallon.

Vigallon ran continuation and GED programs, but the position he helped create has been broadened in scope. Bohannon will oversee all the district's special programs as well as chartered schools. He's been the man in charge of oversight of chartered schools for some time, a job that gets larger with each new application submitted to the district. Bohannon said he's found oversight "very time-consuming."

CUSD is apparently looking at candidates for the position of CJHS principal.

It's particularly difficult to know what's going on at charter schools if they don't meet the state's open-meeting law requirements. That's the challenge I've faced in covering Chico Green School's first year of operation.

CGS has posted advance notice of its board meetings on its website erratically, and insists it meets the state's Brown Act requirements by posting advance notice at the school site. But I found it awkward and inconvenient to be running over to the Cohasset Road site to look for meeting notices, so on March 3, I sent a formal and standing request for meeting notices.

Under the Brown Act, the board of a publicly-funded organization must send a reporter - or for that matter any citizen - meeting packets once such a request is made. But I received only one such packet on time (the law requires 72 hours advance notice for a regular meeting of a board of directors.) I received a second notice late and nothing after that.

On July 15, I sent CGS notification that, in my opinion, the school had failed to meet the law's requirements for the past four months. CGS Board Chair David Orneallas responded with an apologetic letter and a promise that I would be advised of all future meetings.

The school may also have failed to advise CUSD of meetings, even though the district has asked it to do so. In speaking recently with Bohannon, he indicated he hadn't been advised of CGS's June meeting.

Leslie Layton publishes ChicoSol.