



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

Director of Alternative Education
(530) 891-3000, ext. 165

August 10, 2011

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
Supplement to Notice of Intent to Revoke

To the Governing Board of the Chico Green School:

This letter constitutes a Supplement to the Chico Unified School District's Notice of Intent to Revoke the charter held by the Chico Green School (CGS), pursuant to Education Code section 47607(c).

Additional Grounds for Revocation:

1. **Brown Act Violations:** The District's September 9, 2010, Notice to Remedy or Face Revocation provided CGS with the following directive:

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.

The District's October 20, 2010 Notice of Violation/Notice to Remedy or Face Revocation provided CGS with the following directive:

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.)

The District has learned that, since the issuance of the above two Notices, the CGS Board, in April 2011, continued to violate Government Code section 54952.2(a) and (b) by holding email discussions to discuss items within the subject matter jurisdiction of the Board involving no less than a quorum of the Board. (See, Exhibit A.)

The CGS Board continued to hold electronic mail discussions among at least a quorum of the Board, in violation of the Brown Act, even after having been warned not to do so in two separate Notices to Remedy or Face Revocation.

In addition, on May 22, 2011, the CGS Board violated the Brown Act when it convened, without duly agendaizing the meeting, to interview candidates for the Director position in Sacramento. (See, *Exhibit B*)

2. Board Governance Norms

The District's October 20, 2010, Notice provided the following directive to CGS:

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.

The CGS Board has failed to follow this directive since the issuance of the October Notice. The email message thread attached as Exhibit A contains numerous instances of abusive email messages from CGS Board members Kent Sandoe (April 10, 2011) and David Orneallas (June 17, 2011 and June 22, 2011).

Despite having been provided Notice by the District to improve the board governance culture at CGS, the CGS Board continues to be dysfunctional, which impacts the school's chances for successful implementation of the program set forth in the charter.


The District incorporates by reference its prior Notice of Intent to Revoke, and all attachments thereto, into this Notice.

Therefore, substantial evidence exists to revoke the charter of the Chico Green School under Education Code section 47607(c), on the grounds that CGS committed 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) Violated any provision of law

Should CGS wish to provide a written response to this Notice, we ask that such response be submitted to the undersigned no later than 12 p.m. on August 16, 2011.

Sincerely,



John Bohannon
Director of Alternative Education

cc: CUSD Board of Education

EXHIBIT A

EXHIBIT A

Thursday, April 7, 2011 7:24 PM

From:

"Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

To:

"David Orneallas" <david@chicogreenschool.org>

Cc:

"Martin Schwabe" <martin@chicogreenschool.org>, "Cheryl Eining" <cheryl@chicogreenschool.org>

Hi David or Martin (I know this is David's big week for his play),

Can you please add these items on the agenda for next Tuesday's Board meeting:

- Status report from the hiring committee;

executive director, support staff, teachers

- Status report for Student Marketing for 2011-2012
- Fiscal Handbook 12-19-10

See you next week at the meeting, Laura

--- On Fri, 4/8/11, Martin Schwabe <martin@chicogreenschool.org> wrote:

From: Martin Schwabe <martin@chicogreenschool.org>

Subject: Re:

To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

Cc: "David Orneallas" <david@chicogreenschool.org>, "Cheryl Eining"

<cheryl@chicogreenschool.org>, "Kent Sandoe" <kent@chicogreenschool.org>

Date: Friday, April 8, 2011, 2:37 PM

Laura, can you clarify the reference to the Fiscal Handbook. What are you wanting? Please use reply all, as Kent would be the expert in this field. Thanks

--- On Fri, 4/8/11, Kent Sandoe <kent@chicogreenschool.org> wrote:

From: Kent Sandoe <kent@chicogreenschool.org>

Subject: Re: Fiscal Handbook question for the board to discuss...

To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

Cc: "Martin Schwabe" <martin@chicogreenschool.org>, "David Orneallas"

<david@chicogreenschool.org>, "Cheryl Eining" <cheryl@chicogreenschool.org>

Date: Friday, April 8, 2011, 3:33 PM

Laura,

If you have a specific question (or concern... or complaint) about our fiscal policies, please ask me. If you have a recommendation for changing our current policies, please formulate it into a proposal that we can distribute to board members prior to the board meeting (preferably 72 hours in advance). Thanks, --Kent

Friday, April 8, 2011 4:05 PM

From:

"Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

To:

"Kent Sandoe" <kent@chicogreenschool.org>

Cc: "Martin Schwabe" <martin@chicogreenschool.org>, "David Orneallas" <david@chicogreenschool.org>, "Cheryl Eining" <cheryl@chicogreenschool.org>

Kent I will email you later. I'm preparing to attend a viewing of a loved one. Laura

Saturday, April 9, 2011 7:18 PM

From:

"Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

To:

"David Orneallas" <david@chicogreenschool.org>, "Martin Schwabe" <martin@chicogreenschool.org>, "Josh" <jgertsch@sbcglobal.net>, "Kent Sandoe" <kent@chicogreenschool.org>

Cc:

"Cheryl Eining" <cheryl@chicogreenschool.org>

Kent, I was not aware of the 72 hour rule, I truly am sorry for the error. (I was attending a funeral with my youngest daughter yesterday and today). In addition, I intentionally didn't elaborate because I thought I would be in violation of the Brown Act. My concerns are not logistical, they are of substance. I will honor Martin's request to reply to all.

Kent's email with attachment sent: Sunday, December 19, 2010 11:21 PM

Re: Special meeting Monday, December 20, 5:15 PM

Fiscal Handbook dated 12-19-10, approved at board meeting on 12-20-10.

PURCHASING, page 2

1. The Director (or CFO) may authorize expenditures and may sign related contracts within the approved budget. The Board must review all expenditures. This will be done via approval of a check register which lists all checks written during a set period of time and includes check #, payee, date, and amount. The Board must also approve contracts over \$5,000.

I require clarification why the expenditure for the upcoming CSDC training (information below for the board and Cheryl's review) was not brought before the Board for discussion and possible approval. I am calculating tuition cost alone, at a minimum of \$5,955.00 for Kent, Selena, & Susan. Are we members of this organization?

This is a significant cost investment in training for three people. Are we sending our best qualified representatives for this level of training designed for administrators, governing board members, and others with "significant financial management and/or oversight responsibilities? I can clearly

understand your participation Kent, as the CFO.

What is the justification for Selena and Susan to attend in light of the workshop's intended audience?

Charter School Chief Business Officer Training Program

Sacramento , California

About the Training

The Charter Business Officer's (CBO) Training Program is an intensive training that delves into the key fiscal management skills required of California charter school directors, business officers, governing board treasurers, and charter-granting agency staff members who have significant financial management and/or oversight responsibilities. The 14-module program is designed to keep schools on the right track and successfully navigate around any potential budgetary pitfalls that schools can encounter. This year, we are excited to be offering the program in a blended format that consists of both in-person and online instruction. This blended approach is intended to give participants additional flexibility with their schedules and help save participants' travel time and costs.

Topics

The CBO Training Program consists of 14 modules that cover the most critical topics that charter school business managers need to know. Instruction will consist of both lecture and hands-on exercises that require participants to apply the concepts presented. Participants that successfully complete the program and exercises will receive a certificate of completion.

- California 's
K-12 School
Finance
System
- Charter
Funding
System
Fundamentals
- Categorical
Programs
Management
- Charter School
Accounting
- Charter School
Attendance
Accounting
- Budget
- Long-Term Budget
Planning
- Fiscal Oversight,
Solvency, & Monitoring
- Charter School Auditing
Process
- Special Education Finance
- Facilities Financing
Fundamentals
- Personnel & Labor
Relations
- Risk Management &
Benefits

- Development
& Monitoring
- Cash Flow
Management

Onsite meetings will take place on April 14th & 15th and May 23rd, 24th, 25th (please note that the May dates differ than the originally advertised schedule). The trainings times for onsite meeting dates are from 8:45 am to 5:00 pm each day. For the first onsite meeting on **Thursday, April 14, 2011**, check-in will begin at 8:30 am.

Cost

Participant fees for the 2011 CBO Training Program are listed below:

- Organizations with an active CSDC Membership pay \$1,985.00 per participant.
- Organizations without an active CSDC Membership pay \$2,360.00 per participant

The fee covers registration, materials, presentations, individual assistance with the finance exercises, and a dinner/networking event on the first in-person training day (April 14).

Participants will need to pay for their own travel, hotel, and meals.

Who Should Apply?

The CBO Training Program is designed for charter school directors, business officers, governing board treasurers, and charter-granting agency staff members who have significant financial management and/or oversight responsibilities.

The CBO Training Program is not open to charter school consultants and other service providers.

CBOT Program Application

Enrollment is limited and is granted by competitive application. Please allow 20-30 minutes to complete the online application.

Attendance

Participants are admitted into CBOT program with the understanding that they are able to devote their full attention and time to program activities during training hours. As stated in your signed Statement of Intent to Participate, attendance by each program participant is required at all workshops, individual assignments and scheduled meetings in order to receive a certificate of completion.

In closing, my concern is that we only have 2 more scheduled board meetings this school year after next Tuesdays meeting. We have major decisions to make concerning administration, staff support, faculty, and student marketing. In addition, as I understand it, BCOE is requesting that CUSD have in their records clearly defined roles and responsibilities for each employee and board members. I trust each of you understand that I am committed to participating in the creation of a wonderful school. It is from

this place that I am asking these important questions.

See you next week, Laura

--- On Sat, 4/9/11, Kent Sandoe <kent@chicogreenschool.org> wrote:

From: Kent Sandoe <kent@chicogreenschool.org>

Subject: Re: Board Agenda request...

To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

Date: Saturday, April 9, 2011, 8:40 PM

Laura,

It is completely inappropriate for you to bring the issue before the board in a broadcast email. Please CEASE IMMEDIATELY.

Any further question, direct to me.

---Kent

On Sat, Apr 9, 2011 at 9:11 PM, Laura Rivero-Fisher <lrivero-fisher@pacbell.net> wrote:

Kent, I do not understand why you are responding to me in this tone. Please explain. I simply was giving you and Martin what you requested. Laura

--- On Sun, 4/10/11, Kent Sandoe <kent@chicogreenschool.org> wrote:

From: Kent Sandoe <kent@chicogreenschool.org>

Subject: Re: Board Agenda request...

To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

Date: Sunday, April 10, 2011, 9:11 AM

Laura,

The reason why I had to respond firmly was because, in your message, you were engaging in activity prohibited by the Brown Act.

We need to act immediately repair the damage that you have caused.

We should probably begin with a formal apology to the Board.

Clearly, you do not understand the Brown Act and so, even though this is not a valid excuse, it helps your case.

You obviously did not pay close attention to what Martin was trying to tell you (it is likely that your elevated emotional state may have interfered with your listening skills).

In addition to spending more time reviewing the Brown Act,

I believe that we need to arrange for you to attend a Brown Act training session ASAP.

Please draft a letter of apology to the Board.

Send it to me,

not to the entire board.

I will review it and decide how to proceed.

Above all, no more broadcast messages! ---Kent

Sunday, April 10, 2011 6:59 PM

From:
"Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>
To:
"Kent Sandoe" <kent@chicogreenschool.org>
Cc:
"Cheryl Eining" <cheryl@chicogreenschool.org>

Kent, I will not engage in communication with you until you begin to show me basic professional respect. Your response to my question is not acceptable. I consider your communication hostile, I am not your enemy.

I want you to understand that I do not feel safe and I am not comfortable with this level of communication between us, for this reason I am going to cc Cheryl.

I will speak with you Tuesday evening at the board meeting. Good night, Laura

IV The Brown Act Requires that the Meetings Agenda be Posted and Shall be Mailed Upon Request

The legislative body shall post an agenda containing a brief general description of each item of business to be transacted or discussed at the meeting, including items to be discussed in closed session, at least 72 hours before the meeting. The agenda shall specify the time and location of the meeting and shall be posted in a location that is freely accessible to members of the public. No action or discussion shall be undertaken on any item not appearing on the posted agenda but a member may direct staff to place a matter of business on a future agenda.

2. What is a meeting?

A. Any congregation of a majority of the members of a legislative body at the same time and place to hear, discuss or deliberate on any matter within its jurisdiction. Can include lunches, social gatherings, board retreats.

B. Exemptions for: 1) conferences open to the general public which involve issues of interest to the body, 2) other public meetings, 3) meetings of other bodies under same local agency, or 4) social or ceremonial occasions, as long as a majority of the members do not discuss application of specific issues to the legislative body.

C. Serial meetings are included within the Brown Act if they are for the purpose of developing a concurrence as to action to be taken.

1. Serial meeting is a series of communications (whether in person or by phone or other media), each of which individually involves less than a quorum, but which, taken as a whole, involve a majority of the board's members. Examples include meetings of board members' intermediaries, chain communications (a@b@c), and hub communications (a@b, a@c).

2. 'Concurrence as to action to be taken' includes substantive matters that are or are likely to be on board's agenda, but does not include purely housekeeping matters (e.g., times, dates and locations of upcoming meetings.)

D. Individual contacts between members of the public and board members are exempt from definition of meeting.

It is my understanding that the potential Brown Act violation occurs only when the intent of the communication or subsequent communications are to influence or encourage a board decision to be made outside of our Board meeting.

The bullet points below represent the content of Kent's communication with me via email concerning my detailed questions in preparation for a board meeting discussion pertaining to the training information mentioned above and the total expenditures exceeding \$5,000, which is the limit according to our *FISCAL POLICIES & PROCEDURES HANDBOOK*.

Kent Selena, and Susan were enrolled and scheduled to attend the **Charter School Chief Business Officer Training Program** in Sacramento during April and May. As I understand from attending board meetings, Selena is an employee of the school, Cheryl Eining is her supervisor. She did not request to attend and obtain approval. The program conflicted with the CUSD charter review work load. Selena's assistance preparing for the review was an important priority.

Kent has accused me of a Brown Act violation. I want legal clarification by our board attorney for my benefit and the benefit of all board members. It is my belief that by being transparent we will always be in good standing with BCOE/CUSD, our school community, and above all, each other.

-
- If you have a specific question (or concern... or complaint) about our fiscal policies, please ask me.
 - If you have a recommendation for changing our current policies, please formulate it into a proposal that we can distribute to board members prior to the board meeting (preferably 72 hours in advance).
-
- Please DO NOT REPLY to this message.
 - This communication verges on a violation of the Brown Act and the substance of the message must not be replied to-- especially not reply to all.
-
- It is completely inappropriate for you to bring the issue before the board in a broadcast email.
 - Please CEASE IMMEDIATELY.
 - Any further question, direct to me.
-
- I had to respond firmly was because, in your message, you were engaging in activity prohibited by the Brown Act.
 - We need to act immediately repair the damage that you have caused.
 - We should probably begin with a formal apology to the Board.
 - Please draft a letter of apology to the Board.
 - Send it to me, not to the entire board.
 - I will review it and decide how to proceed.
 - Above all, no more broadcast messages!
 - Clearly, you do not understand the Brown Act and so, even though this is not a valid excuse, it helps your case.
 - You obviously did not pay close attention to what Martin was trying to tell you.
 - (it is likely that your elevated emotional state may have interfered with your listening skills).
 - In addition to spending more time reviewing the Brown Act, I believe that we need to arrange for you to attend a Brown Act training session ASAP.

Agenda: Special Board Meeting June 17, 2011

Thursday, June 16, 2011 9:59 PM

From: "David Orneallas" <castlewittier@gmail.com>

To: "Kent Sandoe" <kent@chicogreenschool.org>, "Selena Logan" <selena@chicogreenschool.org>, "Josh" <jgertsch@sbcglobal.net>, "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>, "Martin Schwabe" <martinschwabe@yahoo.com>
Cc:

"Cheryl" <cheryl@chicogreenschool.org>

•  Agenda Closed Session June 17.docx

Agenda

Chico Green School

Special Meeting of the Board of Directors

- I. Opening
- II. Roll Call – Josh Gertsch, Laura Rivero-Fisher, Kent Sandoe, Martin Schwabe, David Orneallas
- III. Agenda
 - a. Closed Session –
 - i. Hiring Public Employee (Teacher)
 - ii. Hiring Public Employee (Director)
- IV. Next Meeting – agenda items
- V. Adjourn

On Saturday, June 18, 2011, Laura Rivero-Fisher

>> <lrivero-fisher@pacbell.net wrote:

>>> Hi David, I don't understand this

> attachment. Did you have a special board meeting yesterday? I know Cheryl is on her way to Orlando today. I return to Chico tomorrow. Below is a copy of the attachment. No date is on the agenda and role call was taken with my name on it. Please let me know so I understand.

>>> I took minutes and have them for board approval at our

>> meeting on Tuesday June 28th. I'm off to another workshop, talk to you soon, Laura

On Sat, 6/18/11, David Orneallas <castlewittier@gmail.com wrote:

>> From: David Orneallas <castlewittier@gmail.com> >> Subject: Re: Agenda: Special Board Meeting June 17, 2011

>> To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

>> Date: Saturday, June 18, 2011, 9:51 PM

>> Hi Laura,

>> So sorry, wrong attachment (correct one posted)

>> Yes, we met on Friday night to move forward some of the communications

>> Cheryl was handling remotely. We'll probably meet again on Monday

>> (special meeting) Stand by for details.>> Safe return to Chico!>> David

On Monday, June 20, 2011, Laura Rivero-Fisher

> <lrivero-fisher@pacbell.net> <<http://us.mc808.mail.yahoo.com/mc/compose?to=lrivero-fisher@pacbell.net>>> wrote:

>> David, why didn't you give me the opportunity to participate remotely? As you know I have been very dedicated and I have changed client appointments, etc, so I could dedicate focused attention to our leadership and teacher challenges that are very important for the future of our school.

>> CJ had major surgery on the 1st of September. The board was in crisis handling the Tami and staffing situation. A CGS board member delivered flowers to CJ at Feather River, she and I spoke a couple of times on speaker phone about the challenge at the school, I was involved as I began to assist CJ with understanding the information being shared due to the heavy pain meds she was taking. CJ did not want to be involved with all the special board meetings

> in closed session because of her own health crisis. From what I could gather as I listened, I understood that the situation was very serious and CJ's input was important to the board. I convinced CJ to participate in the closed sessions on the phone. I provided assistance to her as she needed me.

>> (some history for you; CJ had decided in the spring of 2010 that she had to focus on healing her body, she informed Kent of her resignation from the board. In June she had to begin using pain meds and I began to attend all her appointments and become her primary driver).

>> I know that the founding board members on the board and Selena don't appreciate the role I have taken as a new board member. It is very obvious reading all the written documentation I have. I get it and understand why. David please let me know why you did let me decide if I

>wanted to be included in the meeting.

>> I have kept in contact with Cheryl by phone. She told me about the rejection of our offer to Ellie. Did you post an agenda last night for tonight's meeting? Please send me the agenda of last Friday's meeting.

>> Thanks for your time David, Laura

On Mon, 6/20/11, David Orneallas <castlewittier@gmail.com> wrote:

> From: David Orneallas <castlewittier@gmail.com>

> Subject: Re: Agenda: Special Board Meeting June 17, 2011

> To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

> Date: Monday, June 20, 2011, 9:32 AM

> Hi Laura

> Thanks for your note and all your service. You basically already have have the agenda for last Friday's meeting. only the time on the document I sent you is missing (it was 6:30, I might have told you that already). I'll also send you the minutes as soon as I publish them. We are also allowed to update you on what transpired in closed session, which I would be happy to do when next we meet. A rather interesting idea came up that you may like. We will have a (very) brief Special meeting tomorrow at 3:45. It will be a closed session re: existing teachers and hiring update. Hope you can make it! (My cell phone is down so call the school or Kent's cell 588-4515 if you want to be on speaker)

> All the best,

> David

On Monday, June 20, 2011, Laura Rivero-Fisher

<lrivero-fisher@pacbell.net> wrote:

> David, both Josh and I are at our office at 3:45pm, can this meeting be changed to 5:15? I have requested to meet either on weekends or after my office day which typically ends at 5pm. I am not sure of Josh's schedule. Can you please honor my work day restrictions and not schedule board meetings until after 5pm or on the weekends? Did you include Shannon to participate in the discussion? Do you want me to let her know about the meeting?

> When and where can you give me the details of the June 17th special board meeting discussion?

Thanks, Laura

From: David Orneallas <castlewittier@gmail.com>
Subject: Agenda: Special Board Meeting June 17, 2011
To: "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>
Date: Tuesday, June 21, 2011, 7:59 AM

Laura,

No, the meeting time stands. For one thing, the Brown Act requires 24 hours notice for a Special Meeting. By the time I got your email, it was after 5:15 so not enough time to post and comply with the law.

For another, it was Josh himself who requested the 3:45 meeting time. He apparently gets out of work at 3:30. On days when we meet at 6:45, he just sits around killing time in town from 3:30 until the meeting starts. So far, he has just suffered in silence; this one time, especially as we expect the meeting to be very short, he asked us to accommodate him. I really don't think that's unreasonable, do you? (nor am I sure, why you deign to speak for him. He's a grown man and surely we can count on him to speak up for his own needs and preferences). What I do think is unreasonable is any expectation that we will all be able to make it to every meeting or that meeting times should always be scheduled for the convenience of one particular member, in this case yourself. When I was in rehearsal at CSU in Feb and March, it would have been most convenient for me if the Board had met at 10:00 pm. As this time doesn't match many people's schedules, however, I didn't even ask that this be contemplated, much less demand that my scheduled be "honored" at the expense of other Board members.

Finally, honoring "your" schedule cost Chico Green School close to three thousand dollars in March and April as we paid Cheryl for extra days (Sundays) in Chico. (This, it turns out is the reason we had to buy our own lunch on those days) Unless you're prepared to write a check to reimburse the school for this expense, I would be very careful before you assert that your schedule is not being "honored".

Laura, the meeting today (and the one last Friday) is primarily concerned with activities of the Hiring Committee (Kent and Cheryl, with limited support from me while Cheryl is on a much deserved vacation). While you as a Board member are entitled and in fact welcome to be a party to these proceedings, not all scheduling needs to revolve around you. Despite repeated accusations (to which I know firsthand you have been a party) that he "controls" everything at CGS, Kent was very respectful and "hands-off" while the Recruiting Committee of which you were Chair did it's work. The only exception to this was when he, quite rightly I believe, pointed out the unconscionable delays in getting the whole thing going and getting in touch with candidates, both to schedule interviews and to let them know that we weren't interested in them. (Through some tortured and twisted logic, you actually seem to have managed to turn things around and blame Kent himself for these delays!). Have we even yet contacted all those candidates who were kind enough to submit their resumes? Do you even know? Do you even have a plan to do so (or are you just going to leave it for Kent/Cheryl/Selena to clean up?). Please answer me that before you take me to task for not scheduling meetings to suit you.

I will, as always, try to schedule meetings to maximize participation of the members of the Board (and, for that matter, all stakeholders at CGS). If it works for you to be there, great, we'd love to have you. If, on rare occasions, a meeting time does not work for you, please be assured that the world continues to revolve without you and the the business of Chico Green School proceeds apace. One of the many virtues of having a team is that not all the players need to be on the field at the same time and yet the game is won.

One last thought: please be very careful about asking Cheryl (or any other party) to give you "special updates" about the business of Chico Green School. It is very easy for the "serial meeting" provision of the Brown Act to be broken this way and it puts an employee in a very awkward position when a Board member demands such "special accommodation.". If you have any questions, best to direct them to me or Kent (or, for Brown Act questions, either Kent or, if you're still maintaining your little snit about working with him, your local web site)

I'll see you at 3:45 if you can make it, otherwise, our next Regular Meeting is scheduled for 6/26. P.S. Shannon has been a real asset to the team and I'm happy to have her input anytime. I don't see dragging her all the way from Orland for a meeting that we hope will only last fifteen minutes, however, but do what you think is best!David

Tuesday, June 21, 2011 11:57 AM

From:

"Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

To:

"David Orneallas" <castlewittier@gmail.com>

David, your response is inappropriate. You are throwing out information at me that I have no knowledge about. Why would Kent allow me to spend \$3,000 of the schools money? When was this discussed, where and by whom? Why wasn't I informed about all of this? School board members are usually working professionals. They are available to serve on the board after work hours. Evenings and weekends is when they do their work for the board.

I have a working relationship with Cheryl. She was appointed by the board to work with me. We received no training and had no information to begin our work. I have documentation to support what I am sharing with you. Our committee was expanded by you. You added yourself, Daebin, Ryan, Shannon and Selena.

There is no Brown act violation when reporting the outcome of a closed board meeting to board members that were not present. Also, I want documentation supporting your authority to give me a directive to meet with you or Kent concerning a report on the closed session. I want to know all my rights as a board member. As far as I know we are equals and we have equal liability as board members.

Please send me documentation supporting your statement about a possible serial communication with Cheryl. I want to make sure I never violate the Brown Act.

I communicate directly what I think and feel. I do not use sarcasim and passive aggressive communication techniques. I have no problem telling you or any other person how I feel. I honor my feelings and opinions. I am looking forward to my mediation session with Kent so all of this can get out on the table. He will also be able to do the same.

This email represents what is at the root of our school's challenge with leadership and our culture. We can heal all of the wounds if we as a collective want to. We do have all the power. It is all about each of us taking personal responsibility to do our inner work so we are able to work through the required process to release every bit of it. It is my desire that we will all rise above the hurt. Laura

Wednesday, June 22, 2011 12:26 PM

From:

"David Orneallas" <castlewittier@gmail.com>

To:

"Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>

Laura,

You are dead wrong. There is nothing at all inappropriate about my response. It seems like every few days now, you deluge me with information that may or may not be relevant to the jobs that we do (e.g. all that stuff about you and C.J. last fall. I really didn't get your point). I claim quid pro quo. Plus, why would I "throw information" at you that you already have. The only information that I would logically throw at you would be information that you have no knowledge about. Your statement makes no sense. Also, you say you are in favor of open, honest information and saying how you feel. Is that a privilege you claim only for yourself? I have tried being diplomatic with you, kind to you, acknowledging you, covering for you, making excuses for you, and even, in a gentle way, being direct with you (with you just conveniently ignoring what I said like 90% of the time...once you said you were busy and you'd get back to me, another time you said you wanted to discuss my email and I offered you a coffee date. You did not even give me the courtesy of a response.) Right now, I'm probably the closest thing you have to a friend on the Board and I am completely fed up! Last night marks the fifth or sixth time I have lost sleep over your shennanigans. I'm done with that!

You would know how much was being spent if you would communicate with Kent. You've cast many an aspersion about the job he is doing, but you (even though I have asked you twice and you agreed) have not met with him about the budget and finances. Somehow this, in your mind (or at least your speaking) is Kent's fault. The reason he "let" you spend \$3000.00 of the school's

money is because he was giving you latitude to do your job, but did you honestly think Cheryl's time was free? (You represented yourself to us as someone with business experience; was this a misrepresentation?) Plus, the irony! He specifically didn't control you or make all the (or any of the) decisions about the way the recruiting committee was run, yet you constantly accuse him of being controlling and making all the decisions secretly. The guy just can't win with you! Can you imagine the trust it took for Kent (and Selena, notice she only involved herself really with the teacher interviews) to turn over to your hands, who have been both openly and covertly hostile to them, the single most important decision this organization will make this year? Also, since you told me (twice) that, despite your differences, you would meet with him to talk budget, I can tell you with 100 % certainty that it is in no way Kent's fault if you are not willing to keep your word to me (or, for that matter, get the basic facts you needed to do the job you said you were going to do. I agree completely, it is information that you may have needed, should have had, and kept saying you needed, BUT YOU'RE "NOT SPEAKING TO" THE PERSON WHO HAS IT (for months now).

You have played out this Kent drama way beyond the point where it's interesting or, as you put it, appropriate. Do you still think that you did not violate the Brown Act back when, against Kent's advice, you "Reply All'd" the whole Board. I have it in writing that you did -- you sent me the emails that you wrote. I was willing to give you the benefit of the doubt; Martin's advice to you may have been inappropriate and misled you about the Brown Act. Fine, we paid to train you. I have it from my Board Colleagues at Blue Oak who we are supposed to be impressing with what a good place we are for their students to go that you spent the entire evening "sniping" and Kent and making "thinly veiled accusations".

As to whether you had "training or information" to begin your work: First, see above: like a first grader, you won't talk to the person who has the information. Second, all you really had to do is listen to Cheryl. She's hired like 100 teachers and administrators.

Third, I put myself on that committee because you weren't getting the job done. I tried to do it gracefully and, if you remember, I didn't criticize you or take you to task, but, Laura, SIX WEEKS went by and you hadn't interviewed a soul! Do you really not see anything wrong with that?

Surely you knew you were floundering! Fourth, I did suggest a teacher and a student. I wish we had had them last year (thought the student thing didn't quite work out). Cheryl requested that Laurie and Selena join the team (and BTW, I understand that Selena, who's existence you barely acknowledge when you're in the room with her and who, I have it from a source I consider reliable, you've been trying to get rid of since before you were even appointed to the Board, did a ton of work in screening resumes, that apparently it didn't suit you to do, or ask someone nicely to do, or Thank them for doing). As I said, above, and probably a dozen times during the process, all you really had to do is listen to Cheryl. Plus, I have it, again from reliable authority, that Kent turned over to you a big fat binder with everything in it that you did last year. If you didn't actually know how to do the job, you should have either declined it or asked for help. As to why it's somehow Kent's fault that you didn't do your job properly. I'm sorry, but like the man said, that dog won't hunt.

I could go on and on. It seems like everything we do that includes you has to include some drama about how you feel and that nothing is your fault. Right now you yourself are the most negative influence at Chico Green School. Yesterday's meeting is a case in point. You were surly, gruff, and totally uncivil. You've been this way with Selena all year and Cheryl whenever it suited you. It completely does not work and I'm beginning to wonder whether it's really going to work to have you on the Board at all. I will not go into another school year with this kind of divisiveness in-house and, frankly, am not even willing to spend the summer with it.

You ask whether we're equals and on what authority I issue you a "directive". It is America and, as far as I know, we are all equal, but at Chico Green School, I hold a position of authority to which I was elected by my fellow Board members. I will do whatever I need to do that is legal and ethical to protect the health, mission, and vision of the organization. If that includes monitoring a loose cannon Board member viz. the Brown Act, then that is what I will do. You have not earned my trust re: your compliance with the Brown Act. You violated it twice that I have in writing (in the emails that you sent me!) and how not yet acknowledged it. Once you'd had the training, we expected that you'd say "Sorry, my bad!" and drop the whole drama with Kent that you had drawn out for months. That is why both Kent and Cheryl wanted to delay the "mediation" until after

you'd had it. You say your complaint has nothing to do with the Brown Act, but, again according to the email you sent me, it does indeed. You violated it, Kent corrected you, you didn't like the tone of his email and, months later, here we still are, with you not doing the job you said you'd do and somehow blaming Kent for it. If it's not the Brown Act, I've asked you to let someone (dear God, anyone) know what it is so it can actually be addressed. I've asked you to talk to Kent first (or email him, or whatever) so he can possibly address it (something that would have made more sense back in the beginning of this whole Kerfuffle when there was a simple misunderstanding about whether Selena was going to the CBO training with Kent and Susan). But I digress. Reread what I said carefully. I did not issue you a directive. I made a request. I said "please" and "perhaps it would be best". That is not the language of a directive. I could even be read as a suggestion. Given your repeated violations of the Brown Act, your obliviousness to Equal Employment/Equal Opportunity Law (and the Affirmations in our own Charter re: compliance with same), and your stated desire to have a "heart-to-heart" with a very important candidate to "share" with her your misguided (and largely inaccurate) impressions of "what she'd be getting herself into" at Chico Green School, I have a **ABSOLUTE OBLIGATION** to monitor your communications and activities. If you feel that that does not make for a very effective partnership, think how I feel, especially when you are so consistently unpleasant with faculty, staff, and Board members about whatever strikes your fancy. Again, I have serious doubts about whether your continued service on the Board would actually best serve the organization. Read this carefully. I will not dig through all of my old emails and meeting notes, plus interview (and document those interviews) staff, students, faculty, parents, community, and Board members about your divisive and inappropriate communications (many of them have spoken with me already on condition of anonymity to complain of your misdeeds), I will not go through that process in order to satisfy your idle curiosity or engage in a petty argument with you. For purposes of this discussion, my assertions are true because I say so. If I do all that work, it will be in order to build a case to remove you from the Board for failing to discharge your fiduciary responsibility to the organization and, in fact, taking action and making communications contrary to the well-being of the organization. You criticized our culture. If there's one thing wrong with it that I'm determined to change about our culture, it is that we try too hard to believe in the basic goodness of people that don't like us and have shown their hostility towards us in a myriad of ways. We try to bring them around, we're nice to them, we try to mediate with them, we try to address their concerns, and they kick us in the teeth. You, I think, are turning out to be one of these.

Read this carefully. Kent and Selena are now, and will continue to be for at least the next few years, vital members of this organization. They will be heavily involved in every major decision that this organization makes. As founders, they DO have a disproportional influence above and beyond any other person (though, as they proved, with their ill-fated decision to trust you with so much of the recruiting, their successful collaboration with Cheryl, myself, and now Shana to manage day-to-day operations of the school; and Kent's fast paced training of Susan to take his place as CFO, they are handing over power and control at a furious pace). Though every single Board level decision since we first formed the Board of Directors has been made by the Board of Directors, bar none. They are not going anywhere. Any teacher, staff member, Board member, parent, student, or community member who does not like that, who is not willing to work with it cheerfully, happily, cordially, and amicably is invited, nay encouraged to go find a school they like better or found one themselves which they can run to their own liking. (You are welcome, BTW, to share this information with anyone you see fit: any of the above, your facebook page, the media, the world.). This is NOT negotiable and will not change as long I have breath in my body!

Read this carefully. It IS a directive. You will comply, or I will, as indicated above, take steps to remove you from the Board for malfeasance. All contact with staff or faculty to discuss school business that you make for the next 60 days, you will schedule through Dr. Sandoe so that he can track how much money you are spending. I am declaring this on my own authority as Board chair and president of the organization. Again, if you want me to document or have this ratified

by the Board, I will do so, but only as part of a package to have you removed from it. I'm sorry to take such draconian steps, but you don't listen when I'm nice and I need you to listen now. Read this carefully. It IS a directive. You will report to the Board at our next scheduled Regular meeting that you have a) scheduled a time that is mutually convenient with Dr. Sandoe and yourself to settle any and all grievances that you may have with him or b) decided to drop the matter, forgive him, and pledge to work with him (and all the of us) amicably, respectfully, cheerfully, and amicably. This will be on the meeting's agenda. The next item after it will be a discussion of procedure of Board member removal (for malfeasance) in which, if I am not satisfied with your report, I will initiate the process to remove you and we will air your misdeeds in public. (If you wish, I will place presentation of the Chicago Waldorf School's conflict resolution model on the agenda. If so, you need to let me know more than 72 hours in advance of that meeting so I can agendize it.) If you report a scheduled date, it will be set such that this matter is completely resolved not later than 15 July 2011 or our Regular Meeting of the Board in July, whichever comes first. The onus is on you and you alone to make this happen. If Dr. Sandoe is reluctant or refuses outright, you either persuade him or chose "b". If the mediation you want costs money, you will pay for it. Again, sorry to be harsh, but you have left me no choice. Read this carefully. It IS a directive. In the next 60 days, you will take positive steps to "clean up" your relationships with all current staff, faculty, and Board members, most especially Selena Logan. My measure for this that they tell me that you have been consistently positive, cordial, and collegial in your dealings with them. You will ask Shana what you can do to _help_ with Outreach and then you will do it. (I understand that you have agreed several times to help staff the CGS booth at Thursday Market and then not shown up. Since you have made several agreements with me that you did not keep, I tend to believe this.) Note that this will, indeed, require you to schedule staff time (including Selena's) through Dr. Sandoe. If you fail to do this, I will take steps to remove you from the Board as stated above.

Laura, it seems to me that you have three paths in front of you:

a) You can indulge your predictable outrage at what I have said. Complain to Cheryl, the parents, the newspaper, the world. Do lots of research. Pull up old meeting minutes. Make a big stink. In general, go head to head with me, do further damage to the organization, and try to force CGS to spend a lot a time, money, and energy trying to indulge you. We will, however, not spend very much time, money, or energy at all. We will simply remove you, both from the Board and from any real relevance to Chico Green school. I could provide you with a long list of people who we entrusted, embraced, and invited to share or dream who betrayed us and tried to take over our school. The one thing they all have in common it that they are all gone and we are still here. If you'd like to add your name to the list, choose this path. I don't like to fight. I prefer to be jovial and nice and encourage the good in everyone I meet. But mark my words, when I have to fight for what I believe in (in this case the dream and good of CGS), I almost never lose (and this will not be one of those times).

b) You can chose to resign gracefully. In this case, we will thank you for your service and part ways amicably. Laura, I know you are enthralled with Waldorf education and really just want to make a difference. I appreciate that deeply, we all do and you have, despite the fact that this message mostly focuses on the negative, made a difference. Maybe it's time to just be a friend to the school out in the community somewhere and accept our gratitude. It's just that we really, really do not need another Alpha wolf (as you described yourself) in our pack. We have plenty of those, trust me. (We also have all the Drama Queens we need as it seems you may aspire to that role as well.)

c) You can comply with all of the above, redeem yourself, and participate in the future of this wonderful organization. This will require some work on your part. Your reputation with some of us is just not very good. If you have the drive, however, and are willing to truly use your powers for good (instead of always think you are right, staging this little "rants" both verbally and in email, looking down your nose at the rest of us, occupying your "soap box" or "high horse" -- everything in quotes BTW came from either a staff or community member-- "grandstanding", trying to get rid of Kent or Selena -- or me, now that I've written you this, or Shana, who is awesome and who, records show, you did indeed vote for--or just generally making yourself unpleasant), maybe you

can pull it off. I've seen enough of the good side of you that I think that this would be really great and, deep in my heart, I'm rooting for you!

One last directive. You will respond to this email withing the next 24 hours. I will only read the subject line, so don't bother to write any long response, especially in "rant" form. The subject line will I only read "a", "b". or "c". Good luck! David

EXHIBIT B

From: Laura Rivero-Fisher [mailto:lrivero-fisher@pacbell.net]
Sent: Tuesday, August 09, 2011 1:51 PM
To: John Bohannon
Subject: More CGS...

Hello John, this is the interview session where David Orneallas and Kent Sandoe collaborated to influence the hiring process, consequently, we had a board quorum on May 22, 2011 at 3:00 pm in the interview room at the airport in Sacramento.

I am the one who stopped the CGS conversation and insisted that Kent leave when we interviewed the Director candidate at 4:00pm.

Thursday, May 19, 2011 11:41 PM

From: "Cheryl Eining" <cheryl@chicogreenschool.org>
To: "David Orneallas" <castlewittier@gmail.com>, "Laura Rivero-Fisher" <lrivero-fisher@pacbell.net>, "Sweet" <selena@chicogreenschool.org>, "Laurie Kopping" <laurie@chicogreenschool.org>, "Daebin Gilmore" <dgilmore@chicogreenschool.org>
Dear Interview Team,

Thanks for your prompt responses & I look forward to seeing you this Sunday, May 22nd at the Executive Airport off Freeport Boulevard in Sacramento. First interview will begin at 11am so please try to arrive by 10:30am to help set up room.

The address is:

6151 Freeport Boulevard, Suite 177 Sacramento, Ca 95822
It is south of downtown off 5 freeway-Exit off 43rd Avenue.
Go left or East on 43rd, which turns into Blair shortly after 13th St.
Go straight through Freeport Blv. Into airport parking lot.
The main entrance has black pylons protecting the front entrance.

We will be located on 2nd floor-follow neon restaurant sign up stairs
& veer left-take another left up stairs at women's restroom.

Please feel free to call me if you have any questions at (916)717-9865
Cheryl

Later in the week I attended the Brown Act training. That is when the CGS attorney, Andrea Saxton, confirmed that I did not violate the Brown Act with my email to all CGS board members on April 9, 2011 for the April 12 board meeting.

I also learned that Kent Sandoe created two conflicts of interest by recommending Selena Logan for a part time position with out interviewing candidates for the position (basically they created a job for her). The second, Kent promoted and hired his ex-wife to teach English last school year (also created a job for her). She is not credentialed, she taught by herself in the class room with out a credentialed teacher co-teaching with

her.

Conflict of interest issue involving David Orneallas, he allowed Selena to continue taking minutes and controlling the process of board meeting documentation. I had an issue with this and eventually, in June, he replaced Selena with Susan Rahn. When Selena resigned from the board to take the job, David did not replace her with a new board secretary. I also had a challenge with the lack of following our by-laws. He appointed Josh as secretary in late June.

In addition, at the April 26, 2011 Special board meeting, David allowed Selena to take minutes of the meeting at the same time she was going in and out of the board meeting to feed Kent Sandoe written information for his presentation on the leadership model for CGS. Selena was advocating for this model, the model included a position for herself as an employee.

The minutes of this meeting were not accurate and I refused to approve them. They didn't include the handouts that were presented by me and Kent as part of the minutes (Brown Act Violation).

David Orneallas, me and Josh traveled together to the Waldorf training last January. We should not have done that because we were at the training to learn how to better lead our school. Of course we engaged in CGS business while we were all together.

(Andrea Saxton from MYM will prepare materials for the presentation. The Brown Act Training will begin promptly at 6pm, Thursday May 26, 2011 at Chico Green School.

Cheryl organized the Brown Act training for our Board. David Orneallas invited Jason Trueblood, a parent, to attend, he was present. Also he invited the Blue Oak board members. A hand full attended).

Thanks to the training I attended on May 26th, I realized all of the violations, that I also participated in with out knowing since I began my board position at CGS. Call me if you have questions. I will email you more info tomorrow. Great afternoon, Laura