



# MT. DIABLO UNIFIED SCHOOL DISTRICT

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October 14, 2019

## Governing Board

Joanne Durkee  
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*Vice-President*

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## Superintendent

Dr. Robert  
Martinez

Contra Costa County Office of Education  
County Board of Education  
77 Santa Barbara Road  
Pleasant Hill, CA 94523

Re: Renewal Application for Clayton Valley Charter High School

Dear President Mike Maxwell and Members,

As you are fulfilling your responsibility of considering Clayton Valley Charter High School's renewal application for the term of 2020 – 2025, we are compelled to provide input to support your ability reach a well thought out and objective conclusion. As you know, CVCHS was formed by faculty of Clayton Valley High School and members of the local community in 2011. Their vision included lower class sizes, innovation, and control by the local community. As internal political issues emerged, CVCHS Board looked to the Charter School Association for assistance in providing new leadership. Unfortunately this change resulted in an era of corrupt and irresponsible fiscal and program management. The fact that these practices and behaviors of the management and the Board were not identified and allowed to continue for as long as they did is clearly a serious concern, and one many community and former staff members have not forgotten. It is our understanding that you, the County Board of Education, has provided specific direction to changes to CVCHS Board makeup and protocols and we encourage you to follow through in ensuring these changes have been made. While there is clearly a focused effort by the new management to demonstrate that they are working for the best interest of CVCHS and in compliance with State regulations, we are writing to encourage you as the oversight organization to do your due diligence in evaluating all aspects of CVCHS as part of your consideration of their renewal.

As the Governing Board of MDUSD, representing members of the broader community, we feel it is prudent to let you know concerns that have been brought to us. In many instances, we are presenting them in the form of questions as we do not have any way to substantiate all of these concerns, but urge you to take the steps necessary to obtain factual and objective data and information regarding such concerns. You, like we, are responsible for hearing all voices in issues such as these and we trust that you want to be sure you have operating with all the critical information and data as you evaluate the CVCHS application.

### Special Education

While state data indicates that the percentage of special education students enrolled in CVCHS is below similar schools and the MDUSD district overall, CVCHS leadership defends their percentages based on the local community demographics. Perhaps 1 – 2% points is not considered significant, but by their presentation of facts, CVCHS percentage of Special education students is lower than the feeder middle and elementary schools and lower than Northgate High School. Of greater concern however are the reports that MDUSD has heard on numerous occasions that CVCHS does not provide the range of special education services needed by many special education students. As a result there are special education students who choose (or are encouraged) to leave and others who reside in the attendance area but choose not to enroll. We ask you to obtain data about the number of special education students who have left CVCHS as well as the specific type and breadth of special education services CVCHS provides. Statistics don't tell the entire story.

### English Language Learners

Similarly we ask that you obtain specific information about support for and percentages of ELD students. CVCHS has indicated that the 2.3% of ELD is reflective of the community it serves. This begs the question of what percentage of CVCHS students are from the Clayton/Concord area they state they are primarily serving and where other students are coming from. Their reported number of ELD students is low for most any part of our community.

### Student Outcomes

We urge you to obtain outcome data from State sources, including graduation rate, AP Scores, CAASPP, SAT/ACT to ensure accurate information. It is also critical to look at persistence and cohort completion. How many students leave CVCHS before graduation? Enrollment data does not provide the full picture.

### Fiscal Accountability

There is a judgment against CVCHS in the amount of \$850,000 for property usage payable to MDUSD that has not been paid. CVCHS has a reserve of approximately \$18 million dollars. In preparation for their renewal process, CVCHS provided their teachers with a 10% (?) pay increase and now proudly states that they have the highest paid teachers in the county. CVCHS has repeatedly made construction modifications to the site facilities, potentially exposing students and faculty to harm, without contacting or informing MDUSD as property owner and as accountable to the California Department of School Construction which must approve site modifications prior to construction, even after official notice to cease and desist.

### Growth

Enrollment at CVCHS has increased from 1973 in 2014-15 to its current level 2200 students. It is our understanding that they are planning on increasing enrollment even more. Again, we encourage you to look at where students are coming from. If the vision for CVCHS is no longer to serve the local community that should be clearly shared with the public. Does the local community of supporters of CVCHS support CVCHS being a high school for this many students? It is also important to know how they intend to accommodate this increased enrollment and if all students will have full access to the entire school offerings.

Governance and AB1505

With the Governor's signing of AB1505, we urge you to consider the key elements of this law as it applies to CVCHS to be sure it will be able to meet the requirements including Board governance and practices.

Impact on the Greater Community

It goes without saying that CVCHS draws resources from the students of MDUSD. As the impact of Charter Schools across the State has become better understood, it is critical to assess the value added of CVCHS to the students it is serving and the community in which it resides. We encourage you to not take this part of your responsibility lightly and question what is being accomplished with this redirection of limited education funding. Specifically, are the breadth of offerings and the quality of education better than what is offered at MDUSD high schools and an improvement to what was offered before it became a Charter School?

Sincerely,

*Joanne Durkee*

Mt. Diablo USD Governing Board President  
On behalf of the,  
Mt. Diablo Unified School District Governing Board