

Willow Creek ACADEMY

May 18, 2007

Marin County Civil Grand Jury
Karin J. Hern, Foreperson
3501 Civic Center Drive, Room 303
San Rafael, California 94913-4988

Re: Grand Jury Report
Charter Schools; A Matter of Choice
February 23, 2007

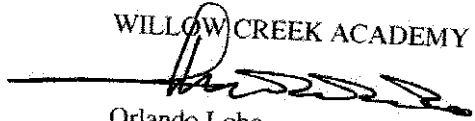
Dear Ms. Hern:

On behalf of the Board of Directors of Willow Creek Academy, I would like to thank you for the opportunity to respond to the Grand Jury's report. Since its inception in 2001, the teachers, parents, Board, and administration of the Academy have striven to create a school that welcomes all students seeking a sound education in an environment that promotes diversity and mutual understanding. We believe that the growth experienced by Willow Creek is a reflection of the students' success in realizing these goals. In the Sausalito Marin City School District, parents and students do have a choice.

As noted in your report, we have had challenges with the District Board of Education and their vision for the future. However, in spite of these differences, our Board remains committed to pursuing common goals and providing the best educational environment for all of the children attending our schools. We are in a relatively unique situation where Willow Creek represents 1/2 of the student body of a school district and yet receives only a fraction of the resources. While we can certainly empathize with issues facing the School Board, we cannot understand how they can penalize the children of their district for attending a school of choice.

We continue to endeavour to engage in meaningful dialogue with the Board of Trustees and our hope is that the Grand Jury Report will help them recognize the inequities that exist. Our responses to your findings and recommendations are made in this spirit. Again, thank you for bringing this issue to light and the opportunity to respond.

WILLOW CREEK ACADEMY


Orlando Lobo
President

Cc: The Honorable Lynn Duryee, Marin County Superior Court

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RESPONSE TO GRAND JURY REPORT FORM

Report Title: Charter Schools: A Matter of Choice

Report Date: February 23, 2007

Response by: ORLANDO LOBO Title: PRESIDENT

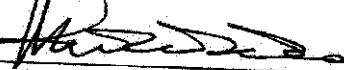
BOARD: Willow Creek Foundation

FINDINGS

- I (we) agree with the findings numbered: 1, 6, 7, 8, 9, 10
- I (we) disagree wholly or partially with the findings numbered:
(Attach a statement specifying any portions of the findings that are disputed; include an explanation of the reasons therefor.)

RECOMMENDATIONS

- Recommendations numbered have been implemented.
(Attach a summary describing the implemented actions.)
- Recommendations numbered have not yet been implemented, but will be implemented in the future.
(Attach a timeframe for the implementation.)
- Recommendations numbered 3, 4 require further analysis.
(Attach an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.)
- Recommendations numbered will not be implemented because they are not warranted or are not reasonable.
(Attach an explanation.)

Date: 5-18-07 Signed: 

Number of pages attached 3

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Responses to the 2006-2007 Marin County Grand Jury report entitled "Charter Schools: A Matter of Choice" dated February 23, 2007.

Respondent: Willow Creek Academy Board of Directors

Grand Jury findings and responses:

"F1. Marin charter schools are providing a choice for parents and students who seek something other than traditional teaching methods, one of the objectives of charter school legislation."

Response: Respondent agrees with the finding. Willow Creek Academy agrees that it provides a choice for students living in the Sausalito-Marin School City District (SMCSD). Without this choice, the district was facing declining enrollment, particularly from Sausalito residents, who were underserved and had virtually abandoned the public school system until Willow Creek Academy was created. Willow Creek now has a balanced and diverse student body, indicating that it appeals to all residents of the area.

"F6. The Willow Creek Academy Board of Directors and the Sausalito/Marin City District Board of Education are divided about the best way to solve the school district's enrollment and segregation problems."

Response: Respondent agrees with the finding. The core purpose for the founding of Willow Creek Academy was to attract the families from the District that had abandoned the school system. SMCSD was facing declining enrollment and had become virtually a segregated school system. Willow Creek Academy has clearly reversed that trend; however, the Willow Creek Academy Board of Directors has been excluded from all discussion on this topic by the SMCSD Trustees. At the present time, SMCSD appears to be attempting to solve its enrollment problems by building a new middle school in Marin City, on the assumption that residents of the area will be attracted to attend a shiny new facility. Willow Creek Academy has seen no evidence that would support this conclusion and, in fact, believes that the end result will be a greater divide in the district.

"F7. The voters of the Sausalito/Marin City School District approved a \$15.9 million bond issue for public school construction in 2004."

Response: Respondent agrees with the finding. Construction was a major purpose of the bond issue, but it also included modernization of Bayside and Willow Creek Academy, repairs of inadequate electrical, heating, ventilation and plumbing in existing facilities, upgrades to playgrounds and athletic fields, improvements to meet current building codes, improved accessibility and technology upgrades.

"F8. The Sausalito/Marin city School district Board of Education is spending part of the bond money at Bayside Elementary School to build new classrooms and offices."

Response: Respondent agrees with the finding. At the present time, the spending at Bayside Elementary School from the bond issue appears to be limited to replacing the kindergarten-first grade building for the Bayside School. With the exception of some general ADA compliance issues, there is no indication that any of the bond issue funds will be directed to the upgrade or modernization of the facilities occupied by Willow Creek Academy.

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“F9. The Sausalito/Marin City School Board of Education has no plans for any facilities expansion for Willow Creek Academy, even though its enrollment has been increasing.”

Response: Respondent agrees with the finding. This finding is correct. In fact, the SMCS D board consistently attempts to limit or restrict enrollment in Willow Creek Academy and to provide fewer facilities than Willow Creek Academy needs for its current and projected enrollment. Willow Creek Academy has been obligated to lease a portable structure without help from the District to house its students and is facing severe accommodation problems as its grades reach full enrollment potential. Willow Creek Academy does not believe that SMCS D has complied with its Proposition 39 classroom allocation obligations and the District refuses to allocate more classrooms to WCA for the coming years, in spite of the decreasing enrollment of the Districts traditional schools. SMCS D appears to be intentionally limiting WCA’s enrollment growth. WCA believes this to be in violation of the spirit and letter of the law. Further, in spite of the fact that the taxpayers of the District provide SMCS D with a budget in excess of \$5 million per annum, SMCS D allocates barely more than the state required minimum funding for WCA. The result of the positions taken by SMCS D on facilities and funding is that 50% of the students are receiving approximately 20% of the funding and 30% of the classroom facilities.

“F10. The Sausalito/Marin City School District Board of Education is planning a new public middle school building for Martin Luther Academy with a capacity greatly exceeding current enrollment and any likely future enrollment.”

Response: Respondent agrees with this finding. SMCS D has provided no justification for this approach other than its subjective belief that if the new middle school is built, prospective students will be unable to resist it. It maintains this position despite its years of experience at the Bayside School, which is an attractive, well-located facility, experiencing unrelieved declines in student numbers.

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GRAND JURY RECOMMENDATIONS REQUIRING RESPONSE:

“R3. The Sausalito/Marin City School District Board of Education and Willow Creek Academy Board of Directors should jointly negotiate and agree on a Master Plan for both enrollment and facilities in the school district.”

Response: The recommendation is not yet implemented. The implementation requires the joint cooperation of the School District and the Charter School. The Charter School has reached out to the School District to negotiate the development of a Master Plan for facilities to accommodate the growth of both the School District and the Charter School. To date, the District’s only master planning involves the two traditional District schools and has not provided for the growth experienced by the Charter School. Although the Willow Creek Academy Board of Directors fully agrees with this recommendation, it is extremely unlikely to be implemented under current SMCSO leadership, because Willow Creek Academy has been and is being rebuffed in every effort to open up a dialogue on this subject. The SMCSO regularly attempts to restrict enrollment at Willow Creek Academy in its agreements with the Academy, and it flatly refuses to allocate any additional facilities for its students, although they now number approximately 50% of the in-district students.

“R4. Until a Master Plan is in place for the school district, the Sausalito/Marin City School District Board of Education should postpone construction of a new Martin Luther King public middle school.”

Response: The Charter School cannot comment on this recommendation as it does not have sufficient information about the District’s efforts to implement this recommendation – although we are informed and believe that the School District does not intend to implement this recommendation. The SMCSO believes that it has a Master Plan in place, which excludes Willow Creek Academy, and therefore it is unwilling to postpone any construction activities for the proposed new middle school. The SMCSO apparently does not wish to entertain any plan which includes Willow Creek Academy.