

March 4, 2008

Sent Via FacsimileExecutive Director
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ROBIN BISHOPJack O'Connell
Superintendent of Public Instruction
California Department of Education
1430 "N" Street
Sacramento, CA 95814**Re: California Public Records Act Request – CDE Monitoring of
Nonpublic Schools**

Dear Superintendent O'Connell:

Pursuant to the California Public Records Act (Government Code § 6250 *et seq.*), we are requesting copies of public records related to the California Department of Education's (CDE) monitoring and oversight of nonpublic schools operated by Advanced Education Services (AES). Please provide us with the following public records, as defined in Government Code § 6250(e) and (g):

1. The renewal or new applications submitted since 2000-01 to the present for nonpublic school certification with all attachments for the following nonpublic schools operated by AES:
 - a) Mountain View School, Hesperia, CA
 - b) Live Oak School (grades 4-12), Yucaipa, CA
 - c) Vista del Rio Jr./Sr. H.S., El Monte, CA
 - d) Excelsior Jr./Sr. High School, Carmichael, CA
 - e) North Haven School, Ukiah, CA
 - f) Whitewater Jr./Sr. High, Whitewater, CA
 - g) Wilson Creek Jr./Sr. High, Yucaipa, CA

Education Code § 56366.1; 5 C.C.R. § 3060.
2. Any records that document the year and dates that each of the nonpublic schools listed in Item No. 1 above have been subject to a Verification Review and/or on-site review, a follow-up review or an unannounced on-site review by CDE beginning with 2000-01 to the present. Education Code §§ 56366.1(e), (i) & (j); 5 C.C.R. § 3063.

3. Copies of all verifications submitted since 2000-01 to the present by each local educational agency, confirming that they were notified of the intent to certify or renew certification for each of the nonpublic schools listed in Item No. 1 above. Education Code § 56366.1(b).
4. A complete copy of the verification review and/or onsite review file for each of the nonpublic schools listed in Item No. 1 above and a complete copy of any separate certification file that is maintained for each school.
5. To the extent not already provided in response to Item No. 4, all CDE written determinations or final reports concerning certification or certification renewals, all notification of findings stemming from any verification review and/or on-site review reports or any similar documents that reveal the results of certification applications or renewals and any verification and/or onsite reviews concerning the schools referenced in Item No. 1, since 2000-01 to the present. Education Code §§ 56366.1, 56366.8(d); 5 C.C.R. § 3063(f).
6. To the extent not already provided in response to Item No. 4, any written response submitted by any of the nonpublic schools listed in Item No. 1 to any noncompliance findings that resulted from any onsite review conducted by CDE since 2000-01 to the present. 5 C.C.R. § 3063(g).
7. To the extent not already provided in response to Item No. 4, any records related to corrective action plans issued or submitted as a result of a verification or onsite certification review or any investigation conducted pursuant to Education Code § 56366.1(i)(1)-(2) since 2000-01 to the present concerning the nonpublic schools listed in Item No. 1. Education Code § 56366.1(i)(3).
8. Copies of any complaints filed with CDE concerning any of the nonpublic schools listed in Item No. 1 since 2000-01 to the present, including all related documents. Education Code §§ 56366.1(e),(i)(2), 56366.8.
9. To the extent not already provided in response to Item No. 4, all records related to the suspension or revocation of the certification of any of the nonpublic schools listed in Item No. 1, including any petitions filed by any of schools requesting a review of the Superintendent's decision and any subsequent decisions concerning the petition. Education Code §§ 56366.4, 56366.6.
10. To the extent not already provided in response to Item No. 4, all records related to any denial of certification or any certification that was conditionally granted by CDE with respect to any of the nonpublic schools listed above in Item No. 1. Education Code §§ 56366.1(f), 56366.6.
11. To the extent not already provided in response to Item No. 4, the records required of AES pursuant to Education Code § 56366.1(l)(4)(1), which include the following: a) separate financial records for each entity operated by AES, with each nonpublic, nonsectarian school or agency identified separately from any

licensed children's institution that it operates; b) the annual budgets that identify the projected costs and revenues for each AES entity and demonstrates that the rates to be charged are reasonable to support the operation of each entity; c) the entity-wide annual audit that identifies AES costs and revenues by entity, and which should document the amount of moneys received and expended on the education program provided by the nonpublic schools it operates; and d) documentation of the relationship between the various entities operated by AES, which define the responsibilities of each entity.

12. To the extent not already provided in response to Item No. 4, copies of any self reviews conducted by any of the nonpublic schools listed in Item No. 1. Education Code § 56366.1(j)(1).
13. To the extent not already provided in response to Item No. 4, any notices filed with CDE by any of the nonpublic schools listed in Item No. 1 concerning: a) changes in credentialed, licensed or registered staff; b) major modification or relocation of facilities; c) the revocation or suspension of a license or permit; and d) the death of a pupil within the school or agency. Education Code § 56366.4(a)(5), (8) &(10).
14. Any waiver applications or petitions submitted to CDE by or on behalf of any of the nonpublic schools listed in Item No. 1 since 2000-01 to the present and all records related to whether a waiver was granted or denied. Education Code § 56366.2
15. Any records that identify or list all nonpublic schools located within California that have been subject to a Verification Review and/or on-site review, a follow-up review, or an unannounced review for each school year since 2000-01 to the present, including the dates of each review and the names of the CDE consultants or other persons who conducted the review.
16. To the extent not provided in response to Item No. 15 above, any records that identify or list all nonpublic schools subject to an unannounced site review for each school year since 2000-01 to the present, including the dates of each review and the names of the CDE consultants or other persons who conducted the review
17. Any records that identify or list all nonpublic schools against which a complaint was filed beginning with 2000-01 to the present and any records reflecting the nature of the complaint.
18. Copies of any monitoring instruments or related documents that list the compliance items reviewed or evaluation criteria utilized by CDE staff since 2000-01 to the present when conducting a verification and/or onsite review of nonpublic schools.

19. Any documents related to the implementation by CDE of a program to integrate individuals with exceptional needs placed in nonpublic schools into public schools as set forth in Education Code § 56366.11(a).
20. Any reports submitted by CDE to the Legislature concerning the academic progress of pupils attending nonpublic schools serving individuals with exceptional needs as set forth in Education Code § 56366.11(b).

Pursuant to Government Code § 6253 (c), please notify us within 10 days concerning what documents will be produced and when they will be sent. Thank you for your anticipated prompt cooperation. If you have any questions regarding the above, please do not hesitate to contact us.

Sincerely,



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