

SANTA MARIA TIMES

Librarians get the w-i-n

Adult Spelling Bee held Saturday. CENTRAL COAST, B1



Historic win

Cubs beat Dodgers to reach Series for first time in 71 years. SPORTS, D1



PARTLY SUNNY AND NICE 73 • 55 FORECAST, B6

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LEN WOOD, STAFF

Students at Orcutt Academy leave campus at the end of school on Friday.

River reaches major milestone

San Joaquin River soon to be flowing year-round again

SCOTT SMITH
Associated Press

FRESNO — A decade ago, environmentalists and the federal government agreed to revive a 150-mile stretch of California's second-longest river, an ambitious effort aimed at allowing salmon again to swim up to the Sierra Nevada foothills to spawn.

A major milestone is expected by the end of the month, when the U.S. Bureau of Reclamation says the stretch of the San Joaquin River will be flowing year-round for the first time in more than 60 years.

But the goal of restoring native salmon remains far out of reach. The original plan was to complete the task in 2012. Now, federal officials expect it will occur in 2022. And the government's original estimate of \$800 million has ballooned to about \$1.7 billion.

"I think we all had hoped we'd be further along," said Doug Obegi, an attorney with the Natural Resources Defense Council, which led the lawsuit that produced the deal with the government to bring back salmon. "Restoring the state's second-largest river was never to be a cakewalk."

James Nickel is among the farmers in the fertile San Joaquin Valley region around Fresno questioning whether the project should go forward.

California is enduring a fifth year of drought, and many farmers have experienced sharp curtailments in water allotments from the government, leaving some fields fallow.

Nickel, a fifth-generation farmer to work land along the river, doubts the wisdom of spending money on an intricate system of passages to get salmon around the river's many dams and siphoning off more water from agriculture.

"Most practical folks would look at it and say, 'Impossible,'" Nickel said. "It seemed like a waste."

Scientists say salmon are a keystone species for the region. For thousands of years, salmon

OAHS mulls attendance policies after citation

ACLU alleged discriminatory admission by school

GINA KIM
gkim@lecentralcoastnews.com

Longtime educator Monique Segura believes public schools should serve all students, and that admission policies that bar kids violate the principles of a free public education.

A teacher at Alice Shaw Elementary, Orcutt Educators Association president and a mother of three children, all of whom attended Orcutt Academy High School, Segura points specifically to some admission policies the Academy has been enforcing, especially for students who don't meet certain academic requirements.

The Academy was recently flagged by the American Civil Liberties Union for allegedly discriminating against certain students with unfair admission policies, which prompted discussions about changing policy language in the charter rule-books.

Segura found out the school enforces a minimum 2.0 GPA



STAFF FILE

Ken Parker and Kim Domingues draw names from a bucket as parents wait in the background for their children's names to be chosen during the first lottery for admission to Orcutt Academy in 2008.

requirement policy in its charter before her daughters were even enrolled, something that is presented on its website and at informational meetings.

The problem with such an admission requirement, she said, is that public dollars are misused when certain students are barred from attending for any

reason beyond limited space, which leads to segregating kids in the district.

Segura contends that the school's system of referring students to other public schools was unfair. She said her child wasn't recommended out due to a GPA

Please see ORCUTT, Page A8

SYV Charter School flagged for admission language

GINA KIM
gkim@lecentralcoastnews.com

Santa Ynez Valley Charter School was the only school in Santa Barbara County other than Orcutt Academy that was flagged by the American Civil Liberties Union for having admission requirements that restricted a student's ability to attend.

The school allegedly discouraged undocumented students, and required parents to contribute a certain amount of volunteer service hours to the school.

Principal Mark Palmerston asked the ACLU to remove the school from the list in both categories as of Sept. 27 after making some changes, which the ACLU has agreed to do.

Please see SYV, Page A8

CELEBRATE PHILANTHROPY

Murrays' motto: 'We have to invest in our children'

Local couple spotlighted for making a difference

SUZANNE FARWELL
Contributing Writer

Ed Murray is used to the spotlight. As Santa Maria's consummate emcee, he makes supporting charities fun and irresistible. Lisa Murray shares her personal warmth and generosity in a more quiet way, focusing on a child in need or a teen applying to college.

Together, they make a significant difference in every corner of the community. They are well-known but they generally pre-

fer to avoid public recognition. That's about to change.

Lisa is third generation Santa Marian. Ed has been here since 1980. "When we got married, I became related to half the town," quips Ed.

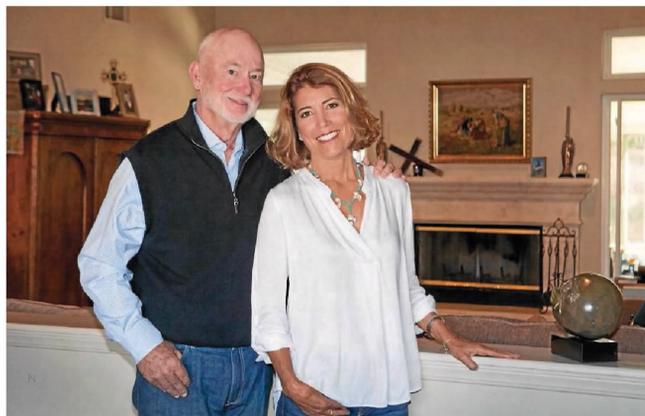
For Lisa, Santa Maria is home. "It's changed over the years but retains a community feel. It's a good place for kids and it remains a community where you feel you can make a difference," she says.

When she was first starting out, Lisa worked for Santa Barbara County schools in the Child Development Program. It was free to low-income families and it really opened her eyes to the

Please see MURRAY, Page A7

Celebrate Philanthropy

Ed and Lisa Murray will be honored at this year's Celebrate Philanthropy luncheon on Thursday, Nov. 3 at 11:30 a.m. at the Santa Maria Country Club. Hosted by the Santa Barbara Foundation and sponsored by the Santa Maria Times, the annual event recognizes those who have a record of philanthropy, whether civic and charitable action, financial support, or community leadership.



HEIDI JENSEN GRUETZEMACHER, CONTRIBUTED

Ed and Lisa Murray are being honored on Nov. 3.

DISCOVER DIGITAL



Local residents, students take part in annual Spelling Bee. See photo gallery

AT SANTAMARIATIMES.COM

CLASSIFIED E1
COMICS C6
FOOD C1

JUMBLE A8
LOTTERY A2
OBITUARIES B5

OPINION A4, A6
PUZZLES C4, C5
TV LISTINGS A5, E8



SYV

From A1

The point of establishing Santa Ynez Valley Charter, said Palmerston, was to focus on integrating art, music, ecology, gardening at the campus's botanical field, and a hands-on approach to learning inside and outside of classrooms into the school's core academic curriculum.

The school's former rule that required parent-volunteer hours was a very vital part of the school's founding mission, "because we believed our kids would be more successful if everyone in that student's life is more involved," said Palmerston.

"It was a requirement until we took out the language about four years ago," he said. "We've never excluded from our program based on parents' availability to volun-

teer?"

Parents often donate their time and participate in services like driving students on field trips, serving in the kitchen on campus, putting on fundraising events and working in the school's garden with their children, according to Palmerston.

"There are no consequences for kids whose parents can't contribute any time," said Palmerston. "I'm a working parent myself; my daughter attends a charter school and even if I can't physically spend time at the school, we do things together at home."

As for discouraging undocumented students, the ACLU noted the charter school's policies request citizenship information from students, birth certificates or Social Security numbers.

The state Department of Education has stated that the recommended practice is to allow stu-

dents to provide at least one type of information to verify their identification.

The practice becomes problematic when schools are asking for birthplace or if they are natural citizens, said Victor Leung of ACLU-Southern California, because it has a bearing on whether the student is allowed to attend.

"Under the Constitution, even undocumented illegal students should be provided public education, and we're asking schools to make that clear on their policies. There's a discrepancy between ESL students and traditional students statewide," he said.

Palmerston denied that the school ever discouraged students due to citizenship, and that the school's language asking for a birth certificate simply is to verify a child's age rather than to discriminate.

"We ask for the same documents

that all other public schools require during enrollment time," he said. "We're now updating the language to ask for proof of age rather than specifically a birth certificate."

"We would never do anything to discriminate against any students for any reason. Charter schools are a choice — families choose to come here," said Palmerston. "That's how we can do the great things we can do, because we're one of the many high quality options in the Santa Ynez Valley."

Leung noted that a section of SB-322, which failed on Aug. 24, also proposed to clarify the parent-volunteer requirement language, which is a practice that's already prohibited in the law, said Leung, "but a lot of other schools didn't understand that and we wanted the legislation to clarify their language under the bill."

"[Principal Palmerston] and I had a very constructive discussion

about this, and Santa Ynez Valley Charter had already taken the parent-volunteer requirement out of their rulebooks years ago," he said. "They were happy to work with us, and they agreed to remove all the citizenship information language, so we agreed to take them off the list."

The ACLU hopes to continue working with all charter schools in the state to be in compliance with the Education Code.

"We hope to educate people on what the law is, and hope that the flagged schools got the message," said Leung. "Anyone can open up a charter school, and a lot are doing really great things and we just want to ensure they all remain an open, even-playing field for all students."

Gina Kim covers crime and courts for Santa Maria Times. Follow her on Twitter @gina_k210

Orcutt

From A1

requirement but rather, for an IEP (Individual Education Program.) The program is designed to help parents of students with delayed skills or other impairments that are eligible for special services that provide individualized education programs in public schools.

"I had an employee make an off-the-cuff remark to me during a meeting that maybe the school wasn't the best fit for my child, who has an IEP in place, and I told them that this isn't their decision to make," she said. "At the Academy, you're required to be proficient in at least Algebra 1 upon enrollment, but well, not all students with an IEP may be proficient in Algebra 1."

"You can't eliminate any student because of a GPA or because they can't get into a proper math class," she continued. "Good, bad, or ugly, public schools have to meet the needs of our students."

ACLU's investigation

At the beginning of September, the ACLU accused over 250 charter schools in the state of illegally excluding students by creating unfair admission policies such as establishing a minimum GPA requirement, requiring pre-enrollment essays or interviews, demanding parent-volunteer hours or discouraging undocumented students.

The ACLU staff published a list of charter schools "that

post enrollment policies or forms online that are clearly illegal or exclusionary." More than a quarter of the accused schools have resolved their issues since the last week of September and been removed from the list.

Victor Leung of ACLU-Southern California said the organization has been receiving an uptick in complaints from parents of students about being excluded from charter schools in the last few years.

"We looked online to see what schools had what policies, and we noticed that hundreds of schools listed policies on their websites that weren't in compliance with the law," said Leung.

He added, "Charter schools are becoming a large issue as more keep being built. With over 1,200 charter schools in the state, there's been a real [concern] from parents who want their kids accepted; any sort of admission requirement, whether it be grades or ESL proficiency, clearly isn't allowed in the Charter Schools Act."

"A lot of it is also questioning, 'Is this legal or not?'"

The law vs. OAHs: Illegal or legal?

Orcutt Academy High School, which has been serving students in the Orcutt district for nine years, was flagged for having minimum GPA requirements for interested applicants.

On the Academy's website FAQ page, the first question on the list reads, "What are the admissions requirements

for OAHs?" A response below reads that incoming freshman must show proof of having a minimum 2.0 GPA or higher in core subjects (English, math, science, history/social science) in eighth grade, and be enrolled in high-school level Algebra or higher.

However, Leung said that under the Education Code 47605(a), "a charter school shall admit all pupils who wish to attend the school."

According to the code, if the number of students who apply to a charter school exceeds the amount of space, students must be chosen through a lottery drawing. Charter schools may not charge tuition, discriminate against students and must be nonsectarian in their programs, admission policies and employment practices.

Law further stipulates that charter schools must identify whom they are attempting to educate and what the best learning environment is for student success.

Leung said an effort to add more accountability to charter schools in California, and to amend the admission requirement policy language in 47605(H), SB-322 died in the state legislature. He said the bill's intent was to specifically clarify that schools cannot have interviews or admission requirements that exclude students picked from the lottery nor expel students for reasons such as academic performance.

"Since it failed, there's still a lack of enforcement, and we hope charter authorizers statewide will take a very close look at this," Leung said. "Unfortunately, not all authorizers may be knowledgeable or have the resources to enforce consistency."

Other preferences, like a school's geographic location, may be permitted by the chartering authority on an individual school basis but only if consistent with the law.

Typically, if admission requirements are not met, OAHs hosts a registration day for candidates, following the lottery. If candidates cannot show proof of meeting admission requirements, they will lose their spot, according to the website. In the meantime, students would be placed toward the bottom of the waitlist until they can pick up their grades at another local public high school.

Talks about modifying the language stating a minimum admission requirement from their charter rules have started, according to Orcutt Union School District Superintendent Dr. Deborah Blow.

"We're still working with legal counsel, to ensure that we're following all legalities," Blow said. "It's not all black and white. The discussion came about shortly after the ACLU report was published."

OAHs academic goal: STEM-focused learning

Orcutt Academy High School was intended to offer an option for students interested in specific areas of academic concentration (science, technology, engineering, arts and math) but can only allow a certain number of students due to limited space, Blow said.

The 2.0 GPA admission requirement, said Blow, was something that was vetted with legal counsel at the time Orcutt Academy was formed, and has been in the rulebook since the school's inception in 2007.

"Those charter rules were written long before I came to Orcutt," Blow said, "but I know the goals behind it remain the same... the goals being that the school will be a STEM-focused, college preparatory system."

"The academy is a smaller school: The admission criteria is to help maintain that smaller school population size," Blow said. "Bigger high schools with upwards of 2,000 kids may work for a lot of kids, but they don't necessarily work for those who may learn better in a smaller atmosphere."

Blow added, "I wouldn't say that charters make their own rules, but there is some more leeway in some areas."

Joe Dana, the Academy's admissions counselor, said the minimum GPA requirement helps provide a smaller school setting where students can learn in a more personalized environment, where there is a higher ratio staff to student.

"The GPA requirement was pretty much to support the school's academic goals," Dana said.

Blow acknowledged that the charter school had situations in the past where a student's admission was rescinded due to not meeting the minimum GPA require-

ments. These students were initially placed on lottery, met with officials for the enrollment process, then were dismissed due to not meeting admission requirements.

"This process is for kids who got in through the lottery but didn't meet the GPA requirement," Blow said. "They have additional time to wait towards the end of the year if they aren't able to fulfill the requirement, and then we go to other students on the lottery list."

Rejected students are always invited to reapply the following year. In the meantime, they are guaranteed a placement at Righetti High School where they can work to get their grades up and apply again.

"The board would never do anything the legal counsel would advise them against," Blow said. "Everything we've written in the charter rules was looked at by the counsel."

In response to the ACLU's accusations, the superintendent said the Orcutt school district board is beginning to look at eliminating the minimum GPA requirement from their charter rule, in compliance with current laws in the education code.

Rejected applicant's parent investigates

Rachel Parks, whose son's application was rescinded by OAHs last year because he did not meet the GPA requirement, said she believes that charter schools have been using that specific line in the California Education Code 4507(H) as a loophole to implement admission requirements. Her son has since been re-admitted and now attends the academy after a short stint at Righetti.

When her son's admission was initially rejected, Parks began researching. Over the course of several weeks, she contacted the California Charter Schools Association, the Department of Education and different legislative offices to see whether what the school was doing was legal. She later found out that neither the CCSA nor the Department of Education has power to enforce any laws but, rather, "any kind of enforcing or regulation power goes back to the county and basically whoever wrote the charter."

Parks added: "That line H in the code says that other requirements can be determined by the charter, but

charters have to take all students within space availability, so all of this is so contradictory. There's no flat-out, distinct law in the code, so authorizers can skirt around it."

OAHs has proven yearly that its students are among the top academic performers in the county, Parks said, but having the minimum GPA requirement for admission doesn't match the education code, or the philosophy of free public education.

"What would happen if we stopped educating kids at age 13 because they didn't hit a certain GPA in junior high?" she asked. "What would happen to our state if all schools only took a select few to continue their education, by saying they're 'academically-focused in specific subject areas?'"

Leung said he does not believe there is a loophole in the code's language, but that schools who post admission requirements in their charter rules are breaking the law.

"Charters at the end of the day do have more flexibility, but this is clearly wrong," he said. "Even charter advocates agree that academic requirements have no place in charter schools."

"Charters are about free choice and giving more opportunities for students," he said. "They receive federal and state funding and the reason they're subject to these codes is because they're funded by public money."

The conflict is far from over for the ACLU and other concerned organizations, thanks to Gov. Jerry Brown's veto of AB 709 on Sept. 30. The bill called for charter school transparency and accountability, and for schools to disclose exactly how taxpayer money is being spent, including budgets and contracts. With no other known authorizers, Leung says it's up to the ACLU and other organizations to continue fighting and educating.

"We just want to educate everyone — parents, teachers, students and charter authorizers," Leung said. "I'm happy to say that over 100 schools have been removed from our list, and they've all been really willing to work with us at the end of the day, and the fight goes on."

Gina Kim covers crime and courts for Santa Maria Times. Follow her on Twitter @gina_k210

JUMBLE

Unscramble these four Jumbles, one letter to each square, to form four ordinary words.

ZOWYO

VONLE

OYENLL

LIVDER

Print your answer here:

Answers tomorrow

Saturday's

Jumbles: DEWAY GIVEN EITHER WHIMSY

Answer: Would he become a professional bodybuilder? He'd have to — "WEIGHT" AND SEE

THAT SCRAMBLED WORD GAME

by David L. Hoyt and Jeff Knurek



Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

Answers tomorrow

Saturday's Jumbles: DEWAY GIVEN EITHER WHIMSY
Answer: Would he become a professional bodybuilder? He'd have to — "WEIGHT" AND SEE



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