

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands; Leila Moncharsh](#)
Subject: Bentley Employee Agreements EMMA ALERT
Date: Friday, March 06, 2015 9:56:08 AM
Attachments: [Bentley employee agreements.pdf](#)

Dear Heather:

Bentley is required by law to file financial statements with the Securities Board each year. The 6/30/14 statement has just been released as public information. I'm attaching page 15 of the Financials relating to Concentrations and Risks and employment agreements.

You can see that as a matter of financial policy, the school's employee agreements are issued annually and expire at the end of the fiscal year (June 30).

Thank you,

Linda

From: [Gordon Piper](#)
To: [Klein, Heather](#)
Subject: Bentley Misrepresentation re Groundskeepers
Date: Monday, March 16, 2015 9:22:11 AM

I wanted to report to you that on Saturday that I observed two groundskeeper working with blowers north of the Bentley School administration building blowing leaves and dirt on the grounds. As you may recall, the Bentley School only reported employing one groundskeeper in 2015 and since 2012, and this represents the fourth year in a row that the School has misrepresented the number of Groundskeepers that it has working and has assigned to perform Groundskeeper duties at the School. The Bentley School needs in any Compliance Plan to address the larger number of Maintenance staff employees it has working at the Hiller Campus than have been reported to the City of Oakland and neighbors on a continuing basis for four years running as it continues to violate the 71 limit in the CUP on number of employees.
Gordon Piper

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Sue Piper](#)
Subject: Bentley Reports & Compliance
Date: Friday, October 31, 2014 4:10:05 PM

Hi Heather:

Can you please update us on the status of Bentley's monitoring report for September and the timeline for review of Bentley's appeal of the May 21 finding of noncompliance? Has Bentley also submitted a request to amend the use permit? If so, please forward it to neighbors.

Thanks and Happy Halloween!
Linda

From: [linda harris](#)
To: [Klein, Heather](#); [Ranelletti, Darin](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Sue Piper](#); [Donna Karch](#); [Nadine Prah](#); [Gordon Piper](#); [Leila Moncharsh](#)
Subject: Bentley Response and Next Steps
Date: Tuesday, January 20, 2015 12:40:04 PM

Hi Heather:

Thank you for forwarding Bentley's response to your 12/19/14 request for additional information on their CUP plan for compliance.

Neighbors are reviewing it and will have comments to submit.

Will you please advise us of the time frame for the city's response to Bentley and what actions might be taken. Also please advise us of the time period for our additional public comments.

Thank you,
Linda

From: [Vanessa Wassenar](#)
To: [Klein, Heather](#)
Subject: RE: Bentley School
Date: Thursday, October 22, 2009 10:32:35 AM

Heather:

I know we're not finished with this by a long shot but I just wanted to thank you for the time and effort you have made on our behalf. I'm only out here this week and then on the east coast for a while, but I was both fascinated and a bit surprised at last night's meeting. Ultimately, the faith that the commissioners obviously have in you and your ability to be fair was the defining part of the solution(s).
Vanessa

Vanessa Wassenar
Interim CFO
Bentley School
Vanessa.W.Wassenar@williams.edu OR vwassenar@bentleyschool.net
413-458-5693

From: Klein, Heather [mailto:HKlein@oaklandnet.com]
Sent: Thursday, October 22, 2009 1:29 PM
Subject: Bentley School

Dear Interested Parties,

Last night, October 21, 2009, the Planning Commission **approved** the Bentley School Major Conditional Use Permit subject to the staff report's attached Conditions of Approval with modifications to those conditions made at the hearing.

This decision is appealable to the City Council within 10 days. Should you wish to appeal the decision, you must submit the appeal form (attached), the appeal application fee (\$1,181.93), and any additional documentation to the second floor Planning and Zoning Division permit counter. Please read the form carefully. You do not need to make an appointment as this can be done over the counter. The appeal will then be forwarded to me. Do not submit or mail the appeal documentation directly to me.

All appeal documentation, including the fee, must be filed within 10 days or, more specifically, by November 2, 2009 at 4:00 PM. Please don't hesitate to contact me if you have any additional questions.

Best,

Heather Klein, CGBP, LEED AP
Planner III
City of Oakland

250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612
ph: (510) 238-3659
fax: (510) 238-6538
email: hklein@oaklandnet.com



Please consider the environment before printing this e-mail

From: [Kimon Papahadjopoulos](#)
To: [Blake.Huntsman@seiu1021.org](#); [dboxer@gmail.com](#); [michaelcolbruno@clearchannel.com](#); [sgalvez@phi.org](#); [VinceGibbs.opc@gmail.com](#); [VienV.Truong@gmail.com](#); [mzayasmart@sf.wrtedesign.com](#); [Klein, Heather](#)
Cc: [Brunner, Jane](#)
Subject: Fwd: Bentley Conditional Use Permit
Date: Tuesday, October 20, 2009 1:35:55 PM
Attachments: [Kimon Bentley letter.doc](#)

My apologies, the letter is attached this time.

----- Forwarded message -----

From: **Kimon Papahadjopoulos** <kimonp@gmail.com>
Date: Tue, Oct 20, 2009 at 1:34 PM
Subject: Bentley Conditional Use Permit
To: Blake.Huntsman@seiu1021.org, dboxer@gmail.com,
michaelcolbruno@clearchannel.com, sgalvez@phi.org, VinceGibbs.opc@gmail.com,
VienV.Truong@gmail.com, mzayasmart@sf.wrtedesign.com, HKlein@oaklandnet.com
Cc: jbrunner@oaklandnet.com

Attached please find a letter in support of Bentley School's Conditional Use Permit.

Kimon Papahadjopoulos

From: [Neighbors for Safety in Hiller Highlands](#)
To: [Klein, Heather](#)
Subject: Final EIR
Date: Friday, March 27, 2009 3:50:35 PM

Dear Heather:

Do you have an update on Bentley's Final EIR? Is there a target date for completion?

Thanks,
NSHH

From: [Klein, Heather](#)
To: ["Linda Harris"](#)
Subject: RE: EIR timeline
Date: Wednesday, February 20, 2008 11:25:29 AM

Linda,

I don't know when the public version will be ready for review. I would say late spring. However, the schedule keeps being pushed back due to the complicated nature of this project.

The EIR consultant is actively working to complete the document. He and I are meeting every other week. I think the only section that hasn't been completed yet is the alternatives portion. As soon as the City identifies these, the consultant can write the section. We have a meeting on Friday to hopefully settle this.

As I stated before, the consultant will submit an Administrative Draft EIR for City review. It will be routed to all relevant departments for comment. Typically, I've found that all City comments are addressed within 2-3 versions. Once it is ready the City will publish the Draft EIR for public comment.

As an aside, this process is taking a bit longer than average but still well within the timeframe that the City would expect for a full EIR. I know that you are just as anxious to move forward as the City is.

Best,

Heather Klein
Planner III
City of Oakland

250 Frank H. Ogawa Plaza, Suite 3315
Oakland, CA 94612
ph: (510) 238-3659
fax:(510) 238-6538
email: hklein@oaklandnet.com

-----Original Message-----

From: Linda Harris [mailto:lkharris@sbcglobal.net]
Sent: Tuesday, February 19, 2008 5:55 PM
To: Klein, Heather
Subject: EIR timeline

Dear Heather:

Do you have any idea yet about when the EIR will be available for public review?

Thanks,

Linda

From: [valerie bailey](#)
To: [Klein, Heather](#)
Subject: Bentley School
Date: Monday, July 19, 2010 3:48:02 PM

I am a resident of Hiller Drive and am writing to ask that the Planning Commission uphold a lower vehicle limit of 209 in compliance with the CUP condition to reduce traffic from the current conditions. As well, please make sure that the Planning Commission upholds the CUP condition to relocate all-school administrative staff. While I do not live so close to Bentley School, but rather at the top of the hill, I do have great concerns about the amount of traffic the school generates. Who among us will forget the 1991 Firestorm as people tried desperately to flee to safety. We need some reasonable limits on the traffic at the bottom of the hill.

Valerie Bailey
408 Hiller Drive
Oakland CA 94618
510 540 6196

From: [R Gordon Piper](#)
To: [Klein, Heather](#); blake.huntsman@serious1021.org; [michael.colbruno](#); [madeline.zayas-mart](#)
Cc: [neighbors.safety.hiller.highlands](#)
Subject: Bentley School, Comments re CUP Conditions and TDM
Date: Thursday, February 23, 2012 11:27:32 AM
Attachments: [Bentley Letter 2-23.doc](#)

Attached are my written comments pertaining to the Bentley School and its CUP and TDM, which will be coming before the Planning Commission in March. I urge the Planning Commission to follow the thoughtful recommendations submitted by the Neighbors for Safety in Hiller Highlands.

Gordon Piper, immediate neighbor of Bentley School, 33 Hiller Drive

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands](#)
Subject: Bentley update
Date: Thursday, April 02, 2015 12:13:07 PM

Hi Heather:

Bentley's school year is ending in five weeks. Can you provide us with an update on what is happening with the noncompliance issues?

Thank you,

Linda

From: [Gordon Piper](#)
To: [Klein, Heather](#)
Cc: [neighbors safety hiller highlands](#)
Subject: Bentley's Employee Report for 2014-2015 (Current Year)
Date: Wednesday, November 12, 2014 6:12:15 PM

We were surprised to find that the Bentley listing of staff for the current school year (2014-2015) was not included in the compliance report you recently forwarded, which was prepared by attorney Linda Klein. At the Neighborhood Liaison Committee meeting, there was an indication by Kori that Bentley didn't believe it had to submit the report on current employees until NEXT October ! Since the Planning Commission approved their CUP, Bentley has submitted an employee report for the current year. This year should be no exception, especially since Planning staff in April found they were not in compliance with the limit of 71 staff. Have you requested this staffing report?

Sue Piper as the Neighborhood Liaison Committee rep for the Hiller Highlands Homes Association asked Kori Thomas and the Bentley School to provide to us for the Neighborhood Liaison meeting this week a listing of current staff by job title, name and schedule, and no information or list was provided as requested by neighbors by the two Bentley representatives at the meeting..

Did Bentley or its attorney Linda Klein provide to you a written listing or breakdown of their current staff members by job title and or by job title and name and schedule, as we had requested? If so, can you please send it to us this week for our review and evaluation? Thank you for your assistance in providing this information regarding current Bentley staffing that has been reported to Planning staff.

I shared with Kori Thomas at the Neighborhood Liaison Committee meeting this week the list of 103 individuals that I had developed from my research relative to Bentley and potential current staffing. Kori seemed to have no prior awareness of this list. Have you asked Kori, the Bentley School or its attorney to respond to this list and to clarify which of these individuals are currently working as staff at the School? This review or investigation could assist in determining whether or not any progress has been made by the School in relation to ensuring compliance with the CUP limit of 71 employees established by the Planning Commission, and in evaluating any potential plan that the School develops or may submit to Planning staff for coming into compliance in November or the near future. It might also assist in evaluating the accuracy or completeness of the latest list of staff provided by the School and whether the School is making a good faith effort to comply with the 71 staff limit.

Gordon Piper

From: [linda harris](#)
To: [Klein, Heather](#); [Ranelletti, Darin](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Sue Piper](#); [Donna Karch](#)
Subject: Clarification from Bentley
Date: Thursday, November 20, 2014 8:06:02 AM

Heather:

Thanks for meeting with us yesterday. We left with a better understanding of what the process is now and hopefully you understand our concerns about verification of information and managing the school's impact in the neighborhood.

Regarding the information, it would be helpful to get a clarification of whether Bentley is intending that the people who would have lockers and offices in Lafayette would still be continuing as part time or full time workers at the Hiller Campus. We interpreted their language to mean that there would be no net benefit to relieving the vehicle traffic and impacts in the neighborhood because these people would still be working at Hiller full or part time. Even worse, my taking away their "staff" title they would be allowed to park on Hiller. If Bentley's intends to move lockers, office sAND the people to Lafayette that would provide relief to us and we could see that it would require a few months to accomplish.

I forgot to write down the due date for comments but if you add a couple of days for the holiday, I think it would be December 5. It would also be helpful to have the weekend to get together with neighbors to finalize our response so a due date of December 8 would be better.

Thanks.

Linda

From: [Linda Harris](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Sue Piper](#); [Donna Karch](#)
Subject: Fwd: Bentley Employee Agreements EMMA AIERT
Date: Wednesday, April 15, 2015 8:15:04 AM
Attachments: [Bentley_employee_agreements.pdf](#)
[ATT00001.htm](#)

I see in the Mudge letter that Bentley states their employees are on 2 year contracts. This is inconsistent with the Emma financial reports they file quarterly which state that their employment contracts are only one year. Bentley continues to provide information that is inconsistent without providing any documentation such as contracts and audited enrollment numbers. They are about to conclude another full school year in noncompliance.

Linda
Sent from my iPhone

Begin forwarded message:

From: linda harris <lkharris73@gmail.com>
Date: March 6, 2015 at 9:52:05 AM PST
To: Heather Klein <Hklein@oaklandnet.com>
Cc: Neighbors for Safety in Hiller Highlands
<neighbors.safety.hiller.highlands@gmail.com>, Leila Moncharsh
<101550@msn.com>
Subject: Bentley Employee Agreements EMMA AIERT

Dear Heather:

Bentley is required by law to file financial statements with the Securities Board each year. The 6/30/14 statement has just been released as public information. I'm attaching page 15 of the Financials relating to Concentrations and Risks and employment agreements.

You can see that as a matter of financial policy, the school's employee agreements are issued annually and expire at the end of the fiscal year (June 30).

Thank you,

Linda

From: [Susan Piper](#)
To: [Ranelletti, Darin](#); [Klein, Heather](#)
Subject: Fwd: Need for Comprehensive Audit of Bentley School Employees
Date: Tuesday, December 02, 2014 9:14:45 AM
Attachments: [Staff at Hiller by position November 2014.xlsx](#)
[ATT5923453.htm](#)
[ATT5923454.dat](#)
[ATT5923455.htm](#)
[12-2-14 letter to Henry Gardner re Bentley.pdf](#)
[ATT5923456.htm](#)

FYI

Please excuse typos.
Sent from my iPhone

Begin forwarded message:

From: Susan Piper <susangpiper@gmail.com>
Date: December 2, 2014 at 12:12:54 PM EST
To: "Hgardner@oaklandnet.com" <Hgardner@oaklandnet.com>, "Kalb, Dan" <dkalb@oaklandnet.com>
Cc: "bjparker@oaklandcityattorney.org" <bjparker@oaklandcityattorney.org>, Olga Bolotina <obolotina@oaklandnet.com>, "Cowan, Richard" <RCowan@oaklandnet.com>, "Ischaaf@oaklandnet.com" <Ischaaf@oaklandnet.com>, Neighbors for Safety in Hiller Highlands <neighbors.safety.hiller.highlands@gmail.com>
Subject: Need for Comprehensive Audit of Bentley School Employees

We are following up our June conversation with two spread sheets and a letter with details that documents concerns about Bentley School's inaccurate reporting of its staff as required by their CUP.

On November 17, 2014, Bentley admitted that they had 83 employees instead of the 71 they had been reporting. We believe there are closer to 100 staff working at the Oakland campus.

The Planning Department has asked the school to develop a compliance plan, but we believe it is imperative for the City to complete an independent audit of their staffing before any decisions are made as to how the school should comply with their CUP.

We also feel that the City should apply sanctions on the school for being out of compliance for at least the last two of the three years they have been reporting to the City.

--

Gordon and Sue Piper
510 499-8933 (cell)

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Sue Piper](#); [Donna Karch](#); [Nadine Prah](#); [Leila Moncharsh](#); [Gordon Piper](#); [Ranelletti, Darin](#)
Date: Monday, April 06, 2015 1:25:07 PM

Dear Heather:

Bentley's announcement of the agenda for the NLC meeting on 4/15 includes: "Bentley update on the CUP plan for employee count".

Are you aware of an updated plan? Have you seen it and has the city responded to an updated plan? If so, can you please provide copies to NSHH so we can review it before the meeting. Our meetings with Bentley are infrequent and short so it is helpful to be informed in advance.

Thank you,

Linda

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Leila Moncharsh](#); [Ranelletti, Darin](#); [Donna Karch](#); [Nadine Prah](#); [Sue Piper](#); [Gordon Piper](#)
Date: Friday, June 12, 2015 9:07:54 AM

Dear Heather:

Thank you for forwarding the "Notice of Determination" dated May 29,2015 responding to the May 21,2014 finding of non compliance by Bentley School.

It has taken a long time and many hours of work in your office and among the neighbors to resolve this matter. We really appreciate that you have followed followed up on neighbors findings and clarified issues relating to the job titles and counting staff.

We are also pleased that Bentley will submit more detailed accounts of their staff levels this year and going forward.

Because staff level and enrollment are closely linked and are the key controlling conditions of the CUP, transparent and verifiable reporting helps provide reassurance that Bentley will, in the future, operate within the limits of the CUP. Self reporting of enrollment without any documentation or verifiable accounting remains a concern for neighbors and we hope that the City now sees the need to require such information before it accepts or approves another annual Enrollment Compliance statement submitted by Bentley.

Thank you for all of your work on this case.

Best regards,
Linda



From: [linda harris](#)
To: [Klein, Heather](#)
Subject: NSHH Comments/response to Bentley's Plan for compliance
Date: Friday, December 05, 2014 2:03:34 PM

Heather: We are working hard to complete our comments on the Compliance plan and send them to you before 4:00. We've had some computer complications and may have to send it in parts today and tomorrow or Monday. Would you prefer it all in one piece or is it ok to send attachments on Monday.

Thanks,
Linda

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Ranelletti, Darin](#); [Leila Moncharsh](#); [Neighbors for Safety in Hiller Highlands](#)
Subject: NSHH Response to Bentley School Letter dated 1/15/15
Date: Monday, February 09, 2015 3:16:35 PM
Attachments: [NSHH 2-9-15 response to 12_19_14 Plan for compliance.pdf](#)

Dear Heather:

NSHH is submitting the attached letter with comments re: Project No. #S07-006/CM04-411/REV 10-0003: Bentley School CUP-1 Hiller Drive for your consideration.

If you have any difficulty opening this file please let me know.

Thank you,
Linda Harris

From: [linda harris](#)
To: [Klein, Heather](#); [Ranelletti, Darin](#)
Cc: [Leila Moncharsh](#); [Neighbors for Safety in Hiller Highlands](#); [Donna Karch](#); [Nadine Prah](#); [Sue Piper](#); [Gordon Piper](#)
Subject: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)
Date: Friday, November 28, 2014 10:02:09 AM
Attachments: [Compliance Process Inquiry Letter to Heather Klein 11-26-14.pdf](#)

Please disregard and do not forward my earlier email on this subject. This email has the correct PDF attachment which should open without trouble..

Dear Heather and Darin:

As a follow up to our meeting last week we have questions about the process that is being followed in the Bentley Noncompliance matter. We've outlined what we understand as the process and added some questions and possible actions. We hope you will review our attachment and comments and then confirm that the matter of Bentley's definition of Staff and their Plan for Compliance will be decided by a Major Review and Planning Commission hearing, as you both indicated was likely. .

Thank you for your consideration,

Linda Harris

From: [Susan Piper](#)
To: [Klein, Heather](#); [Ranelletti, Darin](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Gardner, Henry](#)
Subject: PLEASE double check the veracity of Bentley's response to your questions
Date: Saturday, December 20, 2014 10:32:28 AM

Once again, we ask that you not just rely on what Bentley says about it's employees. Even the report Bentley sent to the California Department of Education differs from what they told you when they said they only had 83 employees. If you look at the CDE spread sheet for 2014-15 that we left with you when we met and go to the third page and count down 17 (lines it begins with "37" which is highlighted) it comes to 85 staff when you add the full time, part time, administrators and other staff, not 83.

We appreciate your asking for more definitive answers from the school before you review Bentley's Compliance Plan, but experience shows that unless you INDEPENDENTLY verify the total number of people working at the Hiller campus, we will never know how far out of compliance the school is, which is the basis for any plan to bring the school back into compliance.

Thanks for your patience with this process.

--

Sue Piper

From: [Susan Piper](#)
To: [Klein, Heather](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Ranelletti, Darin](#); [linda harris](#); [Leila Monscharsh](#); [Gordon Piper](#)
Subject: Project No. ER07-006/CM04-411/REV10-0003; Bentley School CUP – 1 Hiller Drive
Date: Sunday, February 08, 2015 11:38:20 AM
Attachments: [Bentley School Compliance Plan, Comments from Pipers 2-8-15.docx](#)

Before the City accepts Bentley's proposed Compliance Plan, there still needs to be additional investigation to ensure that an accounting of staff is independently verified in order to accurately establish how far out of compliance the school is. There are still too many conflicts and red flags to accept Bentley's representation of its true staff picture on the Oakland campus.

Our position is that anyone who is regularly working on campus needs to be counted as staff. Furthermore, any compliance plan needs to include a system for accurate reporting and monitoring the data that is relevant to the enforcement of the CUP. And that Bentley's reports are to be submitted under penalty of perjury, because of Bentley's continuing history.

Please see the attached letter for a more detailed listing of our concerns.

Thank you,

Gordon and Sue Piper

33 Hiller Drive

Oakland, CA 94618

From: [Gordon Piper](#)
To: [Klein, Heather](#); [Ranelletti, Darin](#); [Flynn, Rachel](#); [Gardner, Henry](#); [neighbors safety hillier highlands](#)
Subject: Public Records Request and Request for Clarification
Date: Wednesday, November 05, 2014 11:57:39 AM

I wish to make a Public Records Act request for the following:

1. The compliance report on employees of Bentley School's Oakland campus as of October or November, 2014 showing the classifications, number of employees, shifts, and names;
2. All writings from Bentley School representatives in 2014;
3. All writings to Bentley School or its representatives from City staff members in 2014;
4. All writings between City staff members in 2014 including emails and letters pertaining to Bentley School from City employees including Heather Klein, Darin Ranelletti, Rachel Flynn, and Henry Gardner; and
5. The documents obtained from Bentley School in any code compliance investigation conducted by the City of Oakland related to its employees on the Oakland campus from 2010 to the present;

I wish to request clarification:

- Has the City of Oakland commenced a code compliance investigation in 2014 regarding Bentley School's compliance with the limit of 71 employees contained in the Conditional Use Permit granted by the City Planning Commission?
- If a code compliance investigation is being conducted, the name of the City staff member conducting the investigation and the status.
- When staff issued the notice of noncompliance Condition of Approval #1(b)(vii) Approved Use and #20: School Enrollment/Hours of Operation/Employees back on May 21, 2014, it only seemed to reference that the school was out of compliance by one or two staff members. Has the Planning Department updated the notice of noncompliance to more accurately reflect the level of noncompliance in 2012, 2013 and/or 2014, as documented in my previous emails?
- Concerning the code compliance investigation of Bentley School's compliance report on employees as of October or November 2014—please specifically look to see if Bentley includes in its report, the Director of Facilities for both campuses, the weekday day-time custodians and groundskeepers, the two custodians working in the evening on most weekday nights, and the two Bentley gardeners I have observed at times working on campus on weekends.

In addition, we sent you an earlier email where we identified over 100 people who are listed on the school's 2014-2015 school directory, on the web, and who recently had been working on the Oakland campus—we would anticipate that your review of the employee report would include a review and accounting of these individuals and any other staff who may be working on the campus. This has been an ongoing concern since 2012. Without definitive clarification about the names, schedules and titles of these individuals, leaves in doubt Bentley's compliance with the 71 employee limit.

Please contact me when the files are ready so I can make an appointment to review these and

any other items you have in the file.

From: [linda harris](#)
To: [Klein, Heather](#)
Subject: Re: NSHH Comments/response to Bentley's Plan for compliance
Date: Friday, December 05, 2014 4:59:46 PM

The NSHH Comments letter sent at 3:59 is the main document. The History of Vehicle trips was an attachment which we sent a second time because we thought the first one wouldn't open. The Vehicle Trips Summary is updated with the most recent data. We aren't going to attach more documents at this time. Most of them are referenced in the text and you have them in your records.

Thanks for considering our comments.

Have a nice weekend.

Linda

On Fri, Dec 5, 2014 at 4:21 PM, Klein, Heather <HKlein@oaklandnet.com> wrote:

I got your e-mails. Does the one you sent at 3:59 include the attachments? I'm fine you want to send information on Monday. I just need it to me by 4:00.

Heather Klein, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315
| Oakland, CA 94612 | Phone: [\(510\)238-3659](tel:(510)238-3659) | Fax: [\(510\) 238-6538](tel:(510)238-6538) | Email: hklein@oaklandnet.com |
Website: www.oaklandnet.com/planning



Please consider the environment before printing this email

From: linda harris [mailto:lkharris73@gmail.com]
Sent: Friday, December 05, 2014 2:04 PM
To: Klein, Heather
Subject: NSHH Comments/response to Bentley's Plan for compliance

Heather: We are working hard to complete our comments on the Compliance plan and send them to you before 4:00. We've had some computer complications and may have to send it in parts today and tomorrow or Monday. Would you prefer it all in one piece or is it ok to send attachments on Monday.

Thanks,

Linda

From: [Leila H. Moncharsh](#)
To: lkharris73@gmail.com; Klein, Heather; Ranelletti, Darin
Cc: neighbors.safety.hiller.highlands@gmail.com; Donna Karch; nadine; Sue Piper; Gordon Piper
Subject: RE: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)
Date: Friday, November 28, 2014 10:31:39 AM

I think something more is required than questions to planning. This business of violating the use permit and then sitting in the planning department for months and even years, without correction, is not working. It also encourages other schools to do the same thing since noncompliance has its rewards, if nothing else at least in delaying getting into compliance.

Most cities approach noncompliance with use permits as something that requires working with the private school to get it into compliance. However, that approach is based on the assumption that many private schools are rather poorly managed by parents, who make up the board of directors, and by heads of school who are not of the same quality as in past years. Therefore, a more gentle, teaching approach is sufficient to cooperatively get the school into compliance.

That has not been the situation with Head-Royce, Bentley, and CPS. All of these schools have knowingly violated their use permits, refused or delayed doing anything to get into compliance, and forced residents to take the lead in demanding corrections.

I would ask for an administrative hearing, given that the school is clearly out of compliance by its own admissions, that the school be fined and ordered to get into compliance within a month. I would make the arguments to the entire city council, planning commission, and planning department. Enough is enough with Bentley which has been violating its use permit for how many years?!

Leila

Date: Fri, 28 Nov 2014 10:00:01 -0800
Subject: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)
From: lkharris73@gmail.com
To: Hklein@oaklandnet.com; DRanelletti@oaklandnet.com
CC: 101550@msn.com; neighbors.safety.hiller.highlands@gmail.com; donna_karch@yahoo.com; nadine@prah.net; susangpiper@gmail.com; rgpiper33@gmail.com

Please disregard and do not forward my earlier email on this subject. This email has the correct PDF attachment which should open without trouble..

Dear Heather and Darin:

As a follow up to our meeting last week we have questions about the process that is being followed in the Bentley Noncompliance matter. We've outlined what we understand as the process and added some questions and possible actions. We hope you will review our attachment and comments and then confirm that the matter of Bentley's definition of Staff and their Plan for Compliance will be decided by a Major Review and Planning Commission hearing, as you both indicated was likely. .

Thank you for your consideration,

Linda Harris

From: [Leila H. Moncharsh](#)
To: [Klein, Heather](#)
Cc: [Ranelletti, Darin](#)
Subject: RE: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)
Date: Monday, December 01, 2014 5:20:01 PM

My understanding was that a complaint was filed by the neighbors due to the violation of the employee cap condition. Am I incorrectly informed?

Thanks, Leila

Subject: RE: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)

Date: Mon, 1 Dec 2014 16:51:13 -0800

From: HKlein@oaklandnet.com

To: 101550@msn.com

CC: DRanelletti@oaklandnet.com

Leila,

Thanks for your comments. I'm not sure what you mean by an administrative hearing and you clarify what you mean by this?

Heather Klein, Planner III | City of Oakland | Bureau of Planning | 250 Frank H. Ogawa, Suite 3315
| Oakland, CA 94612 | Phone: (510)238-3659 | Fax: (510) 238-6538 | Email: hklein@oaklandnet.com |
Website: www.oaklandnet.com/planning



Please consider the environment before printing this email

From: Leila H. Moncharsh [mailto:101550@msn.com]
Sent: Friday, November 28, 2014 10:30 AM
To: lkharris73@gmail.com; Klein, Heather; Ranelletti, Darin
Cc: neighbors.safety.hiller.highlands@gmail.com; Donna Karch; nadine; Sue Piper; Gordon Piper
Subject: RE: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)

I think something more is required than questions to planning. This business of violating the use permit and then sitting in the planning department for months and even years, without correction, is not working. It also encourages other schools to do the same thing since noncompliance has its rewards, if nothing else at least in delaying getting into compliance.

Most cities approach noncompliance with use permits as something that requires working with the private school to get it into compliance. However, that approach is based on the assumption that many private schools are rather poorly managed by parents, who make up the board of directors, and by heads of school who are not of the same quality as in past

years. Therefore, a more gentle, teaching approach is sufficient to cooperatively get the school into compliance.

That has not been the situation with Head-Royce, Bentley, and CPS. All of these schools have knowingly violated their use permits, refused or delayed doing anything to get into compliance, and forced residents to take the lead in demanding corrections.

I would ask for an administrative hearing, given that the school is clearly out of compliance by its own admissions, that the school be fined and ordered to get into compliance within a month. I would make the arguments to the entire city council, planning commission, and planning department. Enough is enough with Bentley which has been violating its use permit for how many years?!

Leila

Date: Fri, 28 Nov 2014 10:00:01 -0800

Subject: Planning Procedures related to Bentley's Plan for Compliance (updated with PDF attachment)

From: lkharris73@gmail.com

To: Hklein@oaklandnet.com; DRanelletti@oaklandnet.com

CC: 101550@msn.com; neighbors.safety.hiller.highlands@gmail.com; donna_karch@yahoo.com; nadine@prah.net; susangpiper@gmail.com; rgpiper33@gmail.com

Please disregard and do not forward my earlier email on this subject. This email has the correct PDF attachment which should open without trouble..

Dear Heather and Darin:

As a follow up to our meeting last week we have questions about the process that is being followed in the Bentley Noncompliance matter. We've outlined what we understand as the process and added some questions and possible actions. We hope you will review our attachment and comments and then confirm that the matter of Bentley's definition of Staff and their Plan for Compliance will be decided by a Major Review and Planning Commission hearing, as you both indicated was likely. .

Thank you for your consideration,

Linda Harris

From: [Susan Piper](#)
To: [Klein, Heather](#); [Ranelletti, Darin](#)
Cc: [Neighbors for Safety in Hiller Highlands](#); [Gardner, Henry](#)
Subject: Re: PLEASE double check the veracity of Bentley's response to your questions
Date: Saturday, December 20, 2014 10:37:30 AM

One error, the report was for 2013-2014, not 2014-2015. Sorry about that.

Sue

On Sat, Dec 20, 2014 at 10:30 AM, Susan Piper <susangpiper@gmail.com> wrote:

Once again, we ask that you not just rely on what Bentley says about it's employees. Even the report Bentley sent to the California Department of Education differs from what they told you when they said they only had 83 employees. If you look at the CDE spread sheet for 2014-15 that we left with you when we met and go to the third page and count down 17 (lines it begins with "37" which is highlighted) it comes to 85 staff when you add the full time, part time, administrators and other staff, not 83.

We appreciate your asking for more definitive answers from the school before you review Bentley's Compliance Plan, but experience shows that unless you INDEPENDENTLY verify the total number of people working at the Hiller campus, we will never know how far out of compliance the school is, which is the basis for any plan to bring the school back into compliance.

Thanks for your patience with this process.

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Sue Piper

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Sue Piper

From: [linda harris](#)
To: [Klein, Heather](#)
Cc: [Leila Moncharsh](#); [Neighbors for Safety in Hiller Highlands](#); [Donna Karch](#); [Nadine Prah](#); [Gordon Piper](#); [Sue Piper](#); [Ranelletti, Darin](#)
Subject: Transparency in Bentley Compliance documents
Date: Tuesday, April 21, 2015 3:54:50 PM
Attachments: [Bnetley Financial Statement.pdf](#)
[Bnetley Historical Enrollment.pdf](#)

Dear Heather:

We are in the process of reviewing Ann Mudge's 3/13/15 letter outlining Bentley's most recent Compliance proposal. We received a copy of that letter on 4/15 as a result of Sue Piper's public documents request. I think we will have additional comments but because the subject is still under review in your office I wanted to again address the question of the relationship between the inconsistent reporting of staff counts, which now reveal that Bentley has exceeded CUP staff limits, and Bentley's self reported enrollment counts.

Ann Mudge suggests that the school has made curricular changes including the use of specialists as if that eliminates the possibility that Bentley has also misreported their enrollment numbers. The use of specialists alone doesn't actually confirm that the enrollment is within the CUP limit. Schools state their student/staff ratios as a measure of their quality program. Because Bentley's enrollment numbers, like the staff counts, have been inconsistent and inaccurate on several reports, the question of enrollment remains. The school still has not provided any supporting evidence or documents to verify their enrollment and has not volunteered to do so even to provide transparency on this question. NSHH (Neighbors for Safety in Hiller Highlands) notes that it was only after Bentley was required to provide the requested detailed reports to the City and neighbors that the extent of their staffing levels violation became known. Self-reporting without verification has not ensured compliance and has wasted a great deal of City and neighbor time. It is on Bentley to operate within the CUP but it is incumbent to the City to ensure that they do. We suggest that the same evidence-based reporting requirement should be applied to the enrollment count now and each trimester going forward.

In addition to the EMMA report which showed that school employment contracts are one year duration, not two years as the school reported, the EMMA financial report also shows that Bentley experienced a \$2.8 million increase in tuition and fees revenue for the year ended on June 30, 2014 as compared to the year ended on June 30, 2012. This financial statement is not broken down by campus; the Oakland Campus enrolls about 53% of the total school enrollment. I'm attaching the EMMA Report Financial Statement Page 4, which shows the tuition and fees revenues. This seems like a big jump in revenue in a short time during which Bentley reported only a slight increase in enrollment.

Because there are inconsistencies in several reports filed by Bentley which failed to reveal the excess staff over CUP limits and because student and staff counts are highly correlated even as curricular changes are made, it makes sense to also confirm the validity of the self reported enrollment numbers. Without supporting evidence for both of these key CUP conditions, staff and student counts, the measure of compliance and the terms of the compliance plan are incomplete.

NSHH again recommends that the City complete its own inquiry into the CUP noncompliance by auditing Bentley enrollment documents in a way that protects personal information but ensures transparency and thorough and accurate reporting.

Thank you for your consideration,

Linda Harris

on behalf of Neighbors for Safety in Hiller Highlands.