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“Excellence in Education Since 1876”

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Superintendent
Bradley Johnson

Assistant Superintendent
Business Services
Francesca Martinez

October 31, 2025

Via Email

“Lizzie Bly,” Author and Editor
East of 52
6977 Navajo Rd Unit #652
San Diego, CA 92119
editor@eastof52.com

Re: Demand for Retraction and Correction of Articles

Dear “Ms. Bly:”

I’m writing, again, on behalf of the Dehesa School District in response to the article you published on East of 52 concerning the District, its Superintendent Bradley Johnson, the Board of Trustees, and its affiliated charter schools.

These articles contain numerous false and misleading statements that were published with reckless disregard for the truth and with a clear implication of unlawful, fraudulent, or unethical conduct. The statements in question have caused serious reputational harm to the District and its leadership, and they have misled the public regarding the District’s lawful operations, governance, and fiscal integrity. Your reporting, taken as a whole, creates a false narrative that the District is engaged in criminal or fraudulent activity...an allegation wholly unsupported by fact or public record.

Under California Civil Code § 45, such false assertions and implications constitute defamation per se, particularly when they impute criminal behavior or professional misconduct to a public official or agency. Moreover, as established in *New York Times Co. v. Sullivan* (376 U.S. 254 (1964)) and *MacLeod v. Tribune Publishing Co.* (52 Cal.2d 536 (1959)), the deliberate or reckless publication of statements that convey false factual implications—commonly known as defamation by implication or innuendo—falls outside First Amendment protection.

The District strongly objects to the publication of these falsehoods and the implication that its leadership has engaged in fraudulent or illegal acts. These claims are contradicted by publicly available documents, independent audits, and state reporting records. To ensure fair and accurate reporting, we have enclosed specific factual corrections and/or removal requests for your review.

Below is a detailed outline identifying each statement requiring correction, clarification, or removal, along with factual corrections substantiating the District's position. We formally demand that you promptly correct or remove the defamatory material pursuant to California Civil Code § 48a, which provides an opportunity to mitigate damages through the publication of a timely correction or retraction.

ARTICLE: When the Tail Wags the Dog: How Tiny Districts Like Dehesa Are Raking in Millions While Educating Almost No One

- **QUOTE: “In both the 2022–2023 and 2023–2024 school years, Dehesa took in ADA funding for roughly over 13,000 students—more than 98% of whom were not enrolled in its local school.”**
 - **FACT:** This statement is false and demonstrates a reckless disregard for truth and accuracy. Dehesa School District does not receive or retain ADA funding for charter school students. The only funds received on behalf of charter schools are in-lieu property taxes, which are statutorily required pass-through funds under Education Code §47635(a). These funds are received by the authorizing district strictly as an administrative conduit and are remitted to each charter school in full, based on its reported ADA, as required by law.
 - The language you used, particularly “took in ADA funding”, misleads readers by implying that Dehesa directly collects and benefits from funding for approximately 13,000 students. That suggestion is demonstrably false and materially damaging to the district's integrity and fiscal reputation. Under California Civil Code §45 and long-established precedent, false statements that harm an organization's honesty or professional standing constitute defamation per se.
 - Since you present yourself as a factual and investigative journalist, you have an ethical and legal responsibility to ensure statements concerning financial practices of a public entity are accurate and not misleading. The current phrasing conveys a false impression that Dehesa improperly receives or profits from charter ADA funding. We respectfully demand that you issue an immediate correction or clarification to state accurately that Dehesa does not receive or retain ADA funding for charter schools, but merely processes in-lieu property tax payments in compliance with state law.

- This correction is necessary to prevent ongoing harm and to align your publication with the standard of actual malice established under *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964), which prohibits knowingly false or recklessly inaccurate reporting about public officials and public entities.
- **QUOTE: “When adjusting for charters and programs that were shifted or rebranded to create the appearance of increased in-seat enrollment—including “programs” like the Method Sports Academy and SoCal Scholars Virtual”**
 - **FACT:** Your description is inaccurate and misleading. The correct name of our program is SoCal Scholars Academy, not “SoCal Scholars Virtual.” SoCal Scholars Academy is an enrichment-based homeschool program that operates under California’s independent study framework, not an in-seat, site-based attendance program. Because independent study students are not counted as in-seat attendees at our school site, the assertion that the program was “shifted or rebranded” to create the appearance of increased in-seat enrollment is false.
 - By suggesting that programs were “shifted or rebranded” to inflate in-seat numbers, the article conveys a false implication of deceptive enrollment reporting and fiscal impropriety. We demand an immediate correction that accurately states the program name and clarifies that SoCal Scholars Academy is a lawful independent study homeschool program that does not increase in-seat enrollment. This correction is necessary to avoid leaving readers with a false impression of enrollment manipulation and to comply with the accuracy standards expected of reporting on public entities.
- **QUOTE: “The upcoming census data from October 1, 2025 has been requested via Public Record Request, and once those numbers are available, an article will be drafted to reflect the true numbers for the 2025-2026 school year, including the brand new charter school Method Summit Academy, which also utilizes Dehesa’s school campus for their education, overrunning and displacing resident students out of their own classrooms, into makeshift classrooms.”**
 - **FACT:** This statement is false and misleading. Resident students have not been displaced from their classrooms, nor are any students educated in “makeshift” facilities. All students who attend programs onsite at Dehesa are educated in standard, district-approved classrooms that meet all safety and instructional requirements. The term “makeshift classrooms” is factually inaccurate and defamatory because it implies substandard or unsafe educational conditions that do not exist.

- Moreover, the allegation that Dehesa’s resident students have been “overrun” or forced out of their classrooms is entirely false. Classroom assignments and facility use are approved by the district’s governing board and site leadership, and reviewed to ensure compliance with all occupancy and instructional standards. The statement creates the false impression of displacement or overcrowding and implies that Dehesa has violated student rights or operational standards, which constitutes a false assertion of fact under California defamation law.
- We demand an immediate correction to remove or revise the statement to accurately reflect the facts. A correction could read: “All Dehesa resident students are housed in standard, district-approved classrooms, and no students have been displaced as a result of Method Summit Academy’s presence on campus.”
- **QUOTE: “Dehesa currently operates a fully functional school site that adequately serves its resident student population — now just 80 students (as of 10/8/2025 enrollment report)”**
 - **FACT:** This statement is inaccurate and misleading. The district’s most recent enrollment report does not state that all 80 students are resident students. That number represents total enrollment, which includes both resident students and students attending under interdistrict transfer agreements authorized pursuant to Education Code § 46600 et seq.
 - It is both standard journalistic practice and a matter of public record to verify such distinctions directly with the district before publication. Had clarification been requested, the district would have confirmed that a portion of current students attend from outside district boundaries under interdistrict agreements.
 - We demand a correction or clarification to accurately state that Dehesa’s total enrollment of approximately 80 students includes both resident and interdistrict transfer students, consistent with California law and district reporting. A corrected sentence could read: “Dehesa currently serves approximately 80 total students, including both resident students and those attending through approved interdistrict transfer agreements.”
- **QUOTE: “There is no documented need for additional classroom space to support those local students. Instead, the expansion appears to serve the growing influx of charter students—many of whom are not residents of the district and were never enrolled in Dehesa proper”**
 - **FACT:** This statement is inaccurate and misleading. The expansion of facilities at Dehesa serves a combined and growing population of both interdistrict transfer

students and students enrolled in Dehesa School District and Method Sports Academy, not solely charter students. The implication that expansion efforts exist exclusively to accommodate non-resident charter students is false and disregards the district's legal obligation to serve all students lawfully enrolled under Education Code § 46600 et seq. (interdistrict attendance).

- The district's facilities planning process is designed to address current and anticipated enrollment needs across all district-authorized programs. This includes resident students, interdistrict transfers, and authorized charter programs that utilize shared facilities under properly executed agreements. Suggesting that the district is expanding solely to support "charter students" creates a false inference of misallocation of public resources and implies favoritism or misuse of facilities.
- We demand a correction. A factual correction could read: "The expansion of facilities at Dehesa addresses both the district's growing interdistrict and charter student populations, consistent with state law and documented facility planning records."
- **QUOTE: "This latest land deal appears to continue that trend — one where charter operations expand, and Dehesa residents foot part of the bill, and foot the entire cost to their declining education."**
 - **FACT:** This statement is inaccurate and misleading. Dehesa School District is a state-aid-funded district under Education Code § 42238.02, not a community-funded (basic aid) district. As such, Dehesa does not receive its operating revenue primarily from local property taxes paid by district residents. Instead, the district's general education funding is derived from the Local Control Funding Formula (LCFF), which provides state aid based on student attendance and other factors. Therefore, Dehesa residents do not "foot the bill" for district operations or charter partnerships in the manner implied by the article.
 - The suggestion that local residents bear the financial burden of charter expansion, or that their tax dollars directly subsidize nonresident students is both factually false and legally unsound. Charter funding is distributed in accordance with Education Code § 47630 et seq., under which state and in-lieu property tax funds follow the student to their school of attendance. Dehesa's role is administrative, ensuring compliance with state apportionment procedures. The district does not divert or retain local resident tax funds to support charter operations, and no local taxation increase has occurred as a result of charter authorizations or facility use.
 - The phrase "foot the entire cost to their declining education" is also defamatory and unsupported. It implies that Dehesa's residents are suffering from a

deterioration in educational quality due to charter activities, which is a false assertion of fact. Educational quality is measured by multiple indicators established under the California Dashboard and the District's Local Control and Accountability Plan (LCAP), all of which are publicly available and do not reflect any decline attributable to charter operations.

- Under Civil Code § 45, any published statement that injures the reputation or perceived competence of a public agency in the discharge of its official duties constitutes defamation per se if false. Additionally, the statement's language of causation ("residents foot the entire cost to their declining education") creates an implied factual accusation of fiscal mismanagement.
- We demand that the article be corrected or clarified to reflect that Dehesa is a state-funded district, that local residents are not financially responsible for charter operations, and that no evidence supports a decline in educational quality resulting from district partnerships.
- A factual correction could read: "Dehesa School District is state-funded under California's LCFF model. Local residents do not bear direct financial responsibility for charter school operations, and district data do not reflect any decline in educational quality due to such partnerships."
- We would welcome the opportunity to discuss these facts directly to ensure your reporting accurately distinguishes between state aid funding and community-funded districts and to prevent the spread of misconceptions about public school finance.
- **QUOTE: "It was then-San Diego District Attorney Summer Stephan who emphasized that the success of the A3 fraud was due in large part to a lack of regulatory scrutiny. The overlap between that scandal and the current Dehesa situation appears more than coincidental."**
 - **FACT:** This statement is false, misleading, and defamatory by implication. The article's phrasing directly links Dehesa School District's current operations to the A3 charter school fraud case, thereby creating the false impression that Dehesa's leadership, or its oversight of charter schools, mirrors or continues the same conduct that led to one of the largest fraud cases in California education history. This implication is factually baseless and legally irresponsible.
 - It is well documented that Dehesa currently maintains one of the most rigorous and transparent charter oversight systems among small school districts in California. Our oversight processes meet and, in many areas, exceed the

requirements of Education Code §§ 47604.32 and 47604.33, which mandate annual monitoring of academic, financial, and operational performance of authorized charter schools. These requirements include the review of financial statements, attendance reporting, audit results, and governance compliance. Dehesa has consistently met these obligations, and its oversight practices are reviewed and documented through annual independent audits conducted in accordance with Education Code § 41020.

- The comparison to the A3 scandal, and the statement that “the overlap appears more than coincidental,” conveys a false assertion of fact that Dehesa’s current administration or board is engaged in or complicit with fraudulent conduct. Such a statement constitutes defamation by implication, where even insinuations that suggest illegal or unethical behavior can be actionable if false. Moreover, the implication of “lack of regulatory scrutiny” directly contradicts public records, oversight reports, and independent audits that verify Dehesa’s compliance with state law.
- The reference to “the current Dehesa situation” is also dangerously vague, inviting readers to conflate legitimate and lawful district operations with criminal activity from a prior case unrelated to Dehesa’s current leadership. This is particularly harmful given that other articles on your own website reference Superintendent Bradley Johnson by name, thereby extending the false implication of misconduct to a specific individual. Under California Civil Code § 45, statements that falsely impute fraud, corruption, or professional incompetence to a public official are considered defamation per se, requiring no proof of special damages.
- We demand that the article remove the false implication that Dehesa’s current operations bear any resemblance to the A3 scandal. This removal is necessary to prevent ongoing reputational harm and to meet the publication’s duty of factual accuracy and fairness.
- **QUOTE: “Yet remarkably, the district appears to have taken no meaningful corrective action in the years since. In fact, based on recent approvals and partnerships, it looks like Dehesa has doubled down on the same blueprint.”**
 - **FACT:** This statement is false, misleading, and defamatory in both language and implication. While the use of terms such as “appears” and “looks like” may suggest opinion, courts have consistently held that the First Amendment does not protect statements of opinion that imply false and defamatory facts. See *Milkovich v. Lorain Journal Co.*, 497 U.S. 1 (1990). Here, the article presents a false factual implication that Dehesa School District has failed to take corrective

action since the A3 charter school scandal and that it has “doubled down” on the same operational “blueprint.” Both implications are demonstrably untrue and defamatory by implication.

- In reality, Dehesa has implemented extensive and verifiable corrective actions over the past several years that fundamentally distinguish its current oversight practices from those that existed during the A3 case. These include enhanced financial controls, increased frequency of fiscal and operational audits under Education Code § 41020, revised charter oversight protocols in compliance with Education Code §§ 47604.32 and 47604.33, and new board policies addressing fiscal transparency and governance accountability. These measures are matters of public record.
- To state or imply that the district has “taken no meaningful corrective action” is both inaccurate and defamatory. It conveys to readers that Dehesa’s leadership may have been negligent or complicit in prior misconduct, despite clear evidence to the contrary. Under California Civil Code § 45, statements that impute mismanagement, incompetence, or unlawful conduct to a public entity or official constitute defamation per se when false. Furthermore, implying that Dehesa has “doubled down on the same blueprint” falsely suggests the continuation of a fraudulent or illegal model, which is both reputationally damaging and unsupported by fact.
- No effort was made by “Lizzie Bly” to contact Superintendent Bradley Johnson or district officials for comment prior to publication. The omission of this basic verification step falls below accepted journalistic standards of care and demonstrates reckless disregard for truth, the hallmark of actual malice as defined in *New York Times Co. v. Sullivan*, 376 U.S. 254 (1964).
- We therefore demand that this section be removed to accurately reflect that Dehesa has implemented significant corrective and oversight measures since the A3 scandal, and that its current partnerships and approvals bear no resemblance to that prior situation. This removal is essential to ensure factual integrity and to prevent continued harm to the District and Superintendent Johnson.
- **QUOTE: “If this all sounds familiar, it should. The schemes that earned A3 founder Herbert “Nick” Nichols a national reputation — and criminal prosecution — are now eerily mirrored in Dehesa’s current operations. The only thing missing is the nickname.”**
 - **FACT:** The statement is false and defamatory by implication. Public charging documents and widely reported records do not identify Herbert “Nick” Nichols as

the founder of A3. Attributing A3's founding to Mr. Nichols is inaccurate and misleads readers about basic facts of the case. Publishing a verifiable factual error of this kind invites correction under California Civil Code section 48a.

- The further assertion that Dehesa's "current operations" are "eerily mirrored" to criminal schemes conveys a false implication of unlawful conduct. California law does not permit an author to evade defamation liability by inserting qualifiers such as "eerily" or by framing factual insinuations as opinion. When an ordinary reader would understand the words to imply a false assertion of fact, the statement is actionable. See *Milkovich v. Lorain Journal Co.*, 497 U.S. 1, and *MacLeod v. Tribune Publishing Co.*, 52 Cal.2d 536. The article's wording invites readers to conclude that Dehesa is engaging in fraudulent activity akin to A3, which is untrue and reputationally damaging.
- Dehesa operates its programs within the requirements of California law, including charter oversight duties set out in Education Code sections 47604.32 and 47604.33, and the district is subject to annual independent audits under Education Code section 41020. Authorizations and approvals for district and charter operations are documented and publicly reviewable, and nothing in those records supports an allegation of fraud or concealment.
- A removal is warranted. This removal is necessary to prevent ongoing harm caused by a false attribution of A3's founding and by an unfounded insinuation of criminal similarity.
- **QUOTE: "Because what Dehesa appears to have done is take the A3 playbook, blow off the dust, and retool the same model — right down to the excessive charter ratios, the questionable oversight capacity, and now, even shared infrastructure deals with its charter partners."**
 - **FACT:** This statement is false, misleading, and defamatory by implication. The phrase "appears to have taken the A3 playbook" suggests that Dehesa School District has replicated or engaged in conduct similar to the criminal fraud schemes associated with the A3 case. This insinuation conveys a false and damaging factual meaning that the district is engaging in unlawful or unethical activity. California courts have long held that statements that imply false assertions of fact, even when couched as opinion or speculation, can constitute defamation by implication.
 - The district's operations are not in any way modeled after or connected to the A3 case. Dehesa maintains full compliance with all applicable laws governing charter authorizing and oversight, including Education Code §§ 47604.32 and 47604.33,

which require annual reviews of charter fiscal, academic, and governance performance. In addition, all programs and partnerships operate under board-approved agreements and undergo independent audits pursuant to Education Code § 41020. The characterization of “questionable oversight capacity” is unsupported and ignores the documented oversight mechanisms implemented since the A3 case, including enhanced fiscal controls, periodic site reviews, and compliance verification procedures.

- We demand the removal of this passage to accurately reflect that Dehesa’s current operations, charter partnerships, and facility agreements are lawfully established, independently audited, and entirely distinct from the A3 model. This removal is necessary to prevent continued reputational harm to the district and Superintendent Bradley Johnson and to meet the publication’s obligation under Civil Code § 48a to correct defamatory material upon notice.
- **QUOTE: “And somehow, after it all — the current board president, Cindy White was the board president during the A3 scandal is still in power today. Why would any electorate support a board president that not only appears to have been complicit in the A3 charter scandal, refused comment to multiple news outlets at the time, and still sits as the board president today, along with her son serving as a board member, and her current husband, providing a majority vote for anything the White family possibly discusses at family dinner.”**
 - **FACT:** The language you published regarding Cindy White’s role as board president during the A3 charter school scandal is deeply misleading and raises significant defamation concerns. Your phrasing, particularly the statement that she “appears to have been complicit in the A3 charter scandal” and your insinuation that her family “provides a majority vote for anything the White family possibly discusses at family dinner” goes well beyond opinion or commentary. Those remarks convey a false implication of criminal or unethical conduct given your reference to the A3 charter scandal.
 - Under California law, defamation is not limited to explicit false statements; it also includes defamation by innuendo or implication, where words, context, or tone lead a reasonable reader to infer false and damaging facts. Courts have repeatedly held that a publication can be actionable when “the communication, taken as a whole and in its natural and probable meaning, would be understood by readers to convey a false assertion of fact”. By stating that Ms. White “appears to have been complicit,” your article invites readers to conclude that she participated in or covered up criminal conduct related to the A3 investigation...something that is wholly untrue and for which no evidence exists.

- Furthermore, the article did not solicit feedback or comments from Ms. White before publication. The decision to assert complicity without any inquiry to the subject herself compounds the false implication of wrongdoing. In this context, the phrasing is not protected opinion or rhetorical hyperbole but rather a factual insinuation of criminal involvement that is demonstrably false and reputationally harmful.
- We demand that you take immediate corrective action by removing the statement to ensure that readers are not left with the false impression that Cindy White engaged in or concealed any part of the A3 charter scandal. Responsible journalism requires distinguishing between verifiable fact and suggestive inference, especially when reputations are at stake.
- **QUOTE: “MONEY WITH ACCOUNTABILITY:…This model results in millions flowing into Dehesa for students it never serves directly. Meanwhile, oversight—the very reason these funds are collected—is often minimal or ceremonial. Board meetings are sparsely documented. Budget approvals are swift. Conflict-of-interest disclosures are either absent or vague.”**
 - **FACT:** Each of these assertions is false or materially misleading. Dehesa does not receive or retain “millions” for students it does not serve directly. When charter schools are involved, the district only receives in lieu property taxes as a statutory pass through under Education Code section 47635, which are transmitted to the charter schools in accordance with law based on their ADA. Dehesa does not keep charter ADA revenue, and the district’s general funding is provided through the state’s LCFF formula under Education Code section 42238.02, not through local collections retained by the district.
 - Oversight is neither minimal nor ceremonial. As an authorizer, the district performs the oversight required by Education Code sections 47604.32 and 47604.33, including review of budgets, audits, fiscal and academic performance, governance compliance, and attendance reporting. In fact, it goes way beyond the requirements per law. The district is also subject to annual independent audits under Education Code section 41020, which examine financial statements and internal controls.
 - The claim that board meetings are “sparsely documented” is incorrect. The Brown Act, Government Code section 54950 and following, requires public posting of agendas, maintenance of minutes, and public access to deliberations, and Dehesa complies with these requirements. Budget approvals occur on publicly noticed agendas with supporting materials, and the governing board adopts budgets in compliance with Education Code sections 42127 and 42127.6, which include

review and filing with the county office of education. Characterizing lawful and noticed approvals as “swift” suggests procedural irregularity without evidentiary support.

- The statement that conflict of interest disclosures are “absent or vague” is also false. Board members and designated officials file Statements of Economic Interests, Form 700, pursuant to the Political Reform Act, Government Code section 87200 and following. These filings are designed to provide transparency and to prevent participation in decisions where a financial interest exists. They are public documents and are neither absent nor vague.
- By asserting that the district pockets “millions,” performs only ceremonial oversight, fails to document meetings, and avoids conflict disclosures, the article conveys false assertions of fact that impute mismanagement and potential misconduct. California law recognizes defamation by implication where language and context lead readers to infer false and damaging facts. False statements that injure a public agency’s integrity are defamatory per se under Civil Code section 45.
- Please treat this as a demand for correction under Civil Code section 48a and remove or correct the inaccurate statements identified above.
- **QUOTE: “For local families, it means fewer resources in traditional public schools, increased administrative overhead, and potential misallocation of funds intended for education.”**
 - **FACT:** Your statement is false. Our growth is providing more resources for local families, which is proven through our financials. We demand this be corrected or clarified.
 - This statement is false and unsupported by any factual evidence. The growth of Dehesa School District has resulted in increased, not decreased, resources for local families. Public financial records and adopted budgets demonstrate expanded instructional programs, facility improvements, and greater fiscal stability, consistent with the district’s compliance with the Local Control Funding Formula (LCFF) under Education Code § 42238.02. LCFF funding is based on average daily attendance and state apportionments, not diverted from resident families or traditional programs.
 - The claim that growth has produced “fewer resources in traditional public schools” misrepresents how public school funding operates. Districts cannot legally divert LCFF funding or charter pass-through funds to non-educational

uses. All expenditures are subject to annual independent audits pursuant to Education Code § 41020, and those audits confirm compliance with state and federal spending requirements.

- The suggestion of “potential misallocation of funds” implies fiscal impropriety, which is a false and defamatory assertion of fact under Civil Code § 45, as it imputes wrongdoing and mismanagement to a public agency without evidence. California courts recognize that even implications of financial misconduct may constitute defamation by implication when no factual basis exists.
- Dehesa’s financial transparency is further demonstrated through publicly adopted budgets under Education Code § 42127, detailed interim financial reports, and annual audits, all reviewed by the San Diego County Office of Education. These records confirm that funds are allocated appropriately, and that district growth has strengthened program offerings, staffing, and services to families within and beyond district boundaries.
- We demand a correction to reflect these facts accurately. This correction is necessary to prevent continued public misunderstanding and to bring the article into compliance with Civil Code § 48a, which requires prompt correction of false and defamatory statements upon notice.

The following corrective steps must be taken within the next seven (7) calendar days in order to prevent further consideration and pursuit of legal action. Given the above, we demand that you:

1. Remove or correct the article containing false and defamatory statements;
2. Publish a clear retraction and correction with equal prominence to the original articles;
3. Include the information provided in order to achieve fair and accurate reporting.
4. Provide written confirmation to Dehesa School District within the next seven (7) calendar days that these steps have been completed.

Sincerely,



Bradley Johnson
Superintendent
Dehesa School District