OFFICE OF CHARTER SCHOOLS

OAKLAND UNIFIED SCHOOL DISTRICT
Community Schools, Thriving Students

February 1, 2018

Maya Woods-Cadiz
American Indian Public High School
171 12th Street
Oakland, CA 94607

Re: Oakland Unified School District
Preliminary Offer of Facilities, 2018-2019

Dear Maya Woods-Cadiz:

Oakland Unified School District ("District") makes this Preliminary Offer of Facilities to **American Indian Public High School** ("Charter School") for the 2018-2019 school year.

The District has carefully considered the Charter School's request for facilities under the criteria set forth in Proposition 39 and its implementing regulations. (Cal. Ed. Code § 47614; Cal. Admin. Code, title 5, §§ 11969.1, *et seq*.) This Preliminary Offer complies with all of the requirements of Proposition 39 and Cal. Admin. Code, title 5, §11969.9(f).

A. Procedural History

The Charter School submitted a Request for Facilities under Proposition 39 pursuant to Cal. Admin. Code, title 5, § 11969.9(c) on or before November 1, 2017. The Charter School's Request for Facilities was based upon a projected in-District ADA of **368.50**.

B. 2018-2019 Preliminary Offer to the Charter School

Education Code § 47614 and its implementing regulations only obligate the District to offer space sufficient to accommodate the Charter School's in-District students. The District's allocation of space is therefore based on the Charter School's projected in-District ADA of **368.50**.

1. *Methodology*

Cal. Admin. Code, title 5, § 11969.3 governs the identification of the comparison group sites. Subsection (a)(1) states as follows:

Comparison Group:

> The standard for determining whether facilities are sufficient to accommodate charter school students in conditions reasonably equivalent to those in which the students

> would be accommodated if they were attending public schools of the school district providing facilities shall be a comparison group of district-operated schools with similar grade levels. If none of the district-operated schools has grade levels similar to the charter school, then a contiguous facility within the meaning of subdivision (d) of section 11969.2 shall be an existing facility that is most consistent with the needs of students in the grade levels served at the charter school. The district is not obligated to pay for the modification of an existing school site to accommodate the charter school's grade level configuration.

Cal. Admin. Code, title 5, § 11969.3(a)(2) governs the determination of the comparison group schools for districts whose students live in high school attendance areas:

> The comparison group shall be the school district-operated schools with similar grade levels that serve students living in the high school attendance area, as defined in Education Code section 17070.15(b), in which the largest number of students of the charter school reside. The number of charter school students residing in a high school attendance area shall be determined using in-district classroom ADA projected for the fiscal year for which facilities are requested.

The District must first identify the high school attendance area in which the largest number of in-District Charter School students reside. Education Code §17070.15(b) defines "attendance area" as "the geographical area serving an existing high school and those junior high schools and elementary schools included therein." Based on the information provided in the Charter School's facilities request, the District has determined that the greatest number of Charter School students live within the **Oakland High School** attendance area.

Table 1: High School Attendance Area

Grade Span	Attendance Area	# of Students	% of Students in Grade Span
9-12	**Oakland High**	**73**	**20.2%**
	Fremont	68	18.8%
	Skyline	59	16.3%
	Outside of Oakland	50	13.9%
	Oakland Tech	47	13.0%
	Castlemont/CCPA/Madison	37	10.2%
	McClymonds	27	7.5%

Therefore, the comparison group schools for the Charter School are as follows:

- Oakland High School

2. Facilities Offered:

The District offers the Charter School facilities at the following school sites:

Lakeview Elementary School
746 Grand Avenue, Oakland, CA 94610

Westlake Middle School
2629 Harrison Street, Oakland, CA 94612

The Charter School's allocation of space is as follows:

Table 2a: Allocation of Exclusive Use Teaching Station and Specialized Classroom Space to Charter School by School Site

School Site	# of Teaching Stations/ Specialized Classrooms	Total Sqft
Lakeview	15	13,699
Westlake	3	2,340
TOTAL	**18**	**16,039**

Table 2b: Allocation of Exclusive Use Teaching Station and Specialized Classroom Space to Charter School by Room

School Site	Room # (per MKThink site plan)	Sqft
Lakeview	A-2-1-3	853
Lakeview	A-2-9-11	873
Lakeview	A-2-26-27, 29	873
Lakeview	A-3-1	853
Lakeview	A-3-2	1266
Lakeview	A-3-4-6	873
Lakeview	A-3-10, 15	1188
Lakeview	A-3-19-20	873
Lakeview	A-3-23, 25, 25a	783
Lakeview	B-1-1	864
Lakeview	C-1-1	864

Lakeview	P3-1-1	884
Lakeview	P4-1-1	884
Lakeview	P5-1-1	884
Lakeview	P6-1-1	884
Westlake	C-1-102	772
Westlake	C-1-103	772
Westlake	C-1-104	796

Table 2c: Allocation of Non-Teaching Space (NTS) to Charter School at Westlake

Site Name	Projected ADA at Site			AIPHS Projected ADA as % of Total Site ADA	Total Site NTS	AIPHS NTS Allocation	Shared NTS Allocation	
	District-Run	Other Charter	AIPHS				Interior	Exterior
Westlake	303.16	65.68	61.42	14.27%	234,808	33,518	6,530	26,988

Table 2d: Allocation of <u>Exclusive Use Interior</u> Non-Teaching Space (NTS) to Charter School at Lakeview

Room #	Room Type	Sqft
A-2-4	storage	310
A-2-5	admin/office	267
A-2-5a	admin/office	168
A-2-5b	admin/office	126
A-2-6	restroom	29
A-2-7	admin/office	185
A-2-12	circulation	299
A-2-17	storage	15
A-2-18	circulation	14
A-2-19	storage	261
A-2-20	circulation	8
A-2-21	mechanical	8
A-2-22	multipurpose	252
A-2-23	multipurpose	2,095
A-2-28	circulation	442
A-3-13	restroom	126
A-3-14	circulation	145
A-3-16	circulation	1,643
A-3-21	lounge/staff dining	442

A-3-24	circulation	106
A-3-3	circulation	299
A-3-7	circulation	299
(portable restroom – no Room #)	restroom	500
Total Exclusive Use Interior NTS	**-**	**8,039**

Table 2e: Allocation of Shared Interior Non-Teaching Space (NTS) to Charter School at Lakeview

Room #	Room Type	Total Sqft	AIPHS Share %	AIPHS Allocation (Sqft)
A-1-17	building utilities	12	50%	6
A-1-19	building utilities	506	50%	253
A-1-20	building utilities	501	50%	250.5
A-1-25	restroom	463	50%	231.5
A-1-26	building utilities	36	50%	18
A-1-31	restroom	500	50%	250
A-1-34	building utilities	385	50%	192.5
A-1-40	building utilities	77	50%	38.5
A-2-8	restroom	47	75%	35.25
A-2-13	building utilities	21	50%	10.5
A-2-14	building utilities	28	50%	14
A-2-15	building utilities	19	50%	9.5
A-2-16	building utilities	16	50%	8
A-2-24	circulation	299	50%	149.5
A-2-35	circulation	2,073	75%	1,554.75
A-3-8	building utilities	54	50%	27
A-3-9	building utilities	17	50%	8.5
A-3-11	building utilities	16	50%	8
Total Interior Shared NTS		**-**	**-**	**3,065**

Table 2f: Allocation of Exterior Non-Teaching Space (NTS) to Charter School at Lakeview

Exterior NTS Space Type	Total Sqft	AIPHS Share %	AIPHS Allocation (Sqft)
Shared	67,244	50%	33,622
Exclusive Use - AIPHS	40,188	100%	40,188
Exclusive Use – OUSD	2,579	0%	0
Total Exterior NTS	**110,011**	**-**	**73,810**

Table 2g: Total Allocation of Non-Teaching Space (NTS) to Charter School

Site Name	Exclusive Use Interior NTS	Shared Interior NTS	Exclusive Use Exterior NTS	Shared Exterior NTS	Total NTS Allocation
Lakeview	8,039	3,065	40,188	33,622	**84,914**
Westlake	0	6,530	0	26,988	**33,518**
Total	**8,039**	**9,595**	**40,188**	**60,610**	**118,432**

At Westlake, the Charter School's access to non-teaching space, such as auditoriums, gymnasiums, multi-purpose rooms, and cafeterias, is based upon the Charter School's per-student entitlement to each category of space at the comparison group schools, and calculated upon the proportion of in-district ADA to the total ADA at the site.

Additionally, the Charter School will be once again co-located with District offices at Lakeview. Shared non-teaching space at sites where a charter school co-locates with another school is generally allocated while considering each school's ADA at the site. Due to the unique circumstances at Lakeview, additional tables have been included above, which outline the allocation of non-teaching space at the site. Unless otherwise noted below, shared non-teaching space is split evenly between the Charter School and the District. Factors taken into consideration when allocating non-teaching space included the following:

- Spaces in Building A labeled "building utilities" are assumed to be necessary for the proper functioning of the building. As such, allocation of these spaces is split evenly between the Charter School and District (i.e. 50% each)

- The Charter School does not have exclusive use of any space on the first floor of Building A. As previously mentioned, building utility spaces, including those located on the first floor are considered shared space. The only other first floor space shared by the Charter School and District are two restrooms (A-1-25 and A-1-31).

- The Charter School occupies slightly more than 75% of exclusive use square footage on the second floor. As such, 75% of the primary circulation area (A-2-35) and a bathroom (A-2-8) are being allocated to the Charter School.

- The Charter School has exclusive use of the entire third floor. As such, 100% of non-teaching space on that floor (except aforementioned building utility spaces) is being allocated exclusively to the Charter School.

- The Charter School is being allocated exclusive use of the fenced in exterior area that extends

from the portables along the Santa Clara and Grand Avenue side of the campus as shown in **Exhibit E**. The District has exclusive use of the exterior space on the northwest side of the CDC building, including the play structure located in that area. Allocation of the remaining exterior space will be shared evenly between the Charter School and the District.

The specific allocation of specialized teaching space and non-teaching space to the Charter School is set forth in subsections 3(c) and 3(d) below.

3. Reasonable Equivalence Methodology:

In order to determine whether facilities are "reasonably equivalent," the District compares the proposed facilities to District-operated schools constituting the comparison group school. The District has considered capacity, condition, location, and other relevant factors, using as a point of reference the comparison group schools identified above, to allocate a facility to the Charter School that meets Proposition 39 standards for "reasonable equivalence."

a. Condition:

With respect to "condition," the District may allocate facilities to the Charter School that are comparable to the comparison group in the following ways:

No.	Facility Characteristic – Capacity	Regulatory Authority
1.	Ratio of teaching stations to average daily attendance ("ADA")	C.C.R., tit. 5, § 11969.3(b)(1)
2.	Specialized classroom space if such facilities are available to the district comparison group (e.g., science laboratories)	C.C.R., tit. 5, § 11969.3(b)(2)
3.	Non-teaching space, which the district can share with the charter school (e.g., administrative, kitchen, multi-purpose, and/or play area space)	C.C.R., tit. 5, § 11969.3(b)(3)
4.	School site size	C.C.R., tit. 5, § 11969.3(c)(1)(A)
5.	Condition of interior and exterior surfaces	C.C.R., tit. 5, § 11969.3(c)(1)(B)
6.	Mechanical, plumbing, electrical, and fire alarm systems in condition and conformity to applicable law	C.C.R., tit. 5, § 11969.3(c)(1)(C)
7.	Availability and condition of technology resources	C.C.R., tit. 5, § 11969.3(c)(1)(D)

No.	Facility Characteristic – Capacity	Regulatory Authority
8.	Overall learning environment qualities (e.g., lighting, noise mitigation, and/or size for intended use)	C.C.R., tit. 5, § 11969.3(c)(1)(E)
9.	Furnishings and equipment	C.C.R., tit. 5, § 11969.3(c)(1)(F)
10.	Condition of athletic fields and/or play area space	C.C.R., tit. 5, § 11969.3(c)(1)(G)

The District has also evaluated data on the condition of the facilities at the comparison school group based on site information available from the District's Asset Management and Facilities Master Plan. A summary of this analysis, found in the table below, shows that the site offered to the Charter School is reasonably equivalent to the comparison school group in every facility characteristic category. Additional information regarding each facility can be found in **Exhibit A.** Based on the data available to the District, the District has concluded that the facilities offered to the Charter School meet the reasonable equivalence standards under the category of "condition."

Table 3: School Site Condition Analysis

School/Site Type		**Offer Site**		Comparison School Site
School/Site		**Lakeview**	**Westlake**	Oakland High
Size of Site (acres)		**3.1**	**5.7**	10.8
Surfaces*	Physical Condition (Interior)	**G**	**E**	E
	Circulation & Wayfaring (Interior)	**G**	**G**	G
	Physical Condition (Exterior)	**G**	**E**	E
	Circulation & Wayfaring (Exterior)	**E**	**G**	G
Mechanical, plumbing, electrical, and fire alarm systems conformity with applicable codes		**Y**	**Y**	Y
Tech Infrastructure		**Y**	**Y**	Y
Safe Learning Environment		**Y**	**Y**	Y
Furnishings/Equipment		**Y**	**Y**	Y
Athletic Fields/Play Area Space		**Y**	**Y**	Y

* Each site plan included surface condition information for each individual building at the site. For sites with multiple buildings, these ratings were averaged, taking into consideration the relative size of each building to determine the overall site surface condition (E=Excellent, G=Good, F=Fair, P=Poor)

b. Teaching Stations:

With respect to teaching stations, Cal. Admin. Code title 5, § 11969.3(b)(1) states that "[f]acilities made available by a school district to a charter school shall be provided in the same ratio of teaching stations (classrooms) to ADA as those provided to students in the school district attending comparison group schools."

The District followed the methodology set forth by the Court in *California Charter Schools Assn. v. Los Angeles Unified School District* (2015) 60 Cal.4th 1221 in determining the teaching station allocation to the Charter School. The District consulted, in accordance with Cal. Admin. Code tit. 5, § 11969.3(b)(1), the "classroom inventory pursuant to Sections 1859.31 and 1859.32 … on the Form SAB 50-02." (See, Cal. Admin. Code tit. 2, s 1859.30.) A copy of Form SAB 50-02 is linked as **Exhibit B**. Although the Proposition 39 regulations require the District to reference the classroom inventory referenced on Form SAB 50-02, the District notes that Form SAB 50-02 lists the aggregate classroom inventory by grade range within each high school attendance area, without breaking down inventory by school. Therefore, the District has taken the additional step of creating an updated inventory of actual room utilization at each comparison group school. That inventory is linked as **Exhibit C**.

The District is permitted to evaluate the utilization of classrooms at the comparison group schools under *California Charter Schools Association*, supra, as the California Supreme Court held in that case that:

> According to the District, only classrooms in the inventory that are "provided to" noncharter public school K–12 students in the District must be counted. On this view, unbuilt classrooms, classrooms already used by charter schools, and classrooms dedicated to preschool, adult education, or other uses besides K–12 education are not "provided to" such K–12 students and thus need not be counted in determining the ADA/classroom ratio under section 11969.3(b)(1). [¶] We agree with this reading of section 11969.3(b)(1). (*Id.* at 1239.)

Therefore, the District not only met, but exceeded, the requirements for determining the teaching station-to-ADA ratio under Cal. Admin. Code tit. 5, § 11969.3(b)(1). The District went beyond the classroom inventory contained in Form SAB 50-02, and manually created an inventory of classroom utilization at each of the comparison group schools, to determine the number of classrooms "provided to" District students at the comparison group schools. From that list, the District determined the ADA to teaching station ratio at the comparison group school as **24.32 per teaching station**.

Table 4: Comparison Group Schools Serving Grades 9-12 Located in High School Attendance Area

School	ADA Teaching Station Ratio
Oakland High School	24.32
AVERAGE	**24.32**

Applying that ratio to the Charter School's projected ADA of **368.50**, the District determined that the Charter School was entitled to an allocation of **16 (rounded up from 15.15**) teaching stations.

Table 5: Calculation of Exclusive Use General Education Classroom Allocation

Grade Span(s)	ADA (In-District)	Average ADA Teaching Station Ratio	General Education Classrooms *(ADA / Average ADA Teaching Station Ratio)*
9-12	368.50	24.32	16 (15.15)

c. Specialized Teaching Space:

With respect to specialized teaching space, Cal. Admin. Code title 5, § 11969.3(b)(2) states as follows with respect to the allocation of specialized teaching space to Charter Schools:

> If the school district includes specialized classroom space, such as science laboratories, in its classroom inventory, the space allocation provided pursuant to paragraph (1) of subdivision (b) shall include a share of the specialized classroom space and/or a provision for access to reasonably equivalent specialized classroom space. The amount of specialized classroom space allocated and/or the access to specialized classroom space provided shall be determined based on three factors:
>
> (A) the grade levels of the charter school's in-District students;
>
> (B) the charter school's total in-District classroom ADA; and
>
> (C) the per-student amount of specialized classroom space in the comparison group schools.

Using "the grade levels of the charter school's in-District students," and "the charter school's total in-District classroom ADA," the District determined "the per-student amount of specialized classroom space in the comparison group schools" based on the number of general education teaching stations, as set forth below:

Table 6: Specialized Classroom Space Allocation

Grade Span(s)	General Education Classrooms *(ADA/Average ADA Teaching Station Ratio)*	Specialized Classrooms
9-12	16 (15.15)	2 (1.51)

The Proposition 39 regulations obligate the District to provide "the per-student amount of specialized classroom space in the comparison group schools." (Cal. Admin. Code tit. 5, § 11969(b)(2)(C).) The District has determined that at the District's comparison group schools, students are allocated 1 classroom of specialized teaching space per 10 general education classrooms as referenced in each district school's 2017-18 Facility Utilization Baseline Estimator page (**Exhibit I**)[1].

The Charter School benefits from a number of favorable calculations in the allocation of teaching space and specialized teaching space. For example, the allocation of teaching space is rounded up from **15.15 to 16.00**, and the allocation of specialized teaching space is rounded up from **1.51 to 2.00**. Therefore, the Charter School is in fact receiving an allocation in excess of **1.34** classrooms above its entitlement in these two categories under Proposition 39.

d. Non-Teaching Space:

With respect to non-teaching space, Cal. Admin. Code title 5, § 11969.3(b)(3) states as follows:

> The school district shall allocate and/or provide access to non-teaching station space commensurate with the in-district classroom ADA of the charter school and the per-student amount of non-teaching station space in the comparison group schools. Non-teaching station space is all of the space that is not identified as teaching station space or specialized classroom space and includes, but is not limited to, administrative space, kitchen, multi-purpose room, and play area space. If necessary to implement this paragraph, the district shall negotiate in good faith with the charter school to establish time allocations and schedules so that educational programs of the charter school and school district are least disrupted.

The District calculated the amount of non-teaching space at the comparison group schools (Table 7a) and determined this space as a function of Sqft/ADA as shown in Table 7b.

[1] Each school's page includes the following note regarding specialized rooms: "At the elementary level, specialized rooms are estimated as 1 for every 8 of general education classrooms. At the middle school level, specialized rooms are estimated as 1 for every 6 of general education classrooms. At the high school level, specialized rooms are estimated as 1 for every 10 of general education classrooms."

Table 7a: Calculation of Non-Teaching Space (NTS) at Comparison Group Schools

Comparison School(s)	Site Acreage (ground level)[1]	Ground Level Space (sqft)[2]	Non-Ground Level Space (sqft)[3]	Total Site Area (sqft)[4]	Classroom Space (sqft)[5]	Site NTS (sqft)[6]
Oakland High	10.76	468,706	63,955	532,661	47,988	484,673

Sources: [1] "Site List" Exhibit D; [2] Site Acreage x 43,560 (sqft/acre); [3] "Room List" Exhibit D (Sqft of all non-ground floor level rooms); [4] Ground Level + Non-Ground Level Space; [5] "Room List" Exhibit D (Sqft of all classrooms ≥600 sqft + attached classroom storage spaces included in Prop 39 preliminary offers); [6] Total Site Area - Classroom Space

Table 7b: Non-Teaching Space (NTS) Sqft/ADA at Comparison Group Schools

Comparison School(s)	Total Site NTS (sqft)	Percent of Site Classrooms Occupied by District*	District Share of Site NTS (sqft)	18-19 Projected ADA	Total District NTS (sqft/ADA)
Oakland High	484,673	100.00%	484,673	1458.79	332.24

* Based on the number of classrooms not offered or occupied by charter schools at the site divided by the total number of classrooms at the site. For sites not shared with or offered to charter schools as part of Prop 39, this number will be 100%.

A supplement to Table 7a, showing the calculation of non-teaching space at the comparison groups schools, is linked as **Exhibit D**.

The District then considered the Sqft/ADA ratio for each category of space at the comparison group school as part of its reasonable equivalence analysis.

Table 8a: Calculation of Charter School Non-Teaching Space (NTS) Allocation at Lakeview

Site Name	Lakeview
18-19 Projected Site ADA	303.47
NTS Type	**Sqft**
Admin/Office/Conference	746
MPR/Auditorium/Cafeteria/Gym	2,347
Library	0
Other Interior	8,011
Total Interior NTS	11,104
Exterior NTS	73,810
Total NTS	84,914

Average Sqft/ADA	279.81

Table 8b: Calculation of Charter School Non-Teaching Space (NTS) Allocation at Westlake

Site Name	Westlake			
	Westlake	**American Indian Public High School**	**Envision Academy**	**Site Total**
18-19 Projected Site ADA	303.16	61.42	65.68	430.26
% of 18-19 Projected Site ADA	70.5%	14.3%	15.3%	100.0%
NTS Type	**Sqft**	**Sqft**	**Sqft**	**Sqft**
Admin/Office/Conference	2,870	581	622	4,073
MPR/Auditorium/Cafeteria/Gym	8,661	1,755	1,876	12,292
Library	1,268	257	275	1,800
Other Interior	19,434	3,937	4,210	27,581
Total Interior NTS	32,233	6,530	6,983	45,746
Exterior NTS	133,214	26,988	28,861	189,062
Total NTS	165,446	33,518	35,844	234,808
Average Sqft/ADA	545.74	545.74	545.74	-

Following is a summary of the Sqft/ADA ratios of non-teaching space at the comparison group schools, compared to that of the Charter School's allocation:

Table 9: Non-Teaching Space (NTS) Actual Sqft/ADA vs. Comparison School Group

Offer Site	Charter Projected In-District ADA	NTS Sqft	NTS Sqft/ADA
Lakeview	307.08	84,914	279.81
Westlake	61.42	33,518	545.74
Total Allocated		**118,432**	**321.39**
Allocation if Based on Comparison School group		122,432	332.24

The District calculates the Sqft/ADA for non-teaching space to determine the reasonable equivalence standards for this category of space at the comparison group schools. A charter school's allocation is generally considered to fall within reasonable equivalence standards if it falls within the minimum/maximum Sqft/ADA ratios at the comparison group schools. In this instance, the Charter

School only has one comparison group school, so the minimum/maximum range for SF/ADA are equivalent. Although the non-teaching space allocation falls slightly short of the threshold (4,000 sqft, or about 3% of the total required non-teaching space), the Charter School expressed interest in remaining at Lakeview, the site at which the shortfall exists. Furthermore, the majority of the Charter School's overall classroom allocation was given at Lakeview, the Charter School's preferred site. Therefore, the District believes that these circumstances balance out the incremental shortcoming in non-teaching space square footage.

The District also will offer the Charter School reasonably equivalent Furnishings and Equipment for **368.50** ADA.

The specific space offered to the Charter School in this Preliminary Offer is depicted in the diagrams attached as **Exhibit E.**

4. Differences Between Facilities Request and Preliminary Offer

In compliance with Cal. Admin. Code, title 5, §11969.9(f), the District identifies the differences between this Preliminary Offer and the Charter School's Request for Facilities.

Charter School's ADA Projections: The District is allocating space in accordance with the Charter School's ADA projections.

Site Location: The Charter School identified a location preference of the "Lake Merritt/Downtown/Chinatown neighborhood…at one of the following campus[es]: Lakeview, Bella Vista, Life Academy, and Skyline". The Charter School also expressed interest in remaining at the Lakeview campus.

Education Code 47614(b) states that "[t]he school district shall make reasonable efforts to provide the charter school with facilities near to where the charter school wishes to locate …" Here, the District exercised its discretion in determining to place the Charter School its current, preferred location, and the closest secondary school. The District's determination is subject to deference. (See, e.g., *Westchester Secondary Charter School v. Los Angeles Unified School District* (2015) 237 Cal.App.4th 1226; *Sequoia Union High Sch. Dist. v. Aurora Charter High School* (2003) 112 Cal.App.4th 185, 194-5.) The District did not have sufficient capacity at any of the Charter School's identified sites or locations to accommodate the entire Charter School projected in-District ADA. (*See*, January 24, 2018 Resolution, p. 14-15.) (**Exhibit H**) The District did accommodate the Charter School's preference to remain at the Lakeview campus. The District provided the Charter School a Preliminary Offer at Lakeview Elementary School, located at 746 Grand Avenue, Oakland, CA 94610, and at Westlake

Middle School, located at 2629 Harrison Street, Oakland, CA 94612, which is approximately 1.1 miles from the Charter School's current location, and the next closest secondary school.

5. The District Followed the Legal Requirements for a Multi-Site Offer, and Has Properly Considered the Charter School's Location Preference

Cal. Code Regs., tit. 5, section § 11969.2(d) requires that "[i]f the in-district average daily classroom attendance of the charter school cannot be accommodated on any single school district school site, contiguous facilities also includes facilities located at more than one site, provided that the school district shall minimize the number of sites assigned and shall consider student safety." On January 24, 2018, the District's Governing Board passed a Resolution "Finding that Charter Schools Could Not Be Accommodated at a Single Site and Written Statement of Reasons Explaining the Finding" ("Resolution"). The Resolution contains findings supporting the conclusion that the Charter School cannot be accommodated on one site, minimizing the number of sites offered, and considering student safety. (**Exhibit H**, p. 14-15.) The District placed the Charter School in its current, preferred location (Lakeview), as well as the closest secondary school in the same part of Oakland (Westlake).

C. Preliminary Facilities Offer – Other Terms and Conditions

1. Pro-Rata Share

The calculation of the Charter School's pro-rata share of facilities costs is attached as **Exhibit F.** The District notes that the Charter School's share of custodial costs may be subject to reconciliation in the event that the District is required to increase staffing as a result of the Charter School's use and occupation of the District's site.

Although the District will address the Charter School's other stated concerns regarding the facilities costs used to compute the pro-rata share during the course of FUA negotiations, it does maintain that it is entitled to include the cost of property insurance. Cal. Admin. Code tit. 5, § 11969.2 provides the definition of "facilities costs" for the purposes of determining the permissible general fund costs to include in the calculation of the pro-rata share:

> As used in Education Code section 47614(b)(1), "facilities costs" are those activities concerned with keeping the physical plant open, comfortable, and safe for use and keeping the grounds, buildings, and equipment in working condition and a satisfactory state of repair. These include the activities of maintaining safety in buildings, on the grounds, and in the vicinity of schools. This includes plant maintenance and operations, facilities acquisition and construction, and

facilities rents and leases.

The District believes that it is allowed to include insurance (which only includes property insurance covering the District's structures, and does not include contents or liability insurance) because these costs constitute expenses incurred in "keeping the … buildings … in working condition and a satisfactory state of repair," in the event that they are damaged and an insurable claim is made. Therefore, the Charter Schools occupying the District's facilities under Proposition 39 directly benefit from the property insurance that the District takes out on the structures that they occupy.

2. Overallocation Fee

Cal. Admin. Code tit. 5, § 11969.8 provides for a penalty in the event that a school district overallocates facilities to a charter school based on the charter school's overprojection of Average Daily Attendance ("ADA") for a school year. Subsection (a) of that regulation provides as follows:

> Space is considered to be over-allocated if (1) the charter school's actual in-district classroom ADA is less than the projected in-district classroom ADA upon which the facility allocation was based and (2) the difference is greater than or equal to a threshold ADA amount of 25 ADA or 10 percent of projected in-district classroom ADA, whichever is greater.

The penalty for overallocation is calculated as follows:

> The per-pupil rate for over-allocated space shall be equal to the statewide average cost avoided per pupil set pursuant to Education Code section 42263 for 2005-06, adjusted annually thereafter by the CDE by the annual percentage change in the general-purpose entitlement to charter schools calculated pursuant to Education Code section 47633, rounded to the next highest dollar, and posted on the CDE Web site. The reimbursement amount owed by the charter school for over-allocated space shall be equal to (1) this rate times the difference between the charter school's actual in-district classroom ADA and the projected in-district classroom ADA upon which the facility allocation was based, less (2) this rate times one-half the threshold ADA.

Please be advised that, in the event that the District overallocates facilities based upon the charter School's overprojection of ADA, the District will exercise its rights under the Proposition 39 regulations to collect the overallocation fee from the Charter School.

3. Miscellaneous

Should the Charter School accept the Preliminary Offer of Facilities, the District will require it to enter into a Facilities Use Agreement containing the terms and conditions of the District's facilities allocation. (**Exhibit G**) The District provides this proposed agreement without prejudice to its right to propose or modify terms during the process of negotiating the agreement.

Under tit. 5, § 11969.9(g) of the Cal. Code of Regs.:

> On or before March 1, the charter school shall respond in writing to the school district's preliminary proposal made pursuant to subdivision (f), expressing any concerns, addressing differences between the preliminary proposal and the charter school's facilities request as submitted pursuant to subdivision (b), and/or making counter proposals.

If you have any questions, please do not hesitate to contact me.

In Service,

Leslie Jimenez
Office of Charter Schools

Exhibit A

District Facilities' Site Plans and Profiles

To view the site plans and profiles for District facilities, please visit:

https://www.ousdcharters.net/proposition-39.html

Exhibit B

Form SAB 50-02

To view the Form SAB 50-02 for each high school attendance area, please visit:

https://www.ousdcharters.net/proposition-39.html

Exhibit C

Teaching Station Data

To view the data used to calculate the teaching station ratio, please visit:

https://www.ousdcharters.net/proposition-39.html

Exhibit D

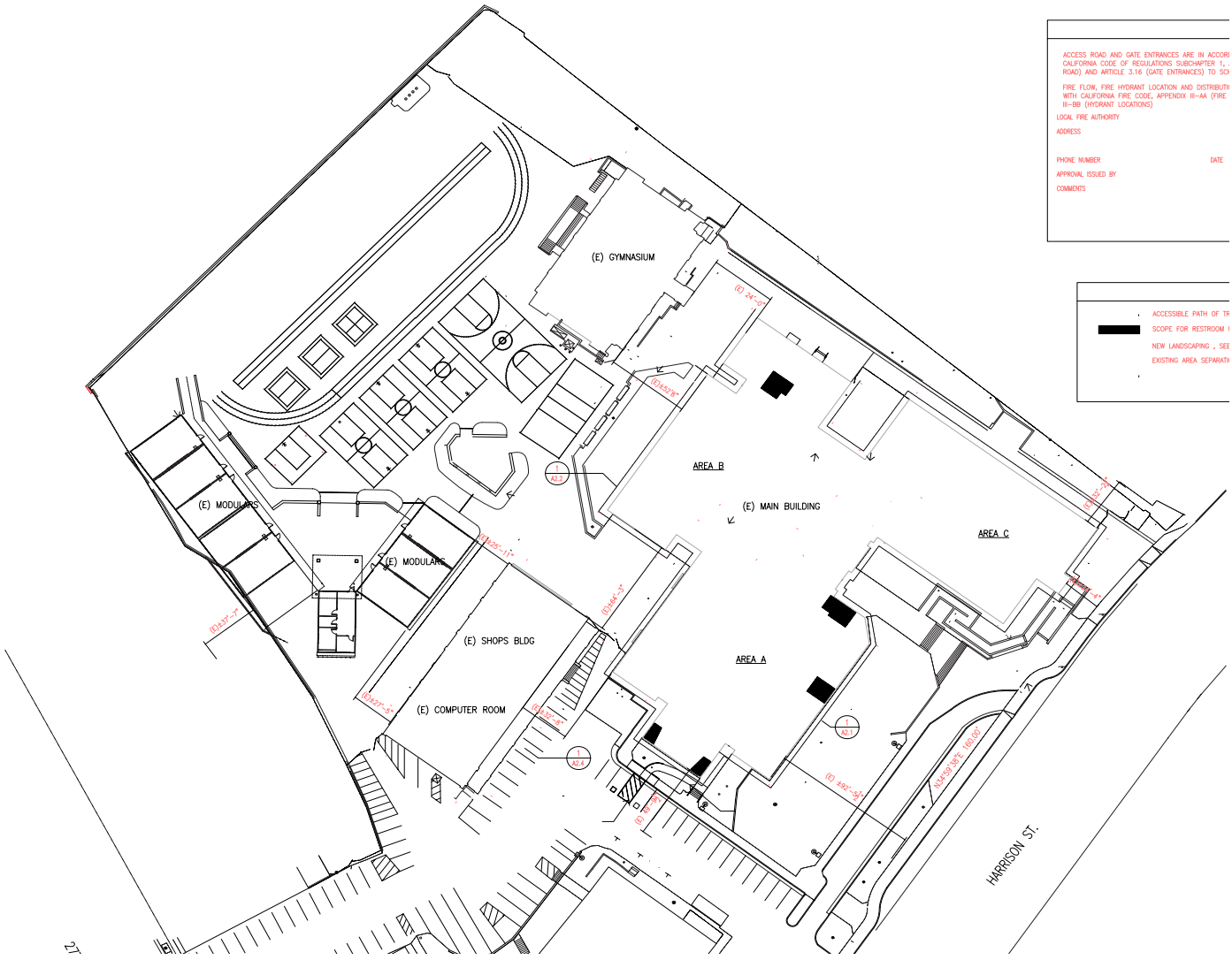
Non-Teaching Space at District Facilities

To view the calculation of non-teaching space at District facilities, please visit:

https://www.ousdcharters.net/proposition-39.html

Exhibit E

Specific Space Offered to Charter School



Not drawn to scale

Exclusive Use by Charter School

213 - Westlake Middle School - Site Plan

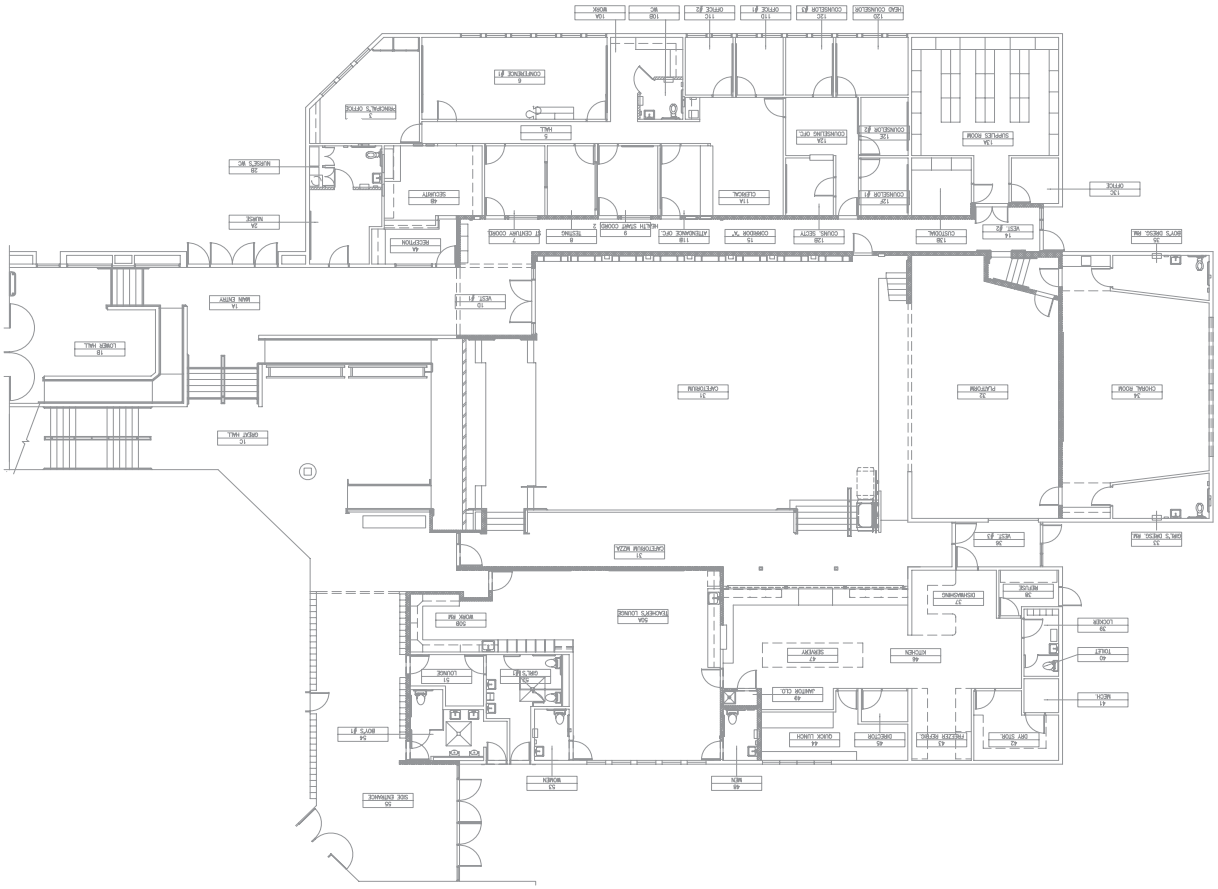
2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



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Not drawn to scale

213 - Westlake Middle School - Unit A

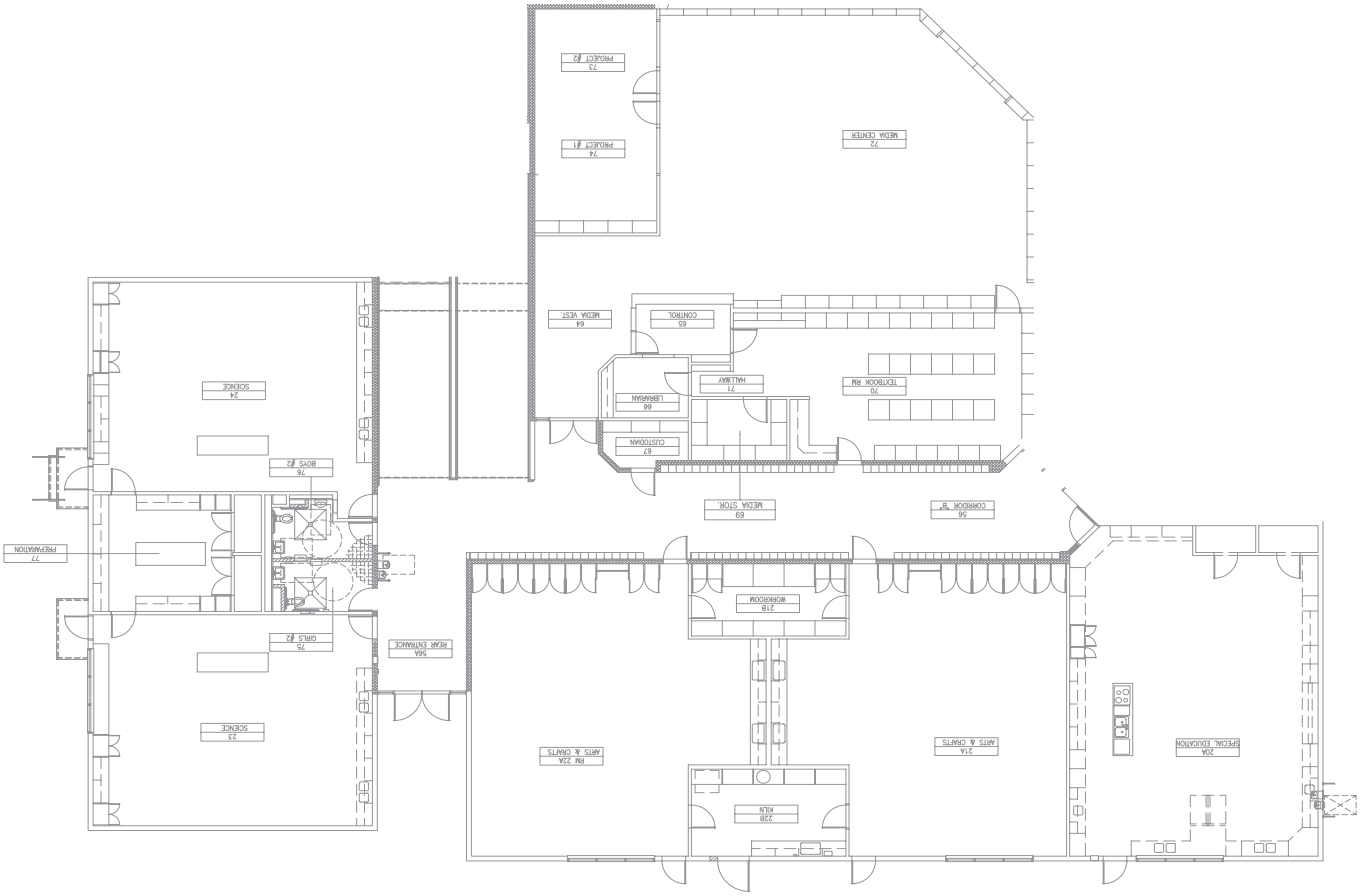
2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



N

Not drawn to scale

213 - Westlake Middle School - Unit B

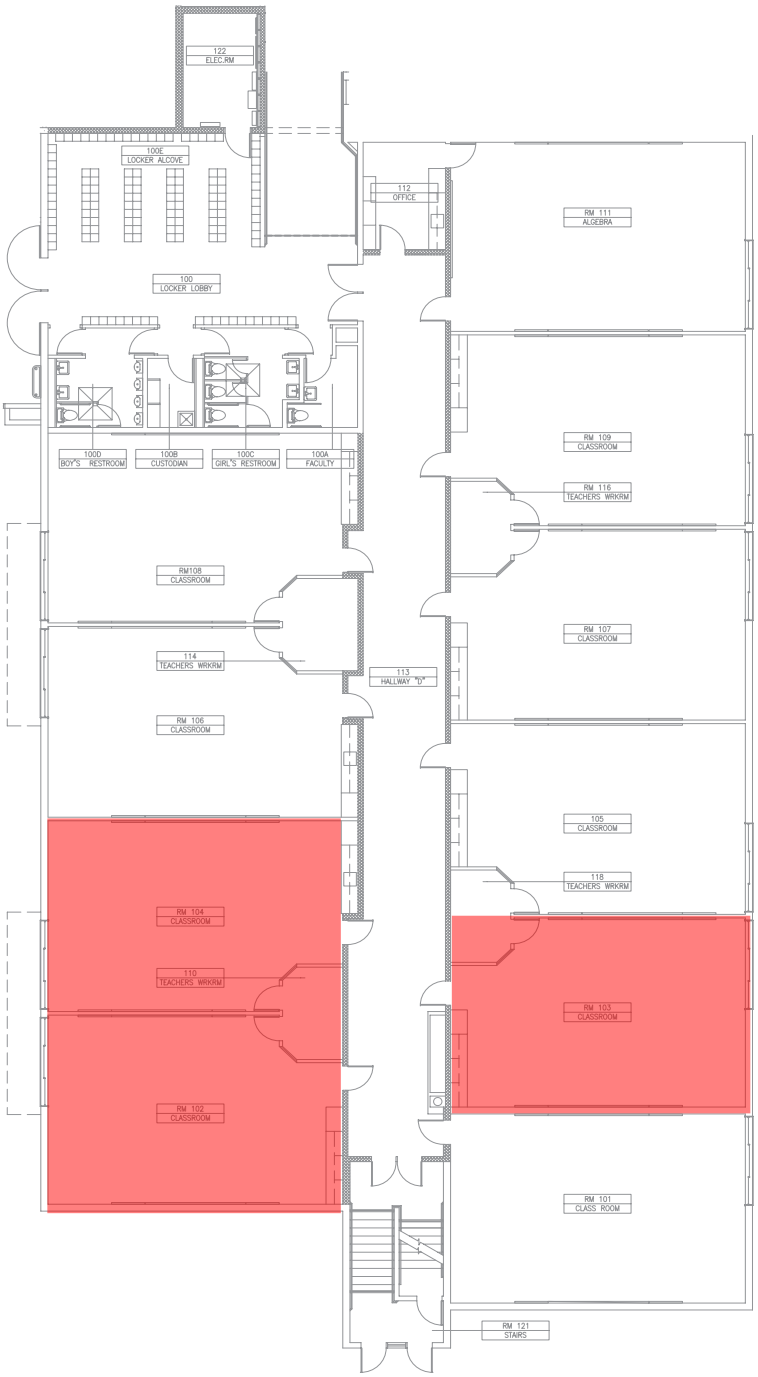
2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



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Not drawn to scale

213 - Westlake Middle School - Unit C1

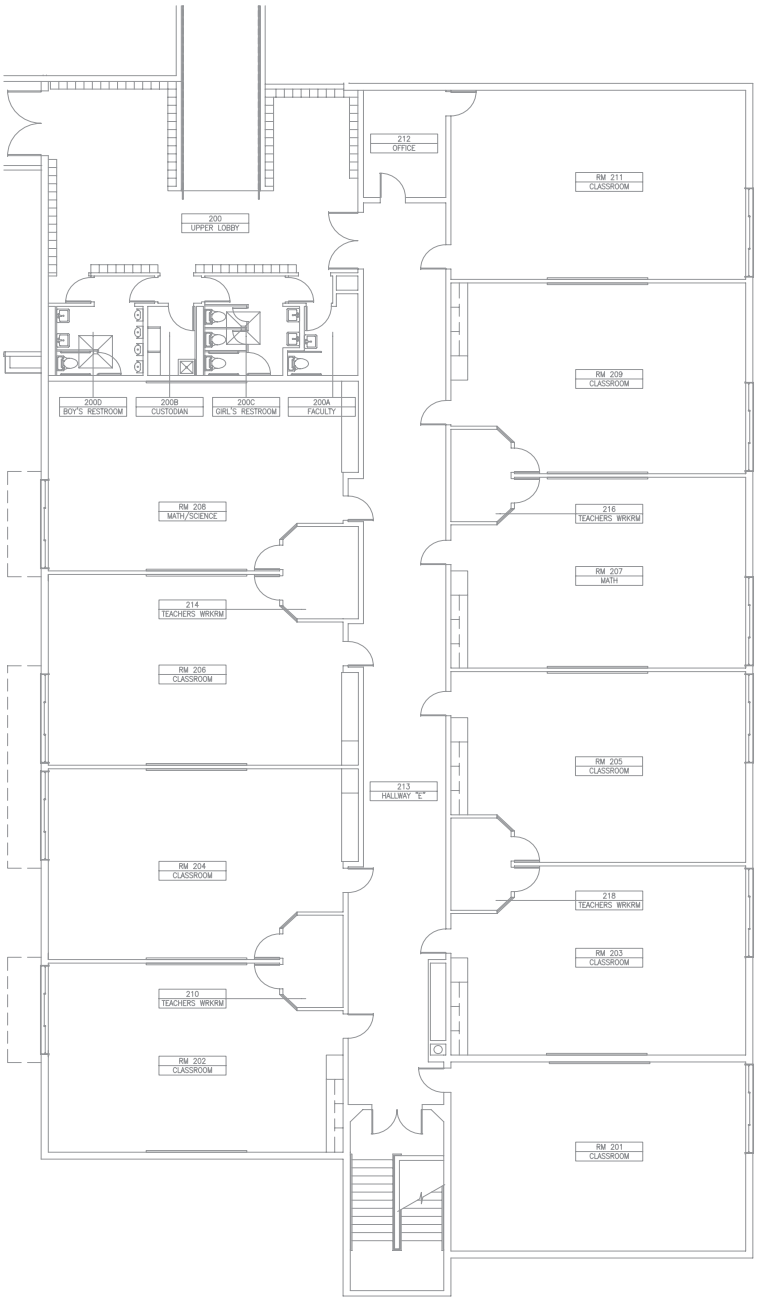
2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



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Not drawn to scale

213 - Westlake Middle School - Unit C2

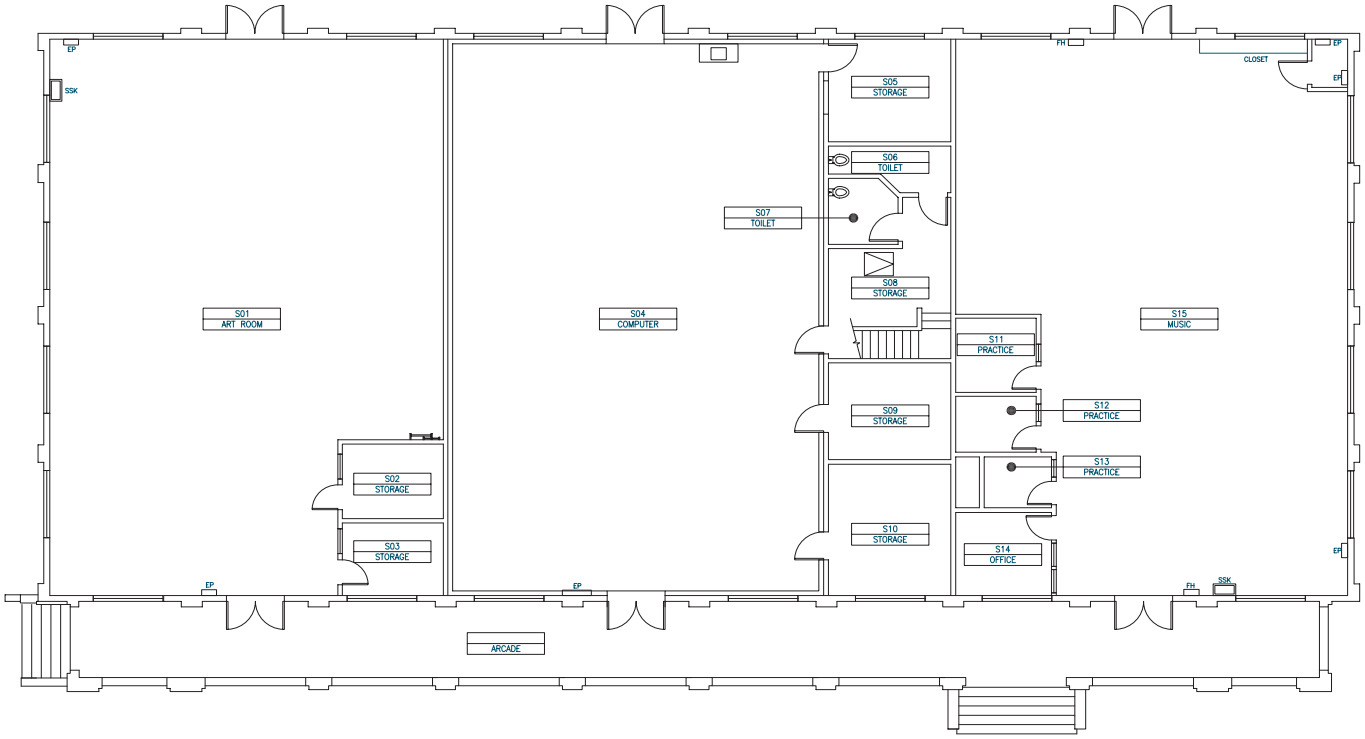
2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



N

Not drawn to scale

213 - Westlake Middle School - Unit D

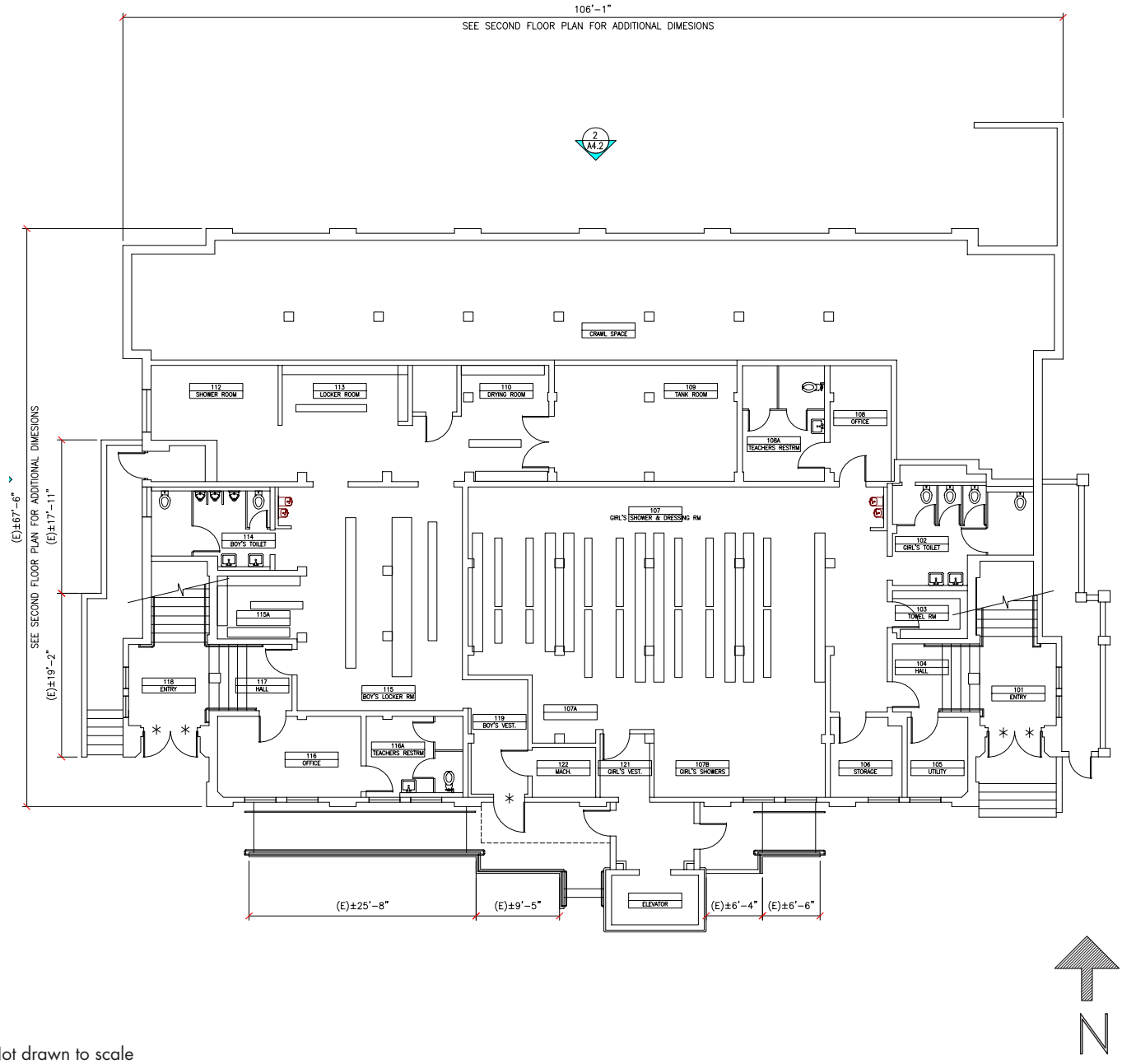
2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



Not drawn to scale

213 - Westlake Middle School - Unit E1

2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
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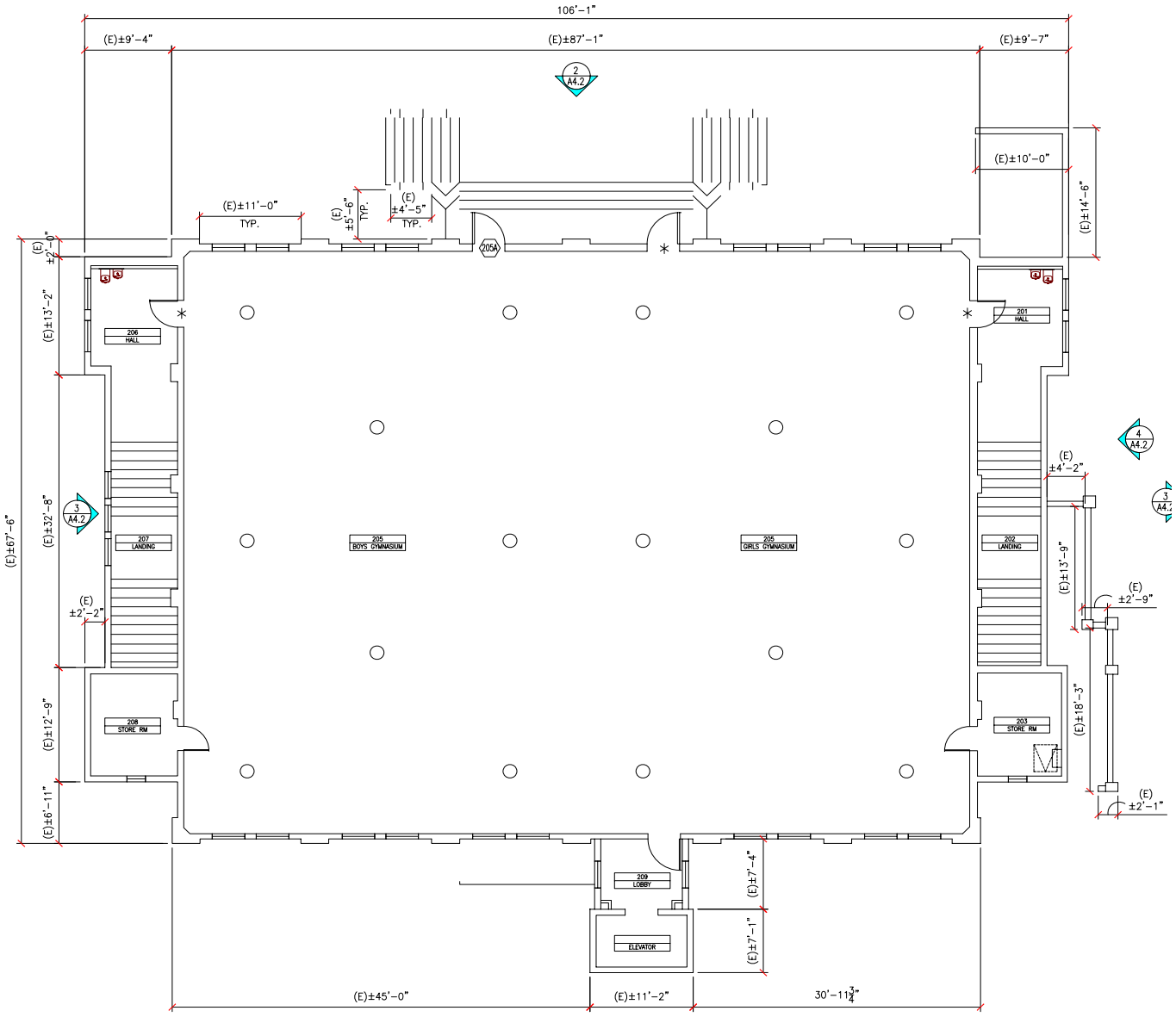
2011

OAKLAND UNIFIED SCHOOL DISTRICT



Not drawn to scale

213 - Westlake Middle School - Unit E2

2629 Harrison Street - Oakland, CA 94612-3813

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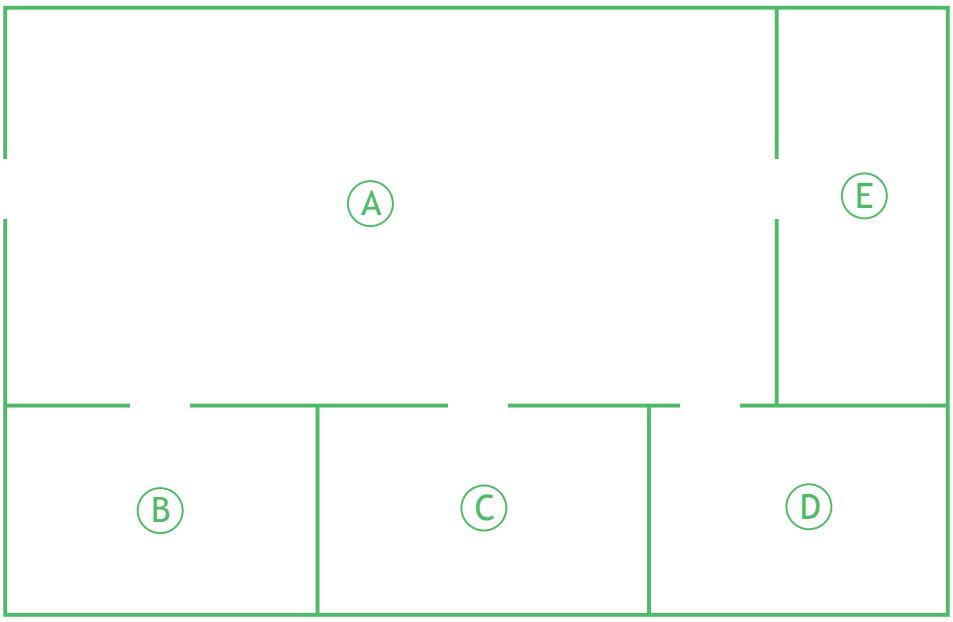
2011

OAKLAND UNIFIED SCHOOL DISTRICT



Not drawn to scale

213 - Westlake Middle School - Unit P-4

2629 Harrison Street - Oakland, CA 94612-3813

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Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
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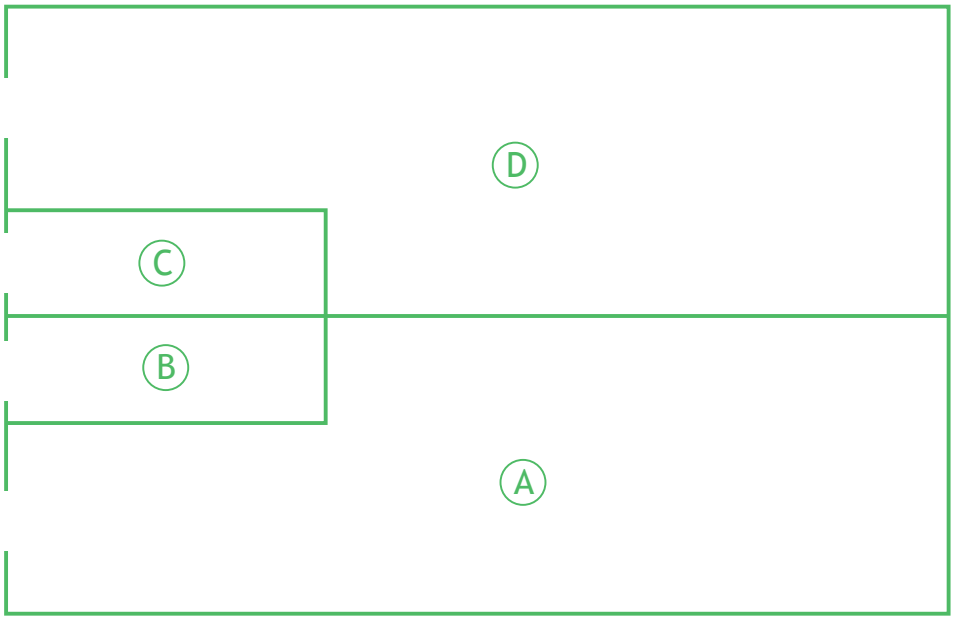
2011

OAKLAND UNIFIED SCHOOL DISTRICT



Not drawn to scale

213 - Westlake Middle School - Unit P-5

2629 Harrison Street - Oakland, CA 94612-3813

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT

Oakland Unified School District Facilities Asset Management

Westlake Middle School

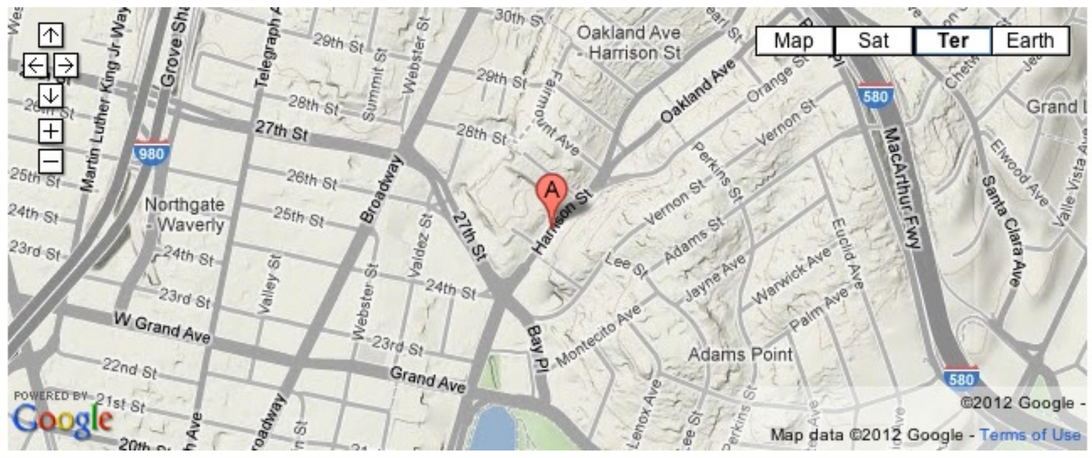
2629 Harrison Street Site **213** Region **1** Grades **6-8**

Westlake Middle School lies along Harrison Street in West Oakland, between I-580 and the northern tip of Lake Merritt. The site is three blocks north of Children's Fairy Land and the rest of the Lakeside Park area, and 2 blocks east of Broadway Auto Row, which leads south directly into Downtwon Oakland. To the west, the rest of the neighborhood north of Grand Avenue is a mix of residential aprtment buildings and single-fmaily houses all the way to I-580.

PROGRAMMING (2012-2013)

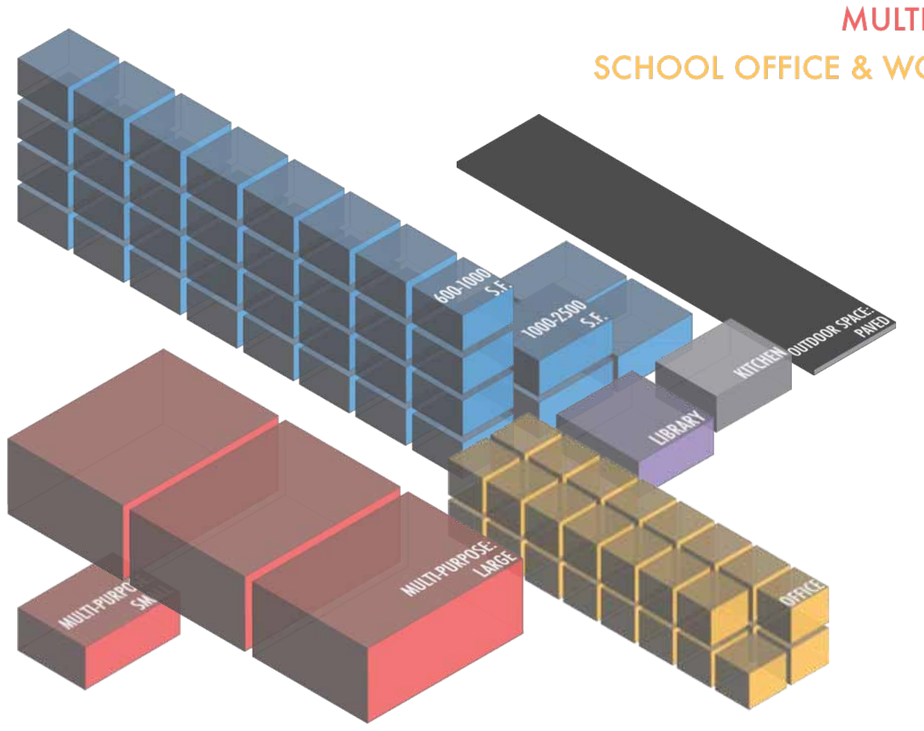
Schools / Enrollment

	SDC	Non-SDC	Total	API (2010-2011)
Westlake	51	551	602	711



FACILITIES (Summer 2012)

LEARNING ENVIRONMENTS
LIBRARY
MULTI-PURPOSE
SCHOOL OFFICE & WORKSPACE



Summary Counts

	Total	Permanent	Portable
Site Acreage	**5.7**		
Building Footprint (sf)	**100,681**		
Building Area (sf)	**84,991**	84,991	
Classroom-Sized Rooms	**37**	37	

	Number of Rooms	Sq Ft
Library Rooms	**1**	1,800
Auditorium/Cafeteria/ Multi-purpose/Gym	**4**	12,292
Admin/Office/ Conference Room	**31**	4,073
School Gardens	Number: **1**	Sq Ft: 120
Kitchen	Type: Full-scale	
On-site Health Clinic	No	

SITE SUMMARY (Summer 2012)

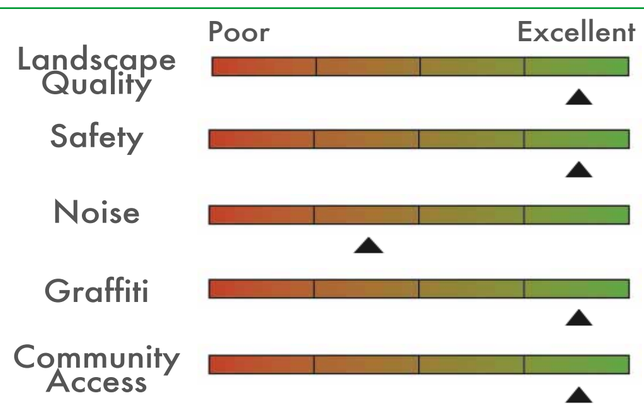
Sports / Recreation

- Play structure
- Basketball hoops ●●●●●●●●
- Swimming pool
- Soccer/football field
- Volleyball court
- Track
- Baseball field
- Tennis court

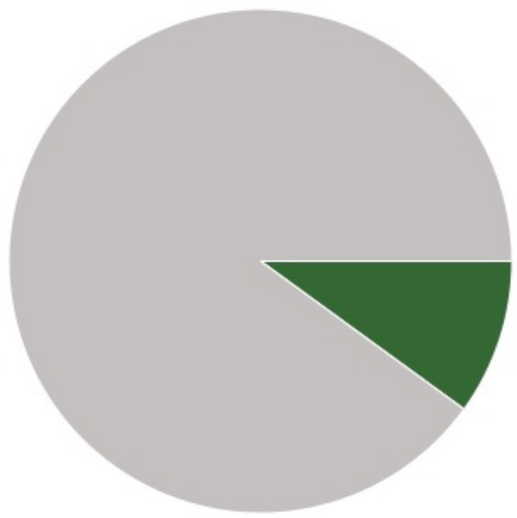
Qualitative Assessment

Transit Accomodations

62



Open Space



Paved 90% 10% Green

Oakland Unified School District Facilities Asset Management

Westlake Middle School

Building Records

Site ID **213** Region **1** Grades **6-8**

Site & Facilities Photos - Summer 2011 (Sample)

*To view the full set, visit: http://bitly.com/tBjxwN

BUILDING A

BUILDING AREA (SQFT): 17,544

CONSTRUCTED: 1978

STRUCTURAL ELEMENTS

ROOFING
Plywood on wood joists and steel beams

FOUNDATION
Strip footings (under structural walls)

VERTICAL RESISTANCE
Wood stud walls with 1/ 2" plywood

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
1	17	20	7
NO. OF STUDENT COMPUTERS	**NO. OF ADMIN WORKSTATIONS**	**ADDITIONAL ADMIN SPACES**	
	20	Conference Room Teachers' Lounge	

BUILDING B

BUILDING AREA (SQFT): 12,549

CONSTRUCTED: 1978

STRUCTURAL ELEMENTS

ROOFING
Plywood on wood joists and steel beams

FOUNDATION
Strip footings (under structural walls)

VERTICAL RESISTANCE
Wood stud walls

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
5	2	2	2
NO. OF STUDENT COMPUTERS	**NO. OF ADMIN WORKSTATIONS**	**ADDITIONAL ADMIN SPACES**	
5	5		

BUILDING C

BUILDING AREA (SQFT): 24,149

CONSTRUCTED: 1978

STRUCTURAL ELEMENTS

ROOFING
Plywood on wood joists and steel beams

FOUNDATION
Spread footings (under interior columns) & strip footings (under structural walls)

VERTICAL RESISTANCE
Wood stud walls

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
20			6
NO. OF STUDENT COMPUTERS	**NO. OF ADMIN WORKSTATIONS**	**ADDITIONAL ADMIN SPACES**	
54		Teachers' Lounge	

BUILDING D

BUILDING AREA (SQFT): 8,124

CONSTRUCTED: 1928

STRUCTURAL ELEMENTS

ROOFING
T&G on wood joists

FOUNDATION
Spread footings (under interior columns) & strip footings (under structural walls)

VERTICAL RESISTANCE
Wood stud walls

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
2	1	1	2
NO. OF STUDENT COMPUTERS	**NO. OF ADMIN WORKSTATIONS**	**ADDITIONAL ADMIN SPACES**	

BUILDING E

BUILDING AREA (SQFT): 14,266

CONSTRUCTED: 1929

STRUCTURAL ELEMENTS

ROOFING
T&G on wood joists and steel trusses with rod bracing

FOUNDATION
Spread footings (under interior columns) & strip footings (under structural walls)

VERTICAL RESISTANCE
Concrete moment frames, Steel frames with infill concrete walls

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
	2	2	4
NO. OF STUDENT COMPUTERS	**NO. OF ADMIN WORKSTATIONS**	**ADDITIONAL ADMIN SPACES**	
	2		

MODULAR M

BUILDING AREA (SQFT): 8,359

CONSTRUCTED: 2006

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
7	4	4	2
NO. OF STUDENT COMPUTERS	**NO. OF ADMIN WORKSTATIONS**	**ADDITIONAL ADMIN SPACES**	
4	4	Teachers' Lounge	

Oakland Unified School District Facilities Asset Management

Westlake Middle School

Portable Records

Site ID **213** Region **1** Grades **6-8**

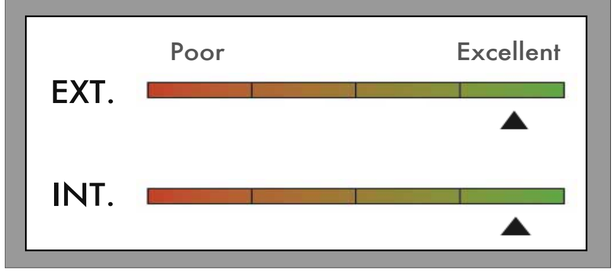
Portable Inventory

Total Count

Average Age

? Years

Qualitative Conditions Assessment



Oakland Unified School District Facilities Asset Management

Westlake Middle School

Rooms Summary & List

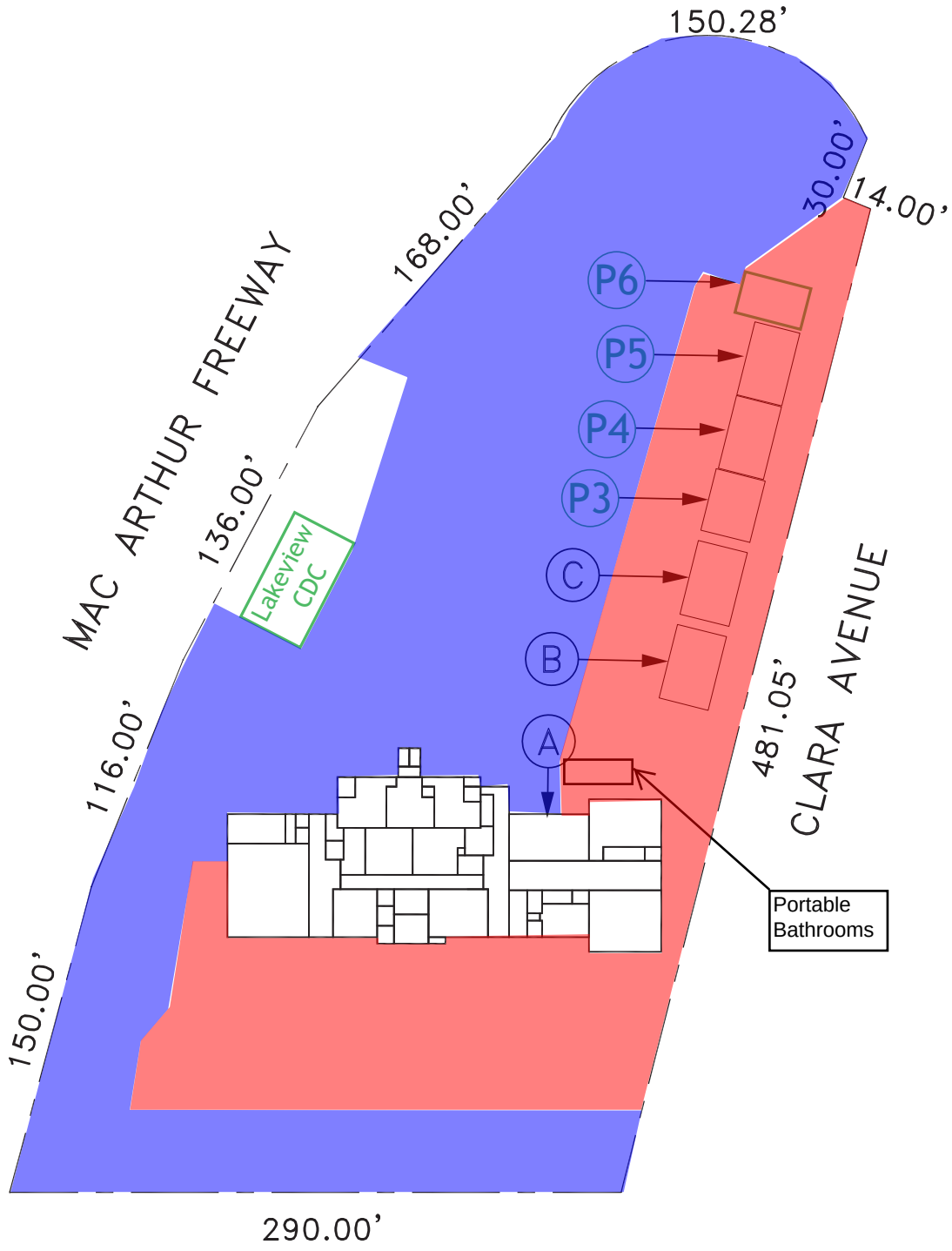
Site ID **213** Region **1** Grades **6-8**

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
BUILDING A								
	1	1a	Circulation	594				
	1	1b	Circulation	392				
	1	1c	Circulation	1,168				
	1	1d	Circulation	125				
	1	2b	Storage	120				
	1	2a	Admin/Office	100		2		
	1	3	Admin/Office	324		1		
	1	4a	Admin/Office	100				
	1	4b	Admin/Office	192		1		
	1	5	Circulation	156				
	1	6	Admin/Office	154		2		
	1	6a	Conference Room	252			6	
	1	7	Admin/Office	100		1		
	1	8	Admin/Office	70		1		
	1	9	Admin/Office	110		1		
	1	10b	Restroom	273				
	1	10a	Admin/Office	36				
	1	11d	Admin/Office	80		1		
	1	11a	Admin/Office	80		2		
	1	11c	Admin/Office	36		1		
	1	11b	Admin/Office	70				
	1	12f	Admin/Office	80		1		
	1	12e	Admin/Office	80		1		
	1	12d	Admin/Office	120		1		
	1	12b	Admin/Office	90		1		
	1	12a	Conference Room	90				
	1	12c	Admin/Office	80		1		
	1	13a	Storage	414				
	1	13c	Admin/Office	72		1		
	1	13b	Building Utilities	100				
	1	14	Circulation	72				
	1	15	Circulation	457				
	1	31	Multipurpose	3,286				
	1	32	Multipurpose	1,080				
	1	33	Restroom	120				
	1	34	Classroom	904				
	1	35	Storage	120				
	1	36	Circulation	144				
	1	37	Building Utilities	280				
	1	38	Building Utilities	60				
	1	39	Locker Rooms	42				
	1	40	Restroom	20				
	1	41	Building Utilities	36				
	1	42	Storage	156				
	1	43	Storage	132				
	1	44	Building Utilities	144				
	1	45	Admin/Office	48		1		
	1	46	Building Utilities	632				
	1	48	Restroom	35				
	1	49	Building Utilities	42				
	1	50a	Lounge/Staff Dining	713				
	1	50b	Storage	351				
	1	51	Storage	77				
	1	52	Restroom	142				
	1	53	Restroom	48				
	1	54	Restroom	132				
	1	55	Circulation	820				

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
BUILDING B								
	1	n/a	Circulation	549				
	1	n/a	Circulation	610				
	1	20a	Classroom	1,333				
	1	21a	Classroom	1,092				
	1	21b	Storage	200				
	1	22b	Storage	240				
	1	22a	Classroom	1,092				
	1	23	Classroom	980	2			
	1	24	Classroom	980	3			
	1	54	Circulation	240				
	1	56	Circulation	1,040				
	1	56a	Circulation	187				
	1	65	Admin/Office	120		2		
	1	66	Storage	72				
	1	67	Building Utilities	66				
	1	69	Storage	112				
	1	70	Storage	540		1		
	1	72	Library	1,800	5			
	1	73	Admin/Office	480		2		
	1	75	Restroom	105				
	1	76	Restroom	105				
	1	77	Storage	320				
BUILDING C								
	1	100	Circulation	490				
	1	100e	Locker Rooms	360				
	1	100a	Restroom	64				
	1	100b	Building Utilities	48				
	1	100c	Restroom	90				
	1	100d	Restroom	88				
	1	101	Classroom	820	1			
	1	102	Classroom	772				
	1	103	Classroom	772	1			
	1	104	Classroom	796	4			
	1	105	Classroom	772	2			
	1	106	Classroom	796				
	1	107	Classroom	772				
	1	108	Classroom	796				
	1	109	Classroom	772				
	1	110	Storage	92				
	1	111	Classroom	820				
	1	112	Building Utilities	128				
	1	113	Circulation	1,190				
	1	114	Storage	92				
	1	116	Storage	92				
	1	118	Storage	92				
	1	121	Circulation	288				
	1	122	Building Utilities	127				
	2	n/a	Circulation	288				
	2	n/a	Circulation	200				
	2	200	Circulation	806				
	2	200a	Restroom	100				
	2	200c	Restroom	120				
	2	200b	Building Utilities	60				
	2	200d	Restroom	100				
	2	201	Classroom	864				
	2	202	Classroom	772	3			
	2	203	Classroom	772	3			
	2	204	Classroom	796	1			
	2	205	Classroom	772	5			
	2	206	Classroom	796				

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
	2	207	Classroom	772				
	2	208	Classroom	796	1			
	2	209	Classroom	772	1			
	2	210	Storage	92				
	2	211	Classroom	864	32			
	2	212	Storage	156				
	2	213	Circulation	1,190				
	2	214	Storage	92				
	2	216	Lounge/Staff Dining	92				
	2	218	Storage	92				
BUILDING D								
	1	s01	Gym	2,400				
	1	s02	Storage	80				
	1	s03	Storage	80				
	1	s04	Classroom	2,340				
	1	s05	Storage	138				
	1	s06	Restroom	50				
	1	s07	Restroom	48				
	1	s08	Storage	110				
	1	s09	Storage	132				
	1	s10	Storage	156				
	1	s11	Storage	63				
	1	s12	Storage	63				
	1	s13	Storage	63				
	1	s14	Admin/Office	100				
	1	s15	Classroom	2,102				
BUILDING E								
	1	n/a	Circulation	185				
	1	n/a	Building Utilities	40				
	1	n/a	Circulation	66				
	1	n/a	Circulation	320				
	1	n/a	Building Utilities	58				
	1	um1	Storage	27				
	1	101	Circulation	140				
	1	102	Restroom	154				
	1	103	Storage	64				
	1	104	Circulation	44				
	1	105	Building Utilities	50				
	1	106	Storage	80				
	1	107	Locker Rooms	1,450				
	1	108	Admin/Office	96		1		
	1	108a	Restroom	126				
	1	109	Building Utilities	288				
	1	110	Locker Rooms	60				
	1	112	Locker Rooms	126				
	1	113	Locker Rooms	98				
	1	114	Restroom	140				
	1	115	Locker Rooms	730				
	1	116	Admin/Office	180		1		
	1	116a	Restroom	98				
	1	118	Circulation	320				
	1	119	Circulation	87				
	1	121	Circulation	41				
	1	122	Building Utilities	42				
	2	n/a	Building Utilities	58				
	2	203	Storage	120				
	2	205	Gym	5,526				389
	2	208	Storage	120				
	2	209	Circulation	70				
	2	201/202	Circulation	322				
	2	206/207	Circulation	322				

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
MODULAR M								
	2	1	Classroom	858			310	
	2	1	Classroom	858	1		310	
	2	1	Classroom	858			310	
	2	1	Admin/Office	286		1	310	
	2	1	Restroom	297			310	
	2	1	Classroom	858			310	
	2	1	Classroom	858			310	
	2	1	Lounge/Staff Dining	858			310	
	2	1	Classroom	858	3		310	
	2	1	Classroom	858			310	
	2	2	Admin/Office	150		1		
	2	2	Storage	54				
	2	3	Storage	60				
	2	3	Storage	54				
	2	4	Admin/Office	165		1		
	2	4	Restroom	297				
	2	5	Admin/Office	132		1		



Not drawn to scale

Exclusive Use by Charter School

Shared by Charter School and OUSD

130 - Lakeview Elementary School - Site Plan

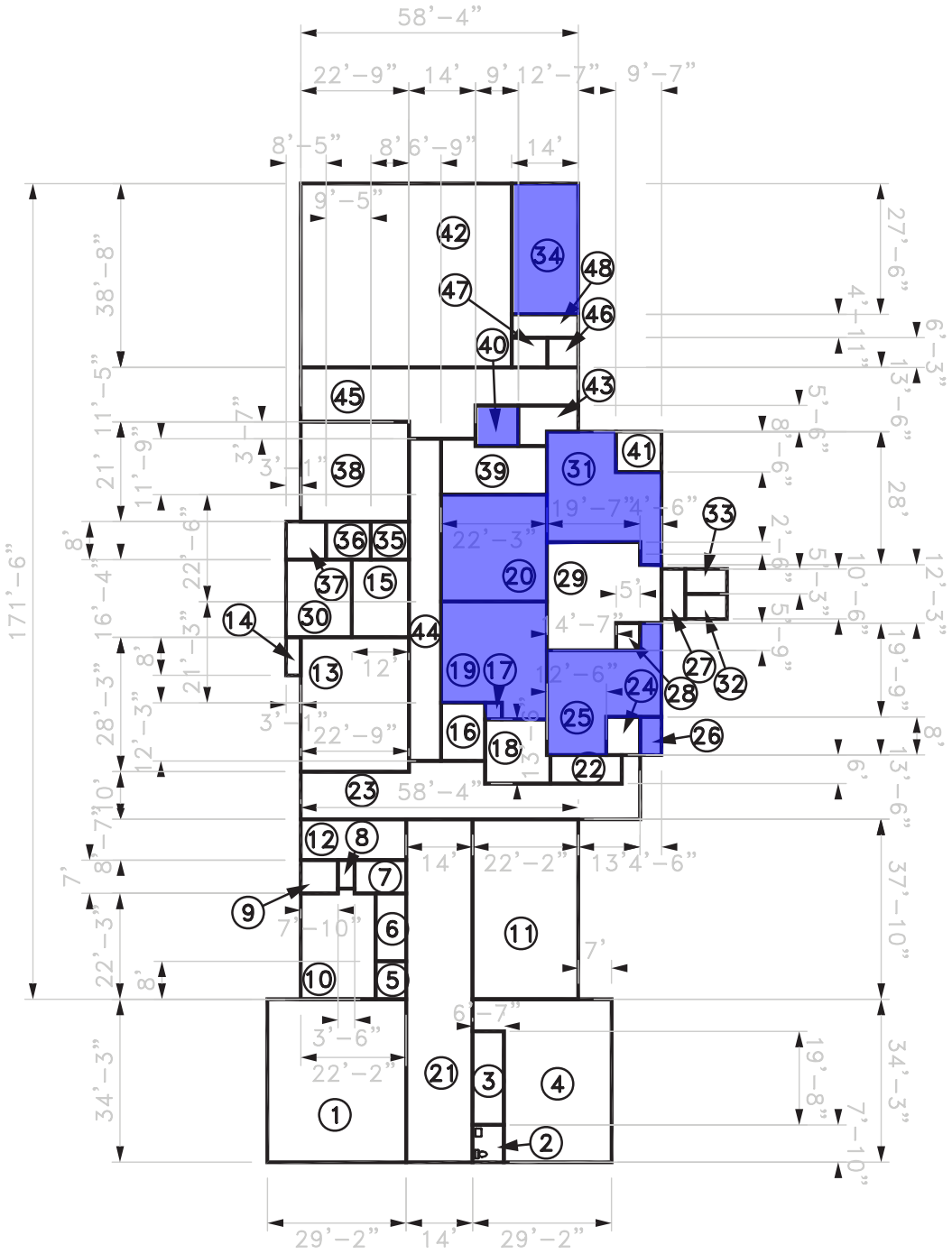
746 Grand Avenue - Oakland, CA 94610-2714

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



Not drawn to scale

130 - Lakeview Elementary School - Unit A1 (Ground Level/First Floor)

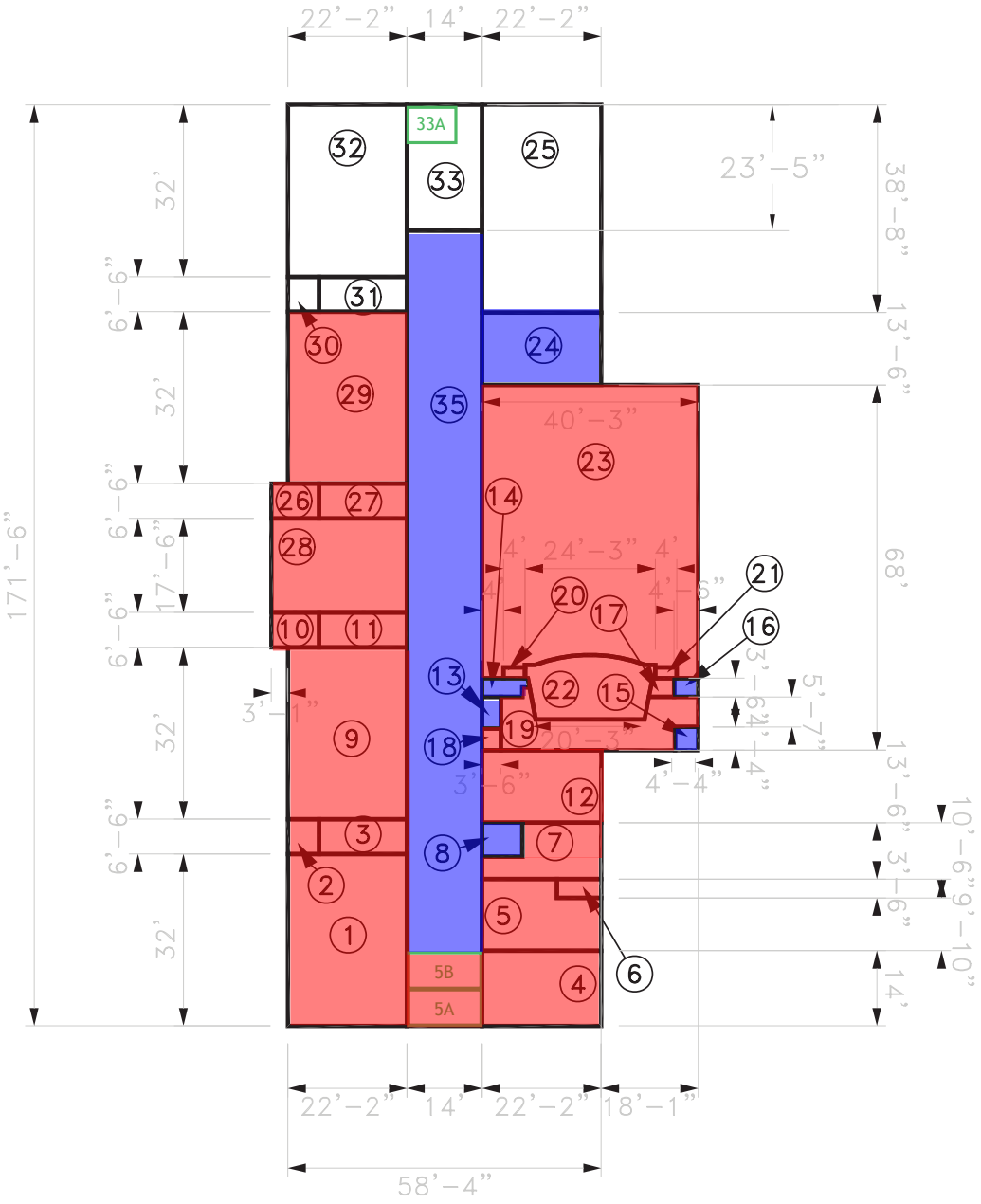
746 Grand Avenue - Oakland, CA 94610-2714

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



N

Not drawn to scale

130 - Lakeview Elementary School - Unit A-2 (Second Floor)

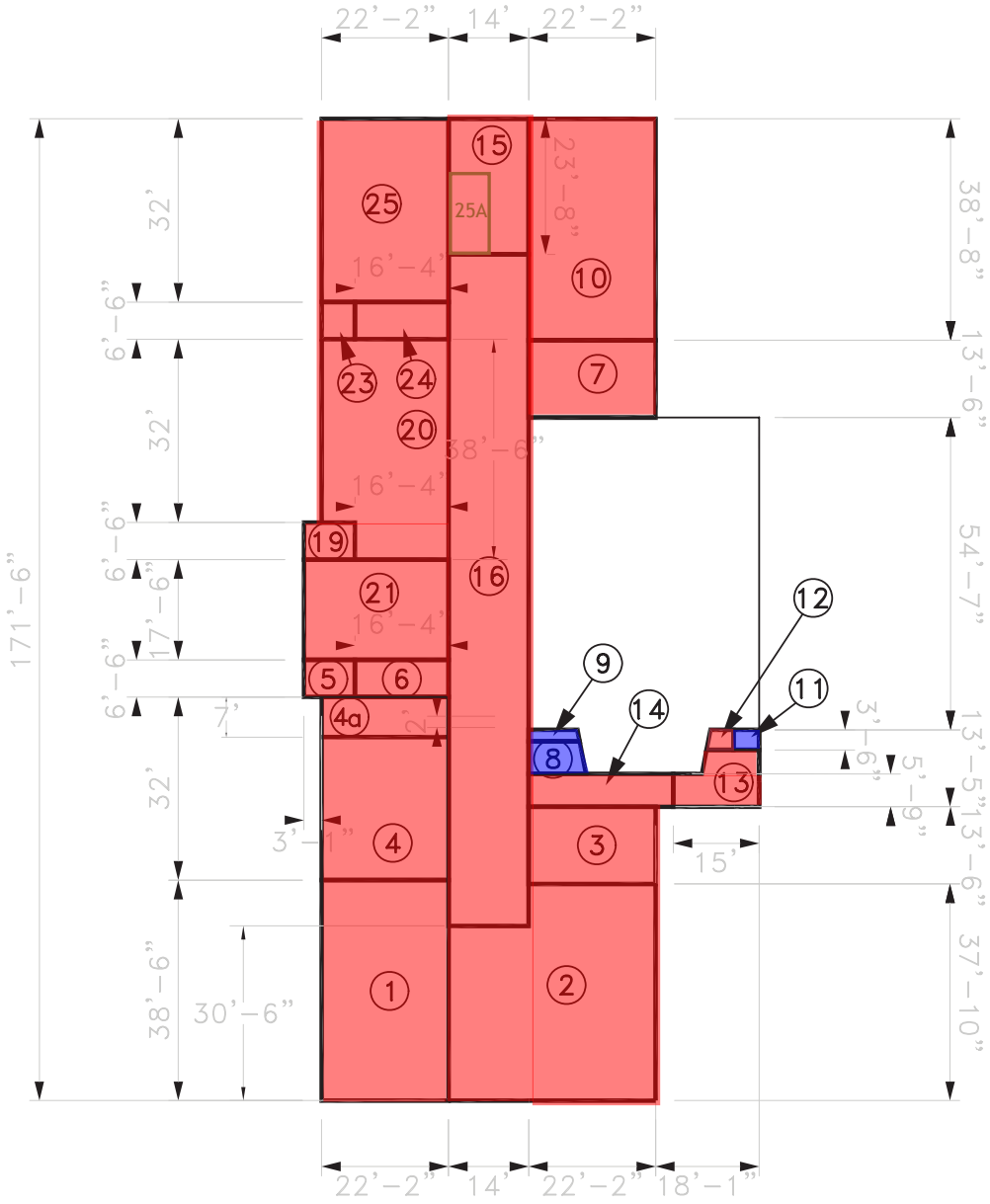
746 Grand Avenue - Oakland, CA 94610-2714

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
mkthink.com 415 402 0888

2011

OAKLAND UNIFIED SCHOOL DISTRICT



Not drawn to scale

N

130 - Lakeview Elementary School - Unit A3 (Third Floor)

746 Grand Avenue - Oakland, CA 94610-2714

MKTHINK

Roundhouse One, 1500 Sansome Street, San Francisco, CA 94111
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2011

OAKLAND UNIFIED SCHOOL DISTRICT

Oakland Unified School District Facilities Asset Management

Lakeview Elementary School

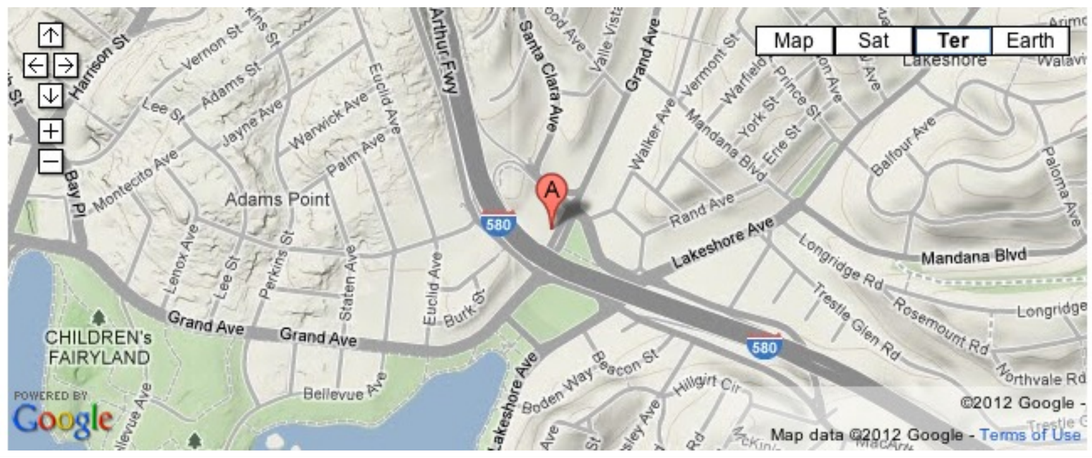
746 Grand Avenue Site **130** Region **1** Grades

Lakeview Elementary is situated in the Grand Lake District, at the north-east corner of Lake Merritt. The area features a substantial commercial backdrop, as well as several parks, a popular weekly farmer's market, and is a nexus of public bus routes and highways. These factors create a lively, healthy atmosphere, but also produces a large amount of background noise, especially where Lakeview is situated directly adjacent to I-580 and Grand Avenue.

PROGRAMMING (2012-2013)

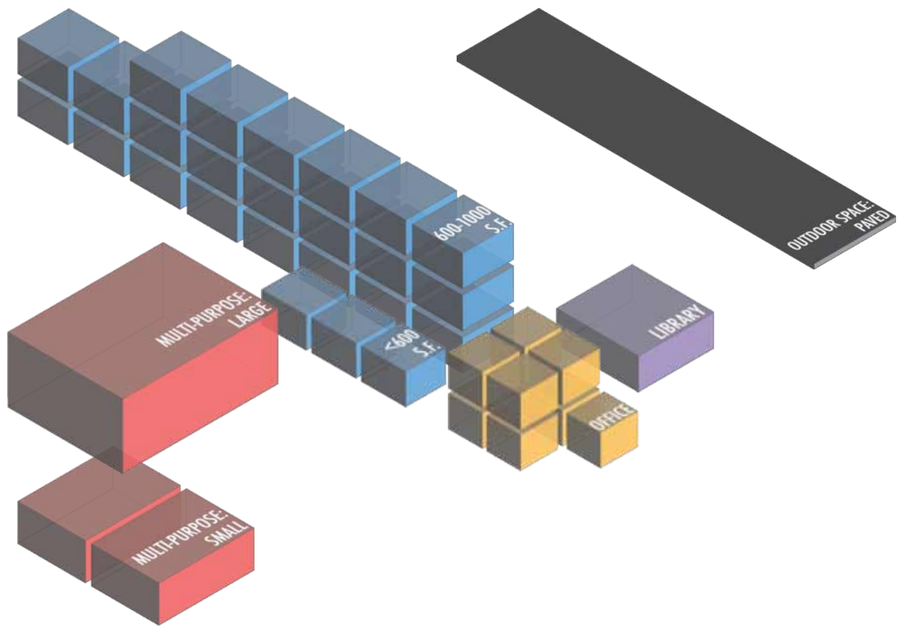
Schools / Enrollment

	SDC	Non-SDC	Total	API (2010-2011)



FACILITIES (Summer 2012)

LEARNING ENVIRONMENTS
LIBRARY
MULTI-PURPOSE
SCHOOL OFFICE & WORKSPACE



Summary Counts

	Total	Permanent	Portable
Site Acreage	**3.0**		
Building Footprint (sf)	**20,717**		
Building Area (sf)	**43,090**	34,735	8,355
Classroom-Sized Rooms	**22**	13	9
	3 rooms < 600 s.f. used as classrooms		

	Number of Rooms	Sq Ft
Library Rooms	**1**	1,266
Auditorium/Cafeteria/ Multi-purpose/Gym	**3**	4,061
Admin/Office/ Conference Room	**9**	1,358
School Gardens (None)		
Kitchen	Type: Finishing	
On-site Health Clinic	No	

SITE SUMMARY (Summer 2012)

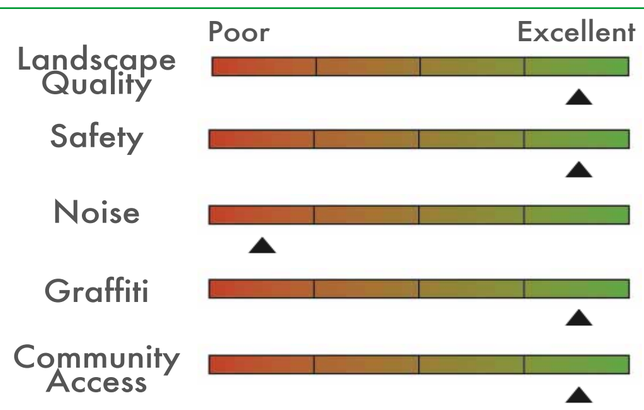
Sports / Recreation

- Play structure ●●
- Basketball hoops ●●●●
- Swimming pool
- Soccer/football field
- Volleyball court
- Track
- Baseball field
- Tennis court

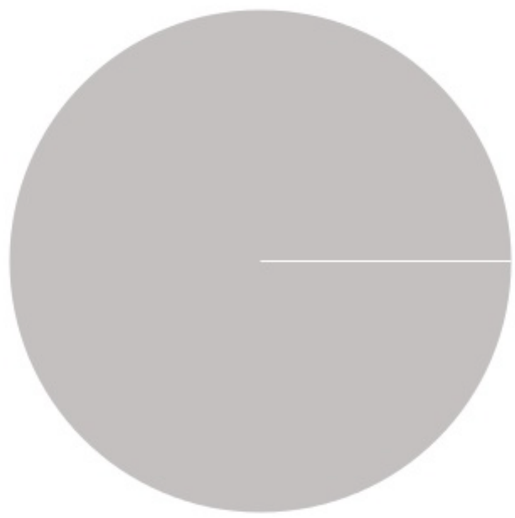
Qualitative Assessment

Transit Accomodations

3



Open Space



Paved 100% 0% Green

Oakland Unified School District Facilities Asset Management

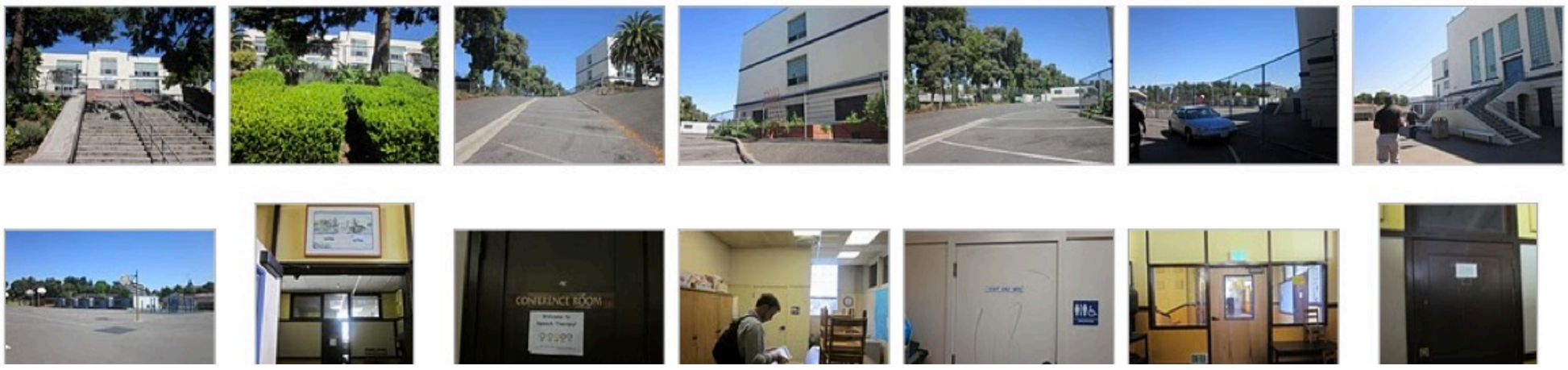
Lakeview Elementary School

Building Records

Site ID **130** Region **1** Grades

Site & Facilities Photos - Summer 2011 (Sample)

*To view the full set, visit: http://bitly.com/t22bQw



BUILDING A

BUILDING AREA (SQFT): 34,735

CONSTRUCTED: 1941

STRUCTURAL ELEMENTS

ROOFING
Plywood on wood joists and trusses

FOUNDATION
Strip footings (under structural walls)

VERTICAL RESISTANCE
Shear wall - Concrete shear walls

QUALITATIVE BUILDING ASSESSMENT

ROOM SUMMARY

NO. OF CLASSROOMS	NO. OF OFFICES	NO. OF ADMIN ROOMS	NO. OF RESTROOMS
13	7	7	12

NO. OF STUDENT COMPUTERS	NO. OF ADMIN WORKSTATIONS	ADDITIONAL ADMIN SPACES
45	17	Teachers' Lounge

Oakland Unified School District Facilities Asset Management

Lakeview Elementary School

Portable Records

Site ID **130** Region **1** Grades

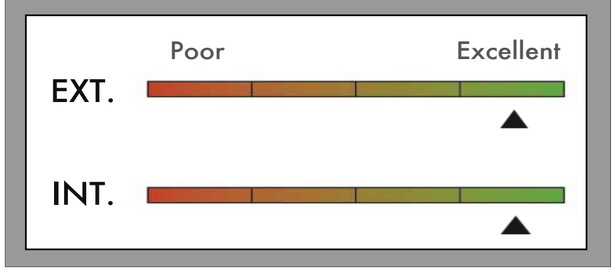
B	Manufactured: 2002	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
C	Manufactured: 2002	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
P3	Manufactured: 2002	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
P4	Manufactured: 2002	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
P5	Manufactured: 2002	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
P6	Manufactured: 2001	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
P7	Manufactured: 1995	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS: 1
P8	Manufactured: 1995	NO. OF CLASSROOMS:	NO. OF ADMIN ROOMS: 1
P9	Manufactured: 1995	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:
P10	Manufactured: 1995	NO. OF CLASSROOMS: 1	NO. OF ADMIN ROOMS:

Portable Inventory

Total Count
10

Average Age
13 Years

Qualitative Conditions Assessment



Oakland Unified School District Facilities Asset Management

Lakeview Elementary School

Rooms Summary & List

Site ID **130** Region **1** Grades

BUILDING A

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
	1	1	Classroom	709				
Adjoins room #1	1	2	Storage	38				
	1	3	Storage	106				
	1	4	Storage	310			14	
	1	5	Admin/Office	267		1		
	1	5a	Admin/Office	168		1		
	1	5b	Admin/Office	126		1		
	1	6	Restroom	29				
	1	7	Admin/Office	185		1		
	1	8	Restroom	47				
	1	9	Classroom	709				
Adjoins room #9	1	10	Storage	58				
	1	11	Storage	106				
	1	12	Circulation	299				
	1	13	Building Utilities	21				
	1	14	Building Utilities	28				
	1	15	Building Utilities	19				
	1	16	Building Utilities	16				
	1	17	Storage	15				
	1	18	Circulation	14				
	1	19	Storage	261				
	1	20	Circulation	8				12
	1	21	Mechanical	8				
	1	22	Multipurpose	252				
	1	23	Multipurpose	2,095				
	1	24	Circulation	299				
	1	25	Classroom	857				
Adjoins room #29	1	26	Storage	58				
	1	27	Storage	106				
	1	28	Circulation	442				
	1	29	Classroom	709				
	1	30	Storage	38				
	1	31	Storage	106				
	1	32	Classroom	709				
	1	33	Classroom	327				
	1	33a	Restroom	42				
	1	35	Circulation	2,073				
	2	1	Classroom	853				
	2	2	Library	1,266	9			
	2	3	Circulation	299				
	2	4	Classroom	554	4		14	
Adjoins room #4	2	4a	Storage	155				
	2	5	Storage	58				
	2	6	Storage	106				
	2	7	Circulation	299				
	2	8	Building Utilities	54				
	2	9	Building Utilities	17				
	2	10	Classroom	857	30			
	2	11	Building Utilities	16				
	2	13	Restroom	126				
	2	14	Circulation	145				
Adjoins room #10	2	15	Storage	331				
	2	16	Circulation	1,643				
Adjoins room #20	2	19	Storage	58				
	2	20	Classroom	815	4		12	
	2	21	Lounge/Staff Dining	442		10		
Adjoins room #25	2	23	Storage	38				

Note: The Building Levels listed are incorrect. The correct building levels are as follows:

-Bldg Level 1>Bldg Level 2
-Bldg Level 2>Bldg Level 3
-Bldg Level 3>Bldg Level 1

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
	2	24	Circulation	106				
	2	25	Classroom	709				
Adjoins room #25	2	25a	Storage	36			25	
	3	1	Classroom	999	7			
	3	2	Restroom	52				
	3	3	Storage	129				
	3	4	Classroom	819			14	
	3	5	Storage	51				
	3	6	Storage	91				
	3	7	Storage	76				
	3	8	Storage	21				
	3	9	Restroom	55				
	3	10	Storage	354				
	3	11	Classroom	840	4			
	3	12	Admin/Office	190		1		
	3	13	Classroom	643				
	3	14	Storage	25				
	3	15	Storage	196				
	3	16	Admin/Office	113		1		
	3	17	Building Utilities	12				
	3	18	Storage	180				
	3	19	Building Utilities	506				
	3	20	Building Utilities	501			12	
	3	21	Circulation	1,007				
	3	22	Circulation	90				
	3	23	Circulation	691				
	3	24	Circulation	57				
	3	25	Restroom	463				
	3	26	Building Utilities	36				
	3	27	Circulation	53				
	3	28	Storage	29				
	3	29	Storage	472				
	3	30	Circulation	226				
	3	31	Restroom	500				
	3	32	Restroom	46				
	3	33	Restroom	46				
	3	34	Building Utilities	385				
	3	35	Storage	64				
	3	36	Admin/Office	75		1		
	3	37	Restroom	67				
	3	38	Classroom	478	1			
	3	39	Storage	239				
	3	40	Building Utilities	77				
	3	41	Circulation	81				
	3	42	Cafeteria	1,714				
	3	43	Circulation	87				
	3	44	Circulation	457				
	3	45	Circulation	642				
	3	46	Restroom	41				
	3	47	Storage	47				
	3	48	Circulation	69				
PORTABLE B								
		1	Classroom	864			1	
PORTABLE C								
		1	Classroom	864	2		2	
PORTABLE P10								
		14	Classroom	824	2			
		15	Restroom	50				

Note: The Building Levels listed are incorrect. The correct building levels are as follows:

-Bldg Level 1>Bldg Level 2
-Bldg Level 2>Bldg Level 3
-Bldg Level 3>Bldg Level 1

	BLDG LEVEL	ROOM #	ROOM USE	ROOM AREA (SQUARE FOOTAGE)	CLASSROOM COMPUTERS	ADMIN WORKSTATIONS	MARKED ROOM #	ROOM CAPACITY
PORTABLE P3								
		1	Classroom	884	4		3	
PORTABLE P4								
		1	Classroom	884	1		4	
PORTABLE P5								
		1	Classroom	884	7		5	
PORTABLE P6								
		1	Classroom	884			6	
PORTABLE P7								
		1	Admin/Office	154		1		
		2	Classroom	618	4			
		3	Restroom	56				
		4	Restroom	56				
PORTABLE P8								
		5	Admin/Office	80		1		
		6	Storage	48				
		7	Lounge/Staff Dining	132		1		
		8	Restroom	42				
		9	Restroom	42				
		10	Building Utilities	16				
		11	Building Utilities	99				
PORTABLE P9								
		12	Classroom	824				
		13	Restroom	50				

Portable Restrooms (~500 sqft) not listed

Exhibit F

Allocation, Fees, & Payment Schedule*

Contract Term (Fiscal Year):	2018-19
Charter School Name:	**American Indian Public High School**
Site Name:	**Westlake Campus**
Address:	2629 Harrison Street, Oakland, CA 94612
SPACE ALLOCATION	
Exclusive Use Space (sqft)	2,340
+ Proportion of Shared Space (sqft)	6,530
Total Space Allocation at Site (sqft)**	**8,870**
FACILITY USE FEE	
Total Space Allocation at Site (sqft)	8,870
x Facility Fee per Sqft Rate	$6.27
Facility Use Fee	**$55,614.90**
UTILITIES FEE	
Projected Charter School ADA at Site***	71.70
÷ Projected Total Site ADA	449.50
Charter School Percent of Site Use	**15.95%**
CUSTODIAL SERVICES FEE	
Charter School Percent of Site Use	15.95%
x Number of Custodial FTE at Site	3.5
x Custodial Services FTE Rate	$73,185
Custodial Services Fee	**$40,855.53**
PAYMENT SCHEDULE	
25% by October 1, 2018	
25% by December 1, 2018	
25% by April 1, 2019	
25% by July 1, 2019	

*All calculations subject to change.

**Includes only interior space. The District is entitled under Cal. Admin. Code tit. 5, § 11969.7(c) to charge the charter school on a square footage basis for use of common areas such as the parking lot, exterior corridors, field space, playground, and blacktop, but is not doing so at this time. The District reserves the right to amend its calculation of the pro-rata share to include all "space allocated by the school district to the charter school," and will provide the charter school notice and an opportunity to respond before implementing any changes. The full allocation of both interior and exterior space is outlined in the preliminary offer letter.

***Includes total (in-district + out-of-district) projected ADA as reported in the schools' facilities request form.

Allocation, Fees, & Payment Schedule*

Contract Term (Fiscal Year):	2018-19
Charter School Name:	**American Indian Public High School**
Site Name:	**Lakeview Campus**
Address:	746 Grand Avenue, Oakland, CA 94610
SPACE ALLOCATION	
Exclusive Use Space (sqft)	21,738
+ Proportion of Shared Space (sqft)	3,065
Total Space Allocation at Site (sqft)**	**24,803**
FACILITY USE FEE	
Total Space Allocation at Site (sqft)	24,803
x Facility Fee per Sqft Rate	$6.27
Facility Use Fee	**$155,514.81**
UTILITIES FEE	
Total Space Allocation at Site (sqft)**	24,803
÷ Total Interior Space at Site (sqft)	43,590
Charter School Percent of Site Use	**56.90%**
CUSTODIAL SERVICES FEE	
Charter School Percent of Site Use	56.90%
x Number of Custodial FTE at Site	2.0
x Custodial Services FTE Rate	$73,185
Custodial Services Fee	**$83,285.50**
PAYMENT SCHEDULE	
25% by October 1, 2018	
25% by December 1, 2018	
25% by April 1, 2019	
25% by July 1, 2019	

*All calculations subject to change.

**Includes only interior space. The District is entitled under Cal. Admin. Code tit. 5, § 11969.7(c) to charge the charter school on a square footage basis for use of common areas such as the parking lot, exterior corridors, field space, playground, and blacktop, but is not doing so at this time. The District reserves the right to amend its calculation of the pro-rata share to include all "space allocated by the school district to the charter school," and will provide the charter school notice and an opportunity to respond before implementing any changes. The full allocation of both interior and exterior space is outlined in the preliminary offer letter.

2018/19 FY

WORKSHEET -- OUSD's Prop 39 Facility Use Rate Per Sq Ft Calculation

Calculation is based on 2017/18 budget as of 11/28/17

		Prop 39 Base
Custodial Services Department Expenses*		
Supplies and Materials		
Services and Operation Cost		
Buildings & Grounds Department Expenses		
Compensation, Maintenance & Operations	14,127,631	
RRMA transfer from UR to resource 8150	13,048,405	
Facility Acquisition and Construction (Funct. 8500)	70,324	
		27,246,360
Utilities Expenses*		
Gas, Water & Electric		
Sewer Charges		
Basic Phone Service		
Debt Servicing - principal & interest payments ***(E.C. 47614)***		
Emerg. Apportionment (State) Loan - $65 million	3,890,534	
Emergency Apportionment (State) Loan - $35 million	2,094,903	
		5,985,437
Police Services ***(CCR 11969.2 (h) Safe & Comfortable)***		**2,454,456**
Insurance (Function 6000)		**908,582**
TOTAL COST BASIS		**36,594,834**
TOTAL DISTRICT SQUARE FOOTAGE		**5,836,129**
COST PER SQUARE FOOT		**$ 6.27**

* Item may be added to Use Agreement if applicable.

11/28/17

RRMA Transfer from UR to resource 8150

Object Codes	As of 11/28/17 BUDGET
2. Classified Salaries	**7,014,206**
2205 - CLASSSUPPT SALARIES	5,774,629
2220 - CLASSSUPPT SALARIES STIPENDS	-
2225 - CLASSSUPPT SALARIES OVERTIME	211,519
2305 - SUPV&ADM SALARIES	932,907
2405 - CLERICAL SALARIES	95,152
2450 - CLERICAL SUBSTITUTES	-
3. Employee Benefits	**3,261,634**
3102 - STRS CLASSIFIED	30,522
3202 - PERS CLASSIFIED	1,031,388
3302 - SOCSEC,MEDI,ALTSS CLASSIFIED	417,171
3322 - MEDICARE CLASSIFIED	100,631
3342 - PARS CLASSIFIED	5,627
3402 - HEALTH & WELFARE CLASSIFIED	1,175,297
3502 - ST UNEMPLOY INS CLASSIFIED	7,426
3602 - WORKERS COMP CLASSIFIED	433,755
3802 - PERS REDUCTION CLASSIFIED	-
3902 - OTHER BENEFITS CLASSIFIED	59,817
4. Books and Supplies	**1,164,244**
4310 - SUPPLIES	1,005,994
4330 - GASOLINE	140,000
4399 - SURPLUS	-
4410 - Equipment $500-4,999	14,306
4420 - Computer $500-4,999	3,944
4432 - Furniture $500-4,999	-
5. Services and Operating	**1,573,321**
5515 - DISPOSAL SERVICES	94,784
5210 - MILEAGE/PERSONAL EXP REIMB	-
5610 - EQUIP MAINTENANCE AGREEMT	1,800
5622 - RENTALS - EQUIPMENT	12,000
5670 - REPAIRS CONT	1,122,351
5679 - REPAIRS CONT - VEHICLE	90,000
5716 - INTERPGM - DUPLICATION SERVICE	1,175
5720 - INTERPGM - MAINT WORK ORDERS	(9,000)
5724 - INTERPGM - POSTAGE	-
5760 - INTERFUND - MAINT WORK ORDERS	(16,000)
5810 - ADVERTISING - LEGAL	10,211
5826 - EXTERNAL WORK ORDER SERVICES	250,000
5910 - POSTAGE	1,000
5930 - TELEPHONE	15,000
5934 - PAGERS	-
6. Capital Outlay	**35,000**
6410 - EQUIPMENT	35,000
6460 - VEHICLE PURCHASE	
7. Other Outgo	**-**
7615 - IFT GEN,SRF,BLDG TO DEF MAINT	-
7990 - UNAPPROPRIATED FUND BALANCE	-
Grand Total	13,048,405

Source: Rpt 12 - Fd 01, Res. 8150, Obj. 1000-7990

Facility Acquisition and Construction (Function 8500)

Object Codes	As of 11/28/17 BUDGET
4. Books and Supplies	**37,724**
4310 - SUPPLIES	35,000
4420 - Computer $500-4,999	2,724
5. Services and Operating	**32,600**
5210 - MILEAGE/PERSONAL EXP REIMB	23,500
5220 - CONFERENCE EXPENSE	5,000
5300 - DUES & MEMBERSHIPS	1,000
5716 - INTERPGM - DUPLICATION SERVICE	600
5910 - Postage	2,500
Grand Total	70,324

Source: Rpt 12 - Fd 01, Function 8500

Building & Grounds Department Expenses

Object Codes	BUDGET
2. Classified Salaries	**7,713,551**
2205 - CLASSSUPPT SALARIES	6,378,467
2225 - CLASSSUPPT SALARIES OVERTIME	307,026
2305 - SUPV&ADM SALARIES	932,907
2405 - CLERICAL SALARIES	95,152
3. Employee Benefits	**3,623,848**
3102 - STRS CLASSIFIED	44,304
3202 - PERS CLASSIFIED	1,124,983
3302 - SOCSEC,MEDI,ALTSS CLASSIFIED	454,609
3322 - MEDICARE CLASSIFIED	110,772
3342 - PARS CLASSIFIED	5,627
3402 - HEALTH & WELFARE CLASSIFIED	1,330,954
3502 - ST UNEMPLOY INS CLASSIFIED	8,174
3602 - WORKERS COMP CLASSIFIED	477,464
3902 - OTHER BENEFITS CLASSIFIED	66,962
4. Supplies	**1,164,631**
4310 - SUPPLIES	1,006,381
4330 - GASOLINE	140,000
4410 - Equipment < $5000	14,306
4420 - COMPUTER < $5000	3,944
5. Services and Operating	**1,590,600**
5210 - MILEAGE/PERSONAL EXP REIMB	500
5515 - DISPOSAL SERVICES	94,784
5610 - EQUIP MAINTENANCE AGREEMT	1,800
5622 - RENTALS - EQUIPMENT	12,000
5670 - REPAIRS CONT	1,122,351
5679 - REPAIRS CONT - VEHICLE	90,000
5716 - INTERPGM - DUPLICATION SERVICE	1,175
5720 - INTERPGM - MAINT WORK ORDERS	(9,000)
5760 - INTERFUND - MAINT WORK ORDERS	(16,000)
5810 - ADVERTISING - LEGAL	10,211
5826 - EXTERNAL WORK ORDER SERVICES	266,779
5910 - POSTAGE	1,000
5930 - TELEPHONE	15,000
6. Capital Outlay	**35,000**
6410 - EQUIPMENT	35,000
Grand Total	14,127,631

Source: Rpt 12 - Fd 01, Site 988

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5 CCR § 11969.7

§ 11969.7. Charges for Facilities Costs.

If the school district charges the charter school a pro rata share of its facilities costs for the use of the facilities, the pro rata share shall not exceed (1) a per-square-foot amount equal to those school district facilities costs that the school district pays for with unrestricted revenues from the district's general fund, as defined in sections 11969.2(f) and (g) and hereinafter referred to as “unrestricted general fund revenues,” divided by the total space of the school district times (2) the amount of space allocated by the school district to the charter school. The following provisions shall apply to the calculation of the pro rata share of facilities costs:

(a) For purposes of this section, facilities costs that the school district pays with unrestricted general fund revenues includes those costs associated with plant maintenance and operations, facilities acquisition and construction, and facilities rents and leases, as defined in section 11969.2(h). For purposes of this section, facilities costs also includes:

(1) contributions from unrestricted general fund revenues to the school district's Ongoing and Major Maintenance Account (Education Code section 17070.75), Routine Restricted Maintenance Account (Education Code section 17014), and/or deferred maintenance fund,

(2) costs paid from unrestricted general fund revenues for projects eligible for funding but not funded from the deferred maintenance fund, and

(3) costs paid from unrestricted general fund revenue for replacement of facilities-related furnishings and equipment, that have not been included in paragraphs (1) and (2), according to school district schedules and practices.

For purposes of this subdivision, facilities costs do not include any costs that are paid by the charter school, including, but not limited to, costs associated with ongoing operations and maintenance and the costs of any tangible items adjusted in keeping with a customary depreciation schedule for each item.

(b) For purposes of this section, the cost of facilities shall include debt service costs.

(c) “Space allocated by the school district to the charter school” shall include a portion of shared space where a charter school shares a campus with a school district-operated program. Shared space includes, but is not limited to, those facilities needed for the overall operation of the campus, whether or not used by students. The portion of the shared space to be included in the “space allocated by the school district to the charter school” shall be calculated based on the amount of space allocated for the exclusive use of the charter school compared to the amount of space allocated to the exclusive use of the school-district-operated program.

(d) The per-square-foot charge shall be determined using actual facilities costs in the year preceding the fiscal year in which facilities are provided and the largest amount of total space of the school district at any time during the year preceding the fiscal year in which facilities are provided.

(e) The per-square-foot charge shall be applied equally by the school district to all charter schools that receive facilities under this article, and a charter school using school district facilities pursuant to Education Code section 47614 shall report the per-square-foot charge it is paying in the current fiscal year to the California Department of Education (CDE) in any notification the charter school makes to the CDE pursuant to Education Code section 47630.5(b). The CDE shall post the per-square-foot amounts reported by charter schools on its publicly accessible Web site. The CDE shall offer the opportunity to each school district to provide explanatory information regarding its per-square-foot charge and shall post any information received.

(f) If a school district charges a charter school for facilities costs pursuant to this article, and if the district is the charter school's authorizing entity, the facilities are not substantially rent free within the meaning of Education Code section 47613, and the district may only charge for the actual costs of supervisorial oversight of the charter school not to exceed one percent of the school's revenue.

Note: Authority cited: Sections 33031 and 47614(b), Education Code. Reference: Sections 17014, 17070.75, 47613, 47614 and 47630.5, Education Code.

HISTORY

1. New section filed 7-30-2002; operative 8-29-2002 (Register 2002, No. 31).

2. Amendment of section and Note filed 2-28-2008; operative 3-29-2008 (Register 2008, No. 9).

This database is current through 11/24/17 Register 2017, No. 47

5 CCR § 11969.7, 5 CA ADC § 11969.7

END OF DOCUMENT

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Exhibit G

Draft Facilities Use Agreement

To view a draft Facilities Use Agreement, please visit:

https://www.ousdcharters.net/proposition-39.html

Exhibit H

Multi-Site Resolution

To view Resolution No. 1718-0035: Finding that Charter Schools Could not be Accommodated at a Single Site and Written Statement of Reasons Explaining the Finding in Compliance with Proposition 39, please visit:

https://www.ousdcharters.net/proposition-39.html

Exhibit I

Facility Utilization Baseline Estimator One-Pagers

To view the 2017-18 Facility Utilization Baseline Estimator one-pagers, please visit:

https://www.ousdcharters.net/proposition-39.html