



OFFICE OF CHARTER SCHOOLS

December 1, 2020

Mary Cha-Caswell
Aspire ERES Academy
1001 22nd Avenue
Oakland, CA 94606

Re: Proposition 39 Facilities Request for 2021-22
Response to Charter School’s Enrollment Projections

Dear Mary Cha-Caswell:

The Oakland Unified School District (“OUSD” or “District”) responds to the October 29, 2020 Request for Facilities for Aspire ERES Academy (“Aspire ERES” or “Charter School”) for the 2021-22 school year.

The regulations implementing Proposition 39¹ permit a school district to assess the projections upon which a charter school’s facilities request is based, express objections to those projections, and issue a counterprojection. In conducting its evaluation, the District assesses whether the charter school’s Request for Facilities meets the requirements contained in the regulations² governing such a request.

The District objects to the charter school’s projections as set forth below.

REVIEW OF CHARTER SCHOOL’S ENROLLMENT PROJECTIONS

Proposition 39 only obligates a school district to offer facilities commensurate with a charter school’s In-District population. Therefore, the District will only evaluate Aspire ERES’s In-District classroom-based Average Daily Attendance (In-District ADA) projections. Aspire ERES’s enrollment and enrollment/ADA projections are as follows:

Table 1: Aspire ERES’s In-District Enrollment and Projections

Grade	20-21 In-District Enrollment	21-22 Projected In-District Enrollment	21-22 Projected Attendance Rate	Projected 21- 22 In-District ADA
TK	2	26	95.53%	24.84
K	22	26	95.53%	24.84
1	21	26	95.53%	24.84
2	21	26	95.53%	24.84
3	23	26	95.53%	24.84
4	22	27	95.53%	25.79
5	26	27	95.53%	25.79
6	29	59	95.53%	56.36
7	29	30	95.53%	28.66
8	31	30	95.53%	28.66
Total	238	303	-	289.45

¹ Cal. Admin. Code, title 5, §11969.9(d)

² Cal. Admin. Code, title 5, § 11969.9(c)(1)(A)



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Source: Charter School’s Proposition 39 Facilities Request Form, Appendix I

OUSD’S EVALUATION OF CHARTER SCHOOL’S ADA PROJECTIONS

As referenced above, the facilities request must contain “reasonable projections” of the Charter School’s in-District Classroom ADA.³

The Charter School’s in-District ADA projection for 2021-22 of 289.45 is based on a total in-District projected enrollment of 303. That projected enrollment number is well beyond the Charter School’s operating enrollment, what is stated in the charter, and what has been approved by the District’s Board. Presently, the Charter School’s maximum proposed enrollment is 250 students. Enrollment increases above the authorized enrollment size represent a substantive change to the charter and require a material revision to be requested and approved by the authorizing agency.⁴

Aspire ERES Academy submitted a material revision request to the District on November 24, 2020 to authorize an increase in its previously authorized enrollment. This material revision is being reviewed for completeness and has not yet been approved. Therefore, at the present time, the District will continue to use the maximum proposed enrollment of 250 students. If the material revision is complete and the District’s Governing Board approves it, District staff will adjust the Charter School’s projected ADA at that time.

OUSD COUNTERPROJECTIONS:

The District is exercising its right to provide counterprojections to the Charter School’s projections for the 2021-22 school year. Multiplying the maximum proposed enrollment of 250 by the Charter School’s projected in-district percentage of 99.67%⁵ and attendance rate of 95.53%, results in a total ADA of 238.04. Therefore based on this calculation and the factors discussed above, the District counterprojects a total of **238.04** In-District ADA for the Charter School. The District’s grade-level counterprojections are shown in Table 2 below.

Table 2: 2020-21 In-District ADA – Charter School Projections and OUSD Counterprojections

Grade Level	Charter School Projections	OUSD Counterprojections
TK	24.84	1.12
K	24.84	24.84
1	24.84	24.84
2	24.84	24.84
3	24.84	24.84
4	25.79	25.79
5	25.79	25.79
6	56.36	28.66
7	28.66	28.66
8	28.66	28.66

³ Cal. Admin. Code, title 5, § 11969.9(c)(1)(A)

⁴ Education Code § 47607(a)(3)

⁵ The Charter school projected an in-District enrollment of 303 and a total enrollment of 304 students in 2021-22. Therefore, its projected in-District percentage is $303/304 = 99.67\%$.



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Total	289.45	238.04
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Source: Charter School Projections – Charter School’s Proposition 39 Facilities Request Form, Appendix I; OUSD Counterprojections – as explained below

The Charter School’s 2021-22 projections increased from 2020-21 enrollment levels, primarily because of a projected additional cohort of TK/K students and an expansion of its 6th grade level. Therefore, the grade 6 ADA has been adjusted to match that of other middle school grade levels and the TK ADA was reduced to 1.12 to arrive at the counterprojection of 238.04, which, as established above, corresponds to the Charter School’s maximum allowable enrollment in the absence of a material revision to its charter authorizing an enrollment increase.

CONCLUSION:

Aspire ERES has until January 2, 2021 to deliver a response to this letter to charteroffice@ousd.org. Please do not mail or hand deliver a response to this letter.

Pursuant to Cal. Admin. Code tit. 5, § 11969.9, additional information included in the letter (beyond what is permitted under subdivision (e)) will not be considered.

Sincerely,

Kelly Krag-Arnold
Policy Specialist, Office of Charter Schools