



OFFICE OF CHARTER SCHOOLS

December 1, 2021

Ernest Peterson
Learning Without Limits
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Re: Proposition 39 Facilities Request for 2022-23
Response to Charter School’s Enrollment Projections

Dear Ernest Peterson:

The Oakland Unified School District (“OUSD” or “District”) responds to the November 1, 2021 Request for Facilities for Learning Without Limits (“Charter School”) for the 2022-23 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 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 Charter School’s In-District classroom-based Average Daily Attendance (In-District ADA) projections. The Charter School’s enrollment and enrollment projections are as follows:

Table 1: Charter School’s Enrollment and Projections

Grade	21-22 In-District Enrollment	22-23 Projected In-District Enrollment	22-23 Projected Attendance Rate	Projected 22-23 In-District ADA
K	42	54	91.87%	49.61
1	57	67	92%	61.64
2	66	62	92.17%	57.15
3	61	68	93.52%	63.59
4	67	66	92.74%	61.21
5	61	73	93.42%	68.2
Total	354	390	-	361.3938

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

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

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



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OUSD’S EVALUATION OF CHARTER SCHOOL’S ADA PROJECTIONS

As shown in Table 2 below, Charter School is projecting an increase for its 2022-23 cohorts of 1st, 2nd, 3rd, 4th, and 5th graders. Charter School did not provide documentation to support the increases in enrollment for its current K, 1st, 2nd, 3rd, and 4th grade cohorts. As shown in Table 3, these projected increases are larger than the previous year’s attrition/retention rate for each grade-level cohort. The Charter School’s Prop 39 Request for Facilities stated that “It is reasonable for us to project this slightly higher total and in-District enrollment as EFC will be engaging in a stronger recruitment effort, including, but not limited to, canvassing the neighborhood as well as setting up recruiting booths at city-wide events” in the section where it was asked to describe the methodology it used to create its ADA projections. But, given the ongoing pandemic it is unlikely for the school to return to pre-Covid enrollment numbers quickly. Many public schools statewide, including OUSD, are anticipating declining enrollment for the 2022-2023 school years.³

Additionally, Charter School is projecting a substantial increase for its incoming K cohort. As indicated in the OUSD Proposition 39 Facilities Request Form Instructions, a projected enrollment increase in K of more than 15% between the 2021-22 and 2022-23 school years requires the inclusion of Appendix II, Student Application Documentation, in order to provide evidence for the additional projected ADA. Charter School projected its K to increase by 29%, but did not include Appendix II in the Facilities Request Form.

Table 2: Charter School’s In-District 2021-22 Enrollment and 2022-23 Enrollment Projection: K

Grade Level	21-22 In-District Enrollment	Projected 22-23 In-District Enrollment	Projected % Increase in In-District Enrollment
K	42	54	29%

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

Table 3: Charter School’s In-District 2021-22 Enrollment and 2022-23 Enrollment Projection: By Cohort

Cohort Grade Level by Year		21-22 Cohort In-District Enrollment	Projected 22-23 Cohort In-District Enrollment	Projected % Increase in Cohort In-District Enrollment
2021-22	2022-23			
K	1	42	67	60%
1	2	57	62	9%
2	3	66	68	3%
3	4	61	66	8%
4	5	67	73	9%

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

Table 3: Charter School’s Actual In-District Cohort Retention Rates between 2020-21 and 2021-22

Cohort Grade Level by Year		20-21 Cohort In-District Enrollment	21-22 Cohort In-District Enrollment	Retention Rate
2020-21	2021-22			
K	1 st	54	57	106%

³ OUSD June 30, 2021 Board Meeting, adoption of proposed budget for 2021-2022 (<https://ousd.legistar.com/LegislationDetail.aspx?ID=4984987&GUID=20DC4088-11B6-44A9-AED0-9E752F69434B>)



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1 st	2 nd	67	66	99%
2 nd	3 rd	62	61	98%
3 rd	4 th	68	67	99%
4 th	5 th	64	61	95%
Total		315	312	99%

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

OUSD COUNTERPROJECTIONS:

The District is exercising its right to provide counterprojections to the Charter School's projections for the 2022-23 school year. Based on factors discussed above, the District counterprojects a total of **312.75** In-District ADA for the Charter School. The District's grade-level counterprojections are shown in Table 4 below.

Table 4: 2022-23 In-District ADA – Charter School Projections and OUSD Counterprojections

Grade Level	Charter School Projections	OUSD Counterprojections
K	49.61	44.37
1	61.64	38.25
2	57.15	52.01
3	63.59	61.11
4	61.21	56.01
5	68.2	61.97
Total	361.39	312.75

Source: Charter School Projections – Charter School's Proposition 39 Facilities Request Form, Appendix I; OUSD Counterprojections – calculated in Tables 5 and 6 below

The District's counterprojection for K, as shown in Table 5 below, was developed by considering the following factors: (1) the 2021-22 in-District enrollment, (2) the maximum allowable increase at the Kindergarten level without including Appendix II, and (3) the Charter School's 2022-23 projected attendance rate for Kindergarten.

Table 5: Calculation of K In-District ADA Counterprojection

Grade Level	(A) 2021-22 In-District Enrollment	(B) Maximum Allowable Increase Without Appendix II	(C) 2022-23 Projected Attendance Rate	In-District ADA Counterprojection (A x B x C)
K	42	115%	91.87%	44.37

The District's Counterprojections for grades 1, 2, 3, 4, and 5, as shown in Table 6 below, were developed by considering the following factors: (1) 2021-22 in-District enrollment, (2) the schoolwide attrition/retention rate between the prior and current school years (as calculated in Table 3), and (3) the Charter School's projected attendance rates.

Table 6: Calculation of 1st, 2nd, 3rd 4th, and 5thGrade In-District ADA Counterprojections

Cohort Grade Level by Year	(A) 2021-22	(B) Average Schoolwide	(C) 2022-23	Cohort 2022-23 In-District ADA
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2021-22	2022-23	In-District Enrollment	Attrition/ Retention Rate Between 2020-21 and 2021-22	Projected Attendance Rate	Counterprojection (A x B x C)
K	1	42	99%	92%	38.25
1	2	57	99%	92.17%	52.01
2	3	66	99%	93.52%	61.11
3	4	61	99%	92.74%	56.01
4	5	67	99%	93.42%	61.97

Source: Charter School's Proposition 39 Facilities Request Form; Attrition/Retention Rate – calculated in Table 3 above. OUSD Counterprojections – calculated as shown in column header

CONCLUSION:

Charter School has until January 3, 2022 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
Deputy Director, Office of Charter Schools

Sonali Murarka
Director, Office of Charter Schools