

**OFFICE OF CHARTER SCHOOLS**



**OAKLAND UNIFIED  
SCHOOL DISTRICT**

*Community Schools, Thriving Students*

December 1, 2017

Arlene Aldrette  
Lodestar: A Lighthouse Community Charter School  
444 Hegenberger Road  
Oakland, CA 94621

Re: Proposition 39 Facilities Request for 2018-2019  
Response to Charter School's Enrollment Projections

Dear Arlene Aldrette:

The Oakland Unified School District ("District") responds to the November 1, 2017, Request for Facilities of Lodestar: A Lighthouse Community Charter School ("Charter School") for the 2018-2019 school year pursuant to 5 CCR § 11969.9(d).

**INTRODUCTION**

The regulations implementing Proposition 39, specifically, Cal. Admin.Code, title 5, §11969.9(d), 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:

The school district shall review the charter school's projections of in-district and total ADA and in-district and total classroom ADA and, on or before December 1, express any objections in writing and state the projections the district considers reasonable. If the district does not express objections in writing and state its own projections by the deadline, the charter school's projections are no longer subject to challenge, and the school district shall base its offer of facilities on those projections.

In conducting its evaluation, the District assesses whether the charter school's Request for Facilities meets the requirements contained in the regulations governing such a request. Cal. Admin. Code, title 5, § 11969.9(c)(1) provides as follows:

The written facilities request consists of:

(A) reasonable projections of in-district and total ADA and in-district and total classroom ADA, based on ADA claimed for apportionment, if any, in the fiscal year prior to the fiscal year in which the facilities request is made, adjusted for expected changes in enrollment in the forthcoming fiscal year;

(B) a description of the methodology for the projections;

(C) if relevant (i.e., when a charter school is not yet open or to the extent an operating charter school projects a substantial increase in in-district ADA), documentation of the number of in-district students meaningfully interested in attending the charter school that is sufficient for the district to determine the reasonableness of the projection, but that need not be verifiable for precise arithmetical accuracy;

(D) the charter school's operational calendar;

(E) information regarding the district school site and/or general geographic area in which the charter school wishes to locate; and

(F) information on the charter school's educational program, if any, that is relevant to assignment of facilities.

(2) Projections of in-district ADA, in-district classroom ADA, and the number of in-district students shall be broken down by grade level and by the school in the school district that the student would otherwise attend...

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

**REVIEW OF CHARTER SCHOOL'S ADA PROJECTIONS:**

Proposition 39 only obligates a school district to offer facilities commensurate with a charter school's in-District population. 5 C.C.R. § 11969.2 defines an in-District student as:

[A] student attending a charter school is an "in-district student" of a school district if he or she is entitled to attend the schools of the school district and could attend a school district-operated school, except that a student eligible to attend the schools of the school district based on inter-district attendance pursuant to Education Code section 46600-46611 or based on parental employment pursuant to Education Code section 48204(b) shall be considered a student of the school district where he or she resides.

Therefore, the District will only evaluate the Charter School's in-District Classroom ADA projections.

The Charter School's projected in-District Classroom ADA projection for the following school year is as follows:

**Table 1: Total In-District Classroom Actual and Projected ADA**

<b>Grade Level</b>	<b>Annual ADA 2016-17</b>	<b>CBEDS Enrollment 2017-18</b>	<b>ADA Projection for 2018-19</b>
K	55.97	47	55.91
1	43.36	54	55.91
2	46.32	49	55.91
3	-	42	55.91
4	-	-	55.91
5	-	-	-
6	55.78	30	55.91
7	-	58	55.91
8	-	-	55.91
<b>TOTAL</b>	<b>201.43</b>	<b>280</b>	<b>447.28</b>

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

**OUSD'S EVALUATION OF CHARTER SCHOOL'S ADA PROJECTIONS:**

Cal. Admin. Code, title 5, § 11969.9(c)(1)(A) provides that the documentation provided in support of a facilities request must be reasonably sufficient to allow the District to determine the reasonableness of the Charter School's projections:

The written facilities request consists of ...

... if relevant (i.e., when a charter school is not yet open or to the extent an operating charter school projects a substantial increase in in-district ADA), documentation of the number of in-district students meaningfully interested in attending the charter school that is sufficient for the district to determine the reasonableness of the projection, but that need not be verifiable for precise arithmetical accuracy ...

As shown in Table 2, the Charter School projects a 24.8% increase in ADA for the 2018-19 school year for its current cohorts (i.e. excluding the incoming Kindergarten and 6<sup>th</sup> grade cohorts that will matriculate for the first time at the school in 2018-19).

**Table 2: Charter School’s Projected ADA Increase for Existing Cohorts (K-3<sup>rd</sup> & 6<sup>th</sup>-7<sup>th</sup>)**

<b>Cohort</b> (17-18/18-19 Grade Levels)	<b>2017-18 ADA*</b>	<b>2018-19 ADA</b> (Projected)	<b>ADA Increase</b> (2017-18 ADA – 2018-19 ADA)	<b>% ADA Increase</b>
K/1st	45.12	55.91	10.79	23.9%
1st/2nd	51.84	55.91	4.07	7.9%
2nd/3rd	47.04	55.91	8.87	18.9%
3rd/4th	40.32	55.91	15.59	38.7%
6th/7th	28.80	55.91	27.11	94.1%
7th/8th	55.68	55.91	0.23	0.4%
<b>Total</b>	<b>268.80</b>	<b>335.46</b>	<b>66.66</b>	<b>24.8%</b>

Source: Charter School’s Proposition 39 Facilities Request Form (2017-18 Enrollment & 2018-19 Projected ADA – Appendix I; Charter School’s attendance rate – Question #2)

\* The 2017-18 ADA was estimated by multiplying 2017-18 enrollment by the school’s attendance rate (96%) provided by the charter school

Furthermore, the Charter School is projecting a 51.3% increase in ADA for the incoming kindergarten and 6<sup>th</sup> grade classes in 2018-19, as shown in Table 3.

**Table 3: Charter School’s Projected ADA Increase for Incoming Cohorts (K & 6<sup>th</sup>)**

<b>Grade Level</b>	<b>2017-18 ADA*</b>	<b>2018-19 ADA</b> (Projected)	<b>ADA Increase</b>	<b>% ADA Increase</b>
Kindergarten	45.12	55.91	10.79	23.9%
6 <sup>th</sup> Grade	28.80	55.91	27.11	94.1%
<b>Total</b>	<b>73.92</b>	<b>111.82</b>	<b>37.90</b>	<b>51.3%</b>

Source: Charter School’s Proposition 39 Facilities Request Form (2017-18 Enrollment & 2018-19 Projected ADA – Appendix I; Charter School’s attendance rate – Question #2)

\* The 2017-18 ADA was estimated by multiplying 2017-18 enrollment by the school’s attendance rate (96%) provided by the charter school

The Charter School failed to provide any documentation supporting its projected increase in ADA in violation of Cal. Admin. Code, title 5, § 11969.9(c)(1)(C), which requires a charter school to submit the following as part of its request for facilities:

[I]f relevant (i.e., when a charter school is not yet open or to the extent an operating charter school projects a substantial increase in in-district ADA), documentation of the number of in-district students meaningfully interested in attending the charter school that is sufficient for the district to determine the reasonableness of the projection, but that need not be verifiable for precise arithmetical accuracy; (Emphasis Provided.)

Despite projecting a greater than 10% increase for current cohorts and projecting a substantial increase for both incoming kindergarten (23.9%) and 6<sup>th</sup> grade (94.1%) cohorts, the Charter School did not provide Meaningfully Interested Student Signature forms in support of any of the additional projected ADA. Therefore, it is within the District’s discretion to conclude that any additional projected ADA above and beyond the current cohort of students has not been sufficiently substantiated by relevant documentation, as is required by the Proposition 39 regulations.

**OUSD COUNTERPROJECTIONS**

The District is exercising its right to provide counterprojections to the Charter School’s enrollment projections for 2018-19. Based on factors discussed below, the District counterprojects a total of 376.99 in-District classroom students. The District’s grade-level counterprojections are shown in Table 4.

**Table 4: 2018-19 ADA – Charter School Projections vs. OUSD Counterprojections**

Grade Level	Charter School Projections	OUSD Counterprojections
K	55.91	48.66
1st	55.91	48.66
2nd	55.91	53.17
3rd	55.91	49.95
4th	55.91	45.43
6th	55.91	37.69
7th	55.91	37.69
8th	55.91	55.76
<b>Total</b>	<b>447.28</b>	<b>376.99</b>

*Source: Charter School Projections – Charter School’s Proposition 39 Facilities Request Form; OUSD Counterprojections – calculated below in Table 6*

The following methodology was used to calculate the counterprojections:

- Baseline ADA was established based on current ADA (Table 5)
- Charter school’s projected ADA was used to calculate the proportion of the projected schoolwide increase (Table 5)
- Charter school was provided with an additional 10% ADA increase (Table 6)
- The schoolwide ADA increase was then divided based on each grade level’s respective proportion of overall projected increase (Table 6)

To establish the baseline ADA, the District made the following two assumptions: (1) that all current cohorts would remain the same size as they transition to the next grade level (cohort

survival method) and (2) that the ADA of incoming kindergarten and 6<sup>th</sup> grade cohorts would remain the same size as in the current year, 45.12 and 28.80, respectively. The following table calculates the Charter School’s projected ADA increase from the Baseline ADA as well as each grade level’s proportion of the overall projected schoolwide increase (to be used in calculations shown in Table 6). For example, the projected increase for the kindergarten cohort (10.79) makes up 10.3% of the schoolwide projected increase (104.56) from the schoolwide Baseline ADA.

**Table 5: Projected ADA Increase and Grade Level-Specific Proportion of Charter School’s Projected Schoolwide ADA Increase**

<b>2018-19 Grade Level</b>	<b>2018-19 Baseline ADA*</b>	<b>2018-19 Projected ADA</b>	<b>Increase (2018-19 Projected ADA – Baseline ADA)</b>	<b>Proportion of Projected Schoolwide Increase (Increase/Total Increase)</b>
K	45.12	55.91	10.79	10.3%
1st	45.12	55.91	10.79	10.3%
2nd	51.84	55.91	4.07	3.9%
3rd	47.04	55.91	8.87	8.5%
4th	40.32	55.91	15.59	14.9%
6th	28.80	55.91	27.11	25.9%
7th	28.80	55.91	27.11	25.9%
8th	55.68	55.91	0.23	0.2%
<b>Total</b>	<b>342.72</b>	<b>447.28</b>	<b>104.56</b>	<b>100.0%</b>

Source: Baseline ADA – see “\*” below; Charter School’s Proposition 39 Facilities Request Form (2017-18 Enrollment & 2018-19 Projected ADA – Appendix I; Charter School’s attendance rate – Question #2)

\* Baseline ADA assumes (1) that 2017-18 cohorts would remain the same size in 2018-19 and (2) that kindergarten and 6<sup>th</sup> grade cohorts will have the same ADA as current K & 6th grade cohorts

In addition to the Baseline ADA, the Charter School was provided an additional 10% schoolwide ADA increase (i.e. 342.72 x 10% = 34.27 schoolwide ADA increase). The District was not obligated to assume any increase in ADA due to the Charter School’s failure to submit corresponding Meaningfully Interested Student Signature forms in support of its projected increase in ADA. Each grade level’s specific ADA increase was calculated by multiplying the schoolwide ADA increase by the grade level’s respective proportion of the Charter School’s overall projected increase. For example, Kindergarten made up 10.3% of the Charter School’s projected schoolwide increase; therefore, the increase to the Baseline Kindergarten ADA was 3.54 (34.27 x 10.3%). This methodology was used to calculate OUSD’s ADA counterprojections as shown in Table 6 below.

**Table 6: Calculation of OUSD Counterprojections**

<b>2018-19 Grade Level</b>	<b>Baseline ADA*</b>	<b>Proportion of Projected Schoolwide Increase (from Table 5)</b>	<b>ADA Increase (Previous column x ADA Increase Total)</b>	<b>OUSD Counterprojections 2018-19 ADA (Baseline ADA + ADA Increase)</b>
K	45.12	10.3%	3.54	48.66
1st	45.12	10.3%	3.54	48.66
2nd	51.84	3.9%	1.33	53.17
3rd	47.04	8.5%	2.91	49.95
4th	40.32	14.9%	5.11	45.43
6th	28.80	25.9%	8.89	37.69
7th	28.80	25.9%	8.89	37.69
8th	55.68	0.2%	0.08	55.76
<b>Total</b>	<b>342.72</b>	<b>100.0%</b>	<b>34.27</b>	<b>376.99</b>

Source: Baseline ADA – see “\*” below; Charter School’s Proposition 39 Facilities Request Form (2017-18 Enrollment – Appendix I; Charter School’s attendance rate – Question #2)

\* Baseline ADA assumes (1) that 2017-18 cohorts would remain the same size in 2018-19 and (2) that kindergarten and 6<sup>th</sup> grade cohorts will have the same ADA as current K & 6<sup>th</sup> grade cohorts

**CONCLUSION:**

The Proposition 39 regulations provide the District the authority to evaluate the Charter School’s ADA projections, and determine whether “documentation of the number of in-district students meaningfully interested in attending the charter school ... is sufficient for the district to determine the reasonableness of the projection.” (Cal. Admin. Code, title 5, § 11969.9(c)(1).)

Moreover, Cal. Admin. Code, title 5, § 11969.9(d) permits a school district to assess the projections upon which a charter school’s facilities request is based and express objections to those projections.

Under Cal. Admin. Code tit. 5, § 11969.9(e), the Charter School has until January 2, 2018 to deliver a written response to this letter:

On or before January 2, the charter school shall respond to any objections expressed by the school district and to the district’s projections provided pursuant to subdivision (d). The charter school shall reaffirm or modify its previous projections as necessary to respond to the information received from the district pursuant to subdivision (d). If the charter school does not respond by the deadline, the district’s projections provided pursuant to subdivision (d) are no longer subject to challenge, and the school district shall base its offer of facilities on those projections.

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Please be advised that Cal. Admin. Code tit. 5, § 11969.9(e) does not permit the Charter School to submit any additional documentation in support of its Request, but only to respond to, reaffirm or modify its projection.

In Service,

A handwritten signature in black ink, consisting of several loops and a trailing flourish.

Silke Bradford

Director of Quality Diverse Providers