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Board Cover Memorandum

To Board of Education

From Kyla Johnson-Trammell, Superintendent
Kelly Krag-Arnold, Acting Director, Office of Charter Schools

Meeting Date May 23, 2022

Subject Update on Charter School Notices of Concern

Ask of the Board Review and discussion

Background The Office of Charter Schools issues Notices of Concern to charter schools and charter management organizations when there is substantial reason to believe that there is a financial concern, that a violation of law has occurred, or that the school has violated the terms of its Board-approved charter petition. As of May 23, 2022, the Office of Charter Schools has issued 17 total Notices of Concern in the 2021-22 school year, which includes 2 since the last update to the Charter Matters Committee on January 27, 2022.

Discussion The Office of Charter Schools is happy to answer questions you may have about any specific Notices of Concern or about our practices more generally.

Fiscal Impact N/A

Attachment(s)

- Presentation
- Appendix I: Summary of 2021-22 Notices of Concern by Issue Area
- Appendix II: List of 2021-22 Notices of Concern

Appendix I: Summary 2021-22 Notices of Concern by School/Charter Management Organization (CMO)

School/CMO	Failure to Submit Material Revision	Failure to meet required deadlines	Brown Act	Fiscal/Operational Concern	Admissions Issues	Total
AIMS CMO		1	2			3
BayTech			1			1
East Bay Innovation Academy			1			1
Francophone	1		1			2
Lighthouse CMO			1			1
Lighthouse Community Charter School					1	1
Lodestar					1	1
North Oakland Community Charter School		1	1			2
Oakland School of the Arts		1		1		2
Oakland Military Institute		1	1			2
Unity			1			1
Total	1	4	9	1	2	17

Appendix II: List of 2021-22 Notices of Concern

Date of Notice	CMO/School	Category	Description of Concern	Resolution
4/29/22	AIMS	Brown Act Violation	AIMS failed to take formal Board action to change the meeting date of the scheduled 4/19 AIMS Board meeting that was approved as part of the AIMS Board Meeting Schedule at the beginning of the school year, as required by the Brown Act.	<ul style="list-style-type: none"> AIMS confirmed it will abide by all Brown Act requirements in the future AIMS confirmed that its Bylaws address the different procedural requirements between regular and special meetings AIMS confirmed the Board Schedule for all remaining 2021-22 meetings is accurate
3/22/22	OMI	Violation of MOU	On December 2, 2020, the OUSD Board approved an MOU with OMI following a significant school safety incident. Among other requirements, this MOU directs OMI to annually submit a School Safety Plan and the results from a nationally-recognized Culture and Climate Survey to OCS for review through the end of the school's current charter term.	<ul style="list-style-type: none"> OMI immediately submitted the 2021-22 School Safety plan for review by OCS OMI has notified OCS they are administering a Culture and Climate Survey for 2021-22 and will be submitting the results by July 1, 2022 On 5/19, OCS conducted student focus groups at the middle and high school level, focused on school safety.
1/21/22	OSA	CalSTRS and Fiscal Concerns	In 2016-2018, OSA failed to update practices following a change in CalSTRS eligibility requirements, resulting in inaccurate contributions amounting to over \$1.2 million in adjustments and \$1.2 million in penalties and interest accrued.	<ul style="list-style-type: none"> OSA took steps to audit and correct CalSTRS contributions for all former and present employees who may have been impacted. OSA worked with OUSD, ACOE, and CalSTRS to establish a payment plan to pay off all outstanding debts. OSA will be providing quarterly updates to OCS until all outstanding debts are paid.
1/21/22	AIMS	Failure to complete CalSAAS	AIMS failed to complete the annual teacher credential monitoring audit by the state-determined deadline, resulting in inaccurate data to be reported publicly.	<ul style="list-style-type: none"> AIMS has appointed a representative to lead CalSAAS reporting moving forward who will be reviewing required trainings to prepare for the 2022 reporting cycle.
1/21/22	OSA	Failure to complete CalSAAS	OSA failed to complete the annual teacher credential monitoring audit by the state-determined deadline, resulting in inaccurate data to be reported publicly.	<ul style="list-style-type: none"> OSA has appointed a representative to lead CalSAAS reporting moving forward who will be reviewing required trainings to prepare for the 2022 reporting cycle.
12/14/21	Lodestar	Charter Admission Policies and Procedures	Two admission priorities (homeless/unsheltered students and students residing in the elementary attendance area) were applied incorrectly for the 2021-22 school year. OUSD acknowledges and appreciates that Lighthouse was proactive in notifying our office of this issue.	<ul style="list-style-type: none"> Lighthouse staff took steps prior to the Notice to remedy the issues which included family outreach and system checks in

				<p>preparation for the 2022-23 admissions cycle.</p> <ul style="list-style-type: none"> ● Lighthouse submitted an impact report regarding these issues. ● Lighthouse staff updated OCS with 2022-23 lottery outcomes to confirm issue was resolved.
12/14/21	Lighthouse Community Charter School	Charter Admission Policies and Procedures	The admission priority for homeless/unsheltered students was applied incorrectly for the 2021-22 school year. OUSD acknowledges and appreciates that Lighthouse was proactive in notifying our office of this issue.	<ul style="list-style-type: none"> ● Lighthouse staff took steps prior to the NOC to remedy the issues which included family outreach and system checks in preparation for the 2022-23 admissions cycle. ● Lighthouse submitted an impact report regarding these issues. ● Lighthouse staff updated OCS with 2022-23 lottery outcomes to confirm issue was resolved.
11/30/21	AIMS	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/5/21 in accordance with AB 361 which amended the Brown Act.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/18/21	NOCCS	Failure to Submit Enrollment Spreadsheet	NOCCS failed to submit the annual Census Day Enrollment Spreadsheet to OCS within a month of the communicated deadline.	<ul style="list-style-type: none"> ● NOCCS completed the Enrollment Spreadsheet and assigned point people for all remaining reporting deadlines.
11/12/21	Unity	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/12/21	OMI	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/12/21	NOCCS	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/12/21	Francophone	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/12/21	BayTech	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/12/21	EBIA	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
11/12/21	Lighthouse	AB 361 - Virtual Meeting Violation	Board failed to vote to continue virtual meetings past 10/1/21 in accordance with AB 361.	<ul style="list-style-type: none"> ● Board is now in compliance with all AB 361 requirements.
8/19/21	Francophone	Failure to Submit Material Revision	Francophone failed to submit a Material Revision request prior to a partial re-siting to the former St. Jarlath Parish School Site.	<ul style="list-style-type: none"> ● Francophone submitted a material revision request which was approved by the OUSD Board on 3/23/22.

