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# Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Josh Daniels, Chief Governance Officer  
Kelly Krag-Arnold, Director, Office of Charter Schools  
Madison Thomas, Deputy Director, Office of Charter Schools

**Meeting Date** November 17, 2022

**Subject** 2023-24 Prop 39 Applicant Update

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**Ask of the Board** Review and discuss the applicants for the 2023-24 cycle of Proposition 39.

**Background** Proposition 39 (“Prop 39”) is a state law which requires school district facilities to be shared fairly among all public-school students who reside in the district, including those in charter schools. Each year, as part of this process, OUSD is legally required to offer facility space to all charter schools who apply for space through the Prop 39 process.

The deadline for charter schools to apply for Prop 39 for the 2023-24 cycle was November 1, 2022. OUSD received applications from 8 charter schools, representing approximately ~1965 ADA.

**Discussion** The Office of Charter Schools can answer any questions about the 2023-24 Prop 39 process or the 2023-24 Prop 39 applicants.

**Fiscal Impact** None

**Attachment(s)**

- Presentation

# 2023-24 Proposition 39 Overview

*OUSD Office of Charter Schools  
Charter Matters Committee  
November 17, 2022*



**OAKLAND UNIFIED  
SCHOOL DISTRICT**

*Community Schools, Thriving Students*

# Goals for Today

- Review the timeline and process for the 2023-24 Proposition 39 Cycle
- Review 2023-24 Proposition 39 Applicants
- Discuss next steps

# Prop 39 - Overview

A state law which requires school districts to make available enough facilities for charter schools that operate in the district to serve all of their **students who live in Oakland**, in conditions **reasonably equivalent** to those in which students would be served if they were attending other public schools in the district.



## CAPACITY

*Classroom/ADA Ratio,  
Specialized Classrooms, Non  
Classroom Space*



## CONDITION

*Furnishings and Equipment,  
Tech, Interior/Exterior Surfaces,  
etc*

# Prop 39 - Annual Timeline

November 1	Prop 39 Facilities Request Form due
December 1	District submits objections to Charter School's ADA projections
January 1	Charter School response to Projection Objection Letter
February 1	District submits Preliminary facilities offer to Charter School
March 1	Charter School responds to Preliminary facilities offer
April 1	District submits Final facilities offer to Charter School
May 1	Charter School responds to Final facilities offer

# Prop 39 - OUSD Obligations

OUSD is required by law to fulfill the following obligations...

Must offer enough space to accommodate the charter school's in-district students.

Facilities offered must be reasonably equivalent to the facilities the charter school's students would attend if they were at District schools

Facilities offered must be contiguous, furnished, and equipped (Can be offered at more than one site if certain findings are made)

District must make reasonable efforts to provide the charter school facilities near to where they wish to locate

# Prop 39 FAQs

## ***How much space are we required to offer Prop 39 applicants?***

- A charter school is entitled to classroom space based on the charter school's **in-District ADA** and space provided to students at a set of District-operated **Comparison Schools**. **The charter school's classroom entitlement is based on the average ratio of classrooms to ADA at their comparison district schools.**

*Example: A charter school projects 200 ADA. The 3 District comparison schools have an average 20 ADA per classroom. The charter school is entitled to  $200/20 = 10$  classrooms.*

## ***Which sites are offered as part of Prop 39?***

- OUSD takes into account a variety of factors in determining sites to offer, but the most important is **projected underutilized space for 2023-24.**



# 2023-24 Prop 39 Applicants

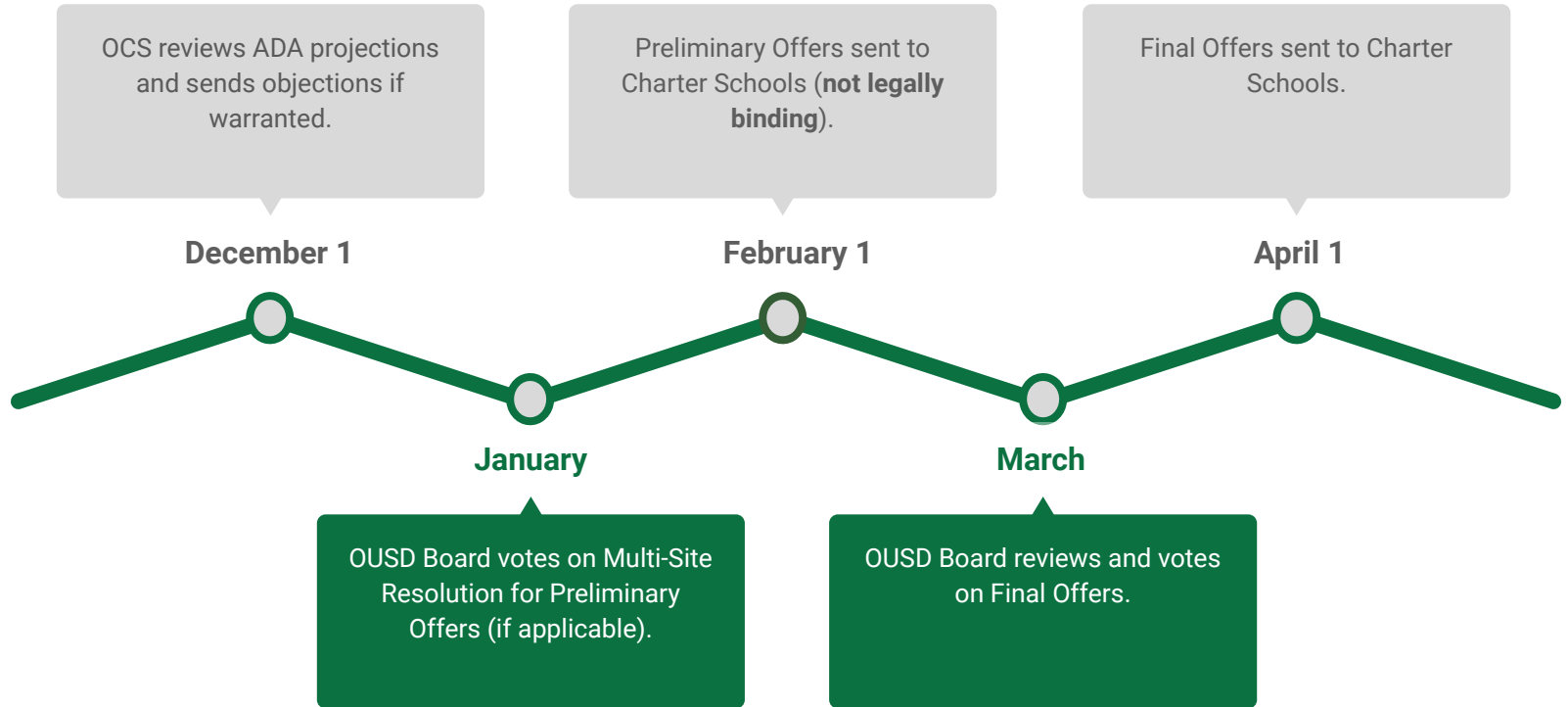


# 2023-24 Prop 39 Applications

School	Grades	Projected In-District ADA*	Requested Location
Aspire College Academy	TK-5	186.00	Requesting that ACA and Triumph Tech be co-located close to Bancroft Ave and 73rd. Specifically suggest Parker.
Aspire Triumph Tech	TK-5	177.00	
Aurum	6-8	156.75	East Oakland: Either former SOL campus or Parker
Baytech	6-12	347.60	First choice: King Estates. Second choice: Brookfield
EBIA	9-12	198.18	Near the Marshall campus
Envision	9-12	189.90	Preference for downtown, contiguous, and/or close to public transportation: Westlake, La Escuelita, Franklin, Bret Harte
LWL	TK-5	316.70	LWL/Global campus
Yu Ming	K-8	392.45	Single site for full K-8: no multi-site offer.

*\*Projected In-District ADA subject to change if OCS determines projection objections are warranted.*

# 2023-24 Prop 39 Next Steps



# Questions?

