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Enactment Number	20-1714
Enactment Date	12/2/2020 er



# Memo

**To** Board of Education

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

**Board Meeting Date** December 2, 2020

**Subject** Material Revision to Lighthouse Community Charter School's Admissions Preferences and Enrollment Maximum – Staff Recommendation

**Action** Vote

**Background**

- AB 1505 revised the procedures for making material revisions to charter petitions at the time of renewal. Previously, material revisions could be incorporated directly into the text of the renewal petition. AB 1505 revised the law to require charter schools to submit a separate material revision request to allow authorizing boards to consider the requested changes separately.
- Lighthouse Community Charter School submitted a renewal petition on 10/1/20 and an accompanying material revision petition on 10/2/20. The material revision request revises the charter school's admissions preferences to create a priority for homeless/unsheltered students and increases the schools maximum enrollment by 25 students.
- A public hearing was held for the material revision on 11/18/20. Representatives from the lead petitioning group presented.
- A decision hearing was held on 12/2/20.

**Discussion**

Office of Charter Schools staff and Superintendent recommend approval of this material revision request. We believe this material revision is consistent with the District's efforts to encourage charter schools to serve a higher proportion of high-needs students.

**Fiscal Impact**

Negligible. The proposed enrollment increase brings Lighthouse's maximum enrollment in line with the number of students the school

currently serves.

**Attachment**

Staff recommendation



TO: Board of Education

FROM: Kyla Johnson-Trammell, Ed.D., Superintendent  
Kelly Krag-Arnold, Office of Charter Schools

DATE: December 2, 2020

RE: **Lighthouse Community Charter School**  
**Charter Material Revision Request**

Legislative File

File ID No.: 20-2022

Introduction Date: 10/2/2020

Enactment No.: 20-1714

Enactment Date: 12/2/2020

By: er

### ACTION REQUESTED

**Approve** the material revision to the Lighthouse Community Charter School (“Lighthouse” or the “Charter School”) petition to revise the charter petition’s admissions preferences and maximum enrollment. The main text revision (see Material Revision Charter Petition pg. 115-116) amends the admissions preferences to include preferences for homeless/unsheltered students and reduces the percentage of children of Lighthouse staff and LCPS board members in their priority from 5% to 2.5%. Lighthouse is requesting this change to the admissions preferences in an attempt to recruit and accommodate unsheltered students. The material revision request also includes a text revision which will update the maximum enrollment from 490 to 515 (see Material Revision Charter Petition pg. 12). The enrollment increase adds 1 to 7 seats per grade in K-5 to the charter’s maximum enrollment. Lighthouse is requesting this change both to reflect its current enrollment and to meet enrollment demand.

If adopted, these revisions would take effect when the new charter petition takes effect (July 1, 2021) and would continue through the rest of the charter term (June 30, 2026). These revisions do not alter the likelihood of the petitioners’ ability to implement a sound educational program and the petitioners appear to be demonstrably likely to successfully implement the program set forth in the petition.

### SUMMARY

Staff recommends that the OUSD Board of Education approve the material revision of Lighthouse Community Charter School’s admissions preferences and maximum enrollment. Staff recommends approval based on the following:

1. Lighthouse’s current 2020-21 enrollment is 512 students, although their maximum enrollment, per their charter petition, is 490 students. A material revision is required for an enrollment increase of either 5% or 20 students beyond than the school’s enrollment maximum. While their current enrollment cap would therefore allow Lighthouse to serve up to 510 students without bring forward a material revision, this proposed change to adjust the maximum enrollment to 515 students would bring Lighthouse’s maximum enrollment in line with the number of students the school currently serves.

2. There are approximately 1,064 homeless/unsheltered students in OUSD, including OUSD-authorized charter schools, meaning this admissions preference change prioritizes a large group of vulnerable students in Oakland.
3. The changes to admissions preferences may help diversify student enrollment at the school, and is in line with the District’s efforts to encourage charter schools to serve a higher proportion of high-needs students.
4. The admissions preference changes and update to maximum enrollment are compliant with law.

**PROCEDURAL BACKGROUND**

- 1) AB 1505 revised the procedures for making material revisions to charter petitions at the time of renewal. Previously, material revisions could be incorporated directly into the text of the renewal petition. AB 1505 revised the law to require charter schools to submit a separate material revision request to allow authorizing boards to consider the requested changes separately.
- 2) Lighthouse Community Charter School submitted a renewal petition on 10/1/20 and an accompanying material revision petition on 10/2/20.
- 3) A public hearing was held for the material revision on 11/18/20. Representatives from the lead petitioning group presented.
- 4) A decision hearing will be held on 12/2/20.

**STATUTORY BACKGROUND**

**Pursuant to Education Code §47607(b):**

*Renewals and material revisions of charters are governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.*

**DISCUSSION**

Staff conducted an evaluation of the proposed material revision pursuant to the Charter Schools Act. It was determined that the changes made to the admissions preferences and maximum enrollment were compliant with relevant law and would be of benefit to students and families in the Lighthouse school community.

**ANALYSIS**

When evaluating the strength or weakness of a proposed revision, staff assess the whether the proposed changes are:

- Compliant with relevant law
- Beneficial to students/families
- Reasonably comprehensive and likely to be successfully implemented by petitioner

<b>Strengths</b>	<b>Reference</b>
<ul style="list-style-type: none"> <li>• Including an admissions preference for homeless/unsheltered youth is in-line with District’s efforts to encourage charter schools to prioritize</li> </ul>	Appendix I

<p>access and equity for vulnerable students.</p> <ul style="list-style-type: none"> <li>Reducing the percentage of children of Lighthouse staff and board members in the priority from 5% to 2.5% should contribute to the diversity of the student body at Lighthouse.</li> </ul> <p>Revised maximum enrollment would bring Lighthouse’s enrollment cap in line with the number of students currently served by the school.</p>	Appendix I
<b>Concerns</b>	<b>Reference</b>
<ul style="list-style-type: none"> <li>Changes to lottery preferences are only one piece of a comprehensive approach to diversifying student enrollment at a school.</li> <li>Revised maximum enrollment may potentially impact neighboring OUSD schools’ enrollment. <ul style="list-style-type: none"> <li>Lighthouse is currently above their enrollment maximum, serving 512 students. If they remain below their proposed new maximum enrollment of 515, this would mean that the impact of the proposed change would be very minor (~3 students)</li> <li>If Lighthouse was to exceed their new enrollment maximum by the current allowable amount, the impact would be slightly higher as they would be eligible to serve up to 535, which is 23 more students than their current total enrollment.</li> </ul> </li> </ul>	
<b>Additional Questions</b>	<b>Reference</b>
<ul style="list-style-type: none"> <li>None</li> </ul>	

## RECOMMENDATION

Staff recommends that the Oakland Unified School District’s Board of Education **approve** the material revision of the Lighthouse Community Charter School petition under the California Charter Schools Act. The factual findings illustrated in this report demonstrate that the material revision to the petition satisfies Education Code Section 47607(b):

*Renewals and material revisions of charters are governed by the standards and criteria described in Section 47605, and shall include, but not be limited to, a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.*

**APPENDIX I – Required Charter Text Revisions**

The renewal charter petition is amended from the filed petition to incorporate the revisions below.

**Proposed Changes to Maximum Enrollment**

*Current Renewal Petition Text, pg. 63*

**Figure #A.1: Enrollment Projections**

Projection	Current SY	Year 1	Year 2	Year 3	Year 4	Year 5
SY	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
K	53	48	48	48	48	48
1	52	48	48	48	48	48
2	54	48	48	48	48	48
3	53	47	47	47	47	47
4	54	50	50	50	50	50
5	56	55	55	55	55	55
6	56	56	56	56	56	56
7	64	69	69	69	69	69
8	70	69	69	69	69	69
<b>TOTAL</b>	<b>512</b>	<b>490</b>	<b>490</b>	<b>490</b>	<b>490</b>	<b>490</b>

**Maximum enrollment of school during the upcoming charter term: 490**

*Proposed Revision, pg. 12*

**Figure #A.1: Enrollment Projections**

Projection	Current SY	Year 1	Year 2	Year 3	Year 4	Year 5
SY	2020-2021	2021-2022	2022-2023	2023-2024	2024-2025	2025-2026
K	53	52	52	52	52	52
1	52	52	52	52	52	52
2	54	52	52	52	52	52
3	53	54	54	54	54	54
4	54	54	54	54	54	54
5	56	56	56	56	56	56

6	56	56	56	56	56	56
7	64	69	69	69	69	69
8	70	69	69	69	69	69
TOTAL	512	514	514	514	514	514

**Maximum enrollment of school during the upcoming charter term: 515**

**Proposed Changes to Admissions Preferences**

*Current Renewal Petition Text, pg. 172-174*

Students will be given preference<sup>1</sup> in Lighthouse K-8 random public lottery if their parents desire and they are:

1. A sibling to a current student in either the K – 8 Lighthouse Community Charter School and/or the 9 – 12 Lighthouse Community Charter School to keep families together
2. Not to exceed 5% of the total enrollment; A child of a school faculty, staff, board, to honor those committed to public education
3. Students who are currently enrolled in or who reside within the elementary school attendance area of the district’s public elementary school(s) in which Lighthouse is located
4. Students living in the 94621 or 94603 zip code
5. A sibling of a Lighthouse alum.
6. Other prospective students residing within OUSD boundaries: as required by Education Code Section 47605(d)(2)(B) and to serve as a public school option for students and families of Oakland

All other applicants

*Proposed Revision, pg. 115-116*

Students will be given preference in Lighthouse K-8 random public lottery if their parents desire and they are:

Priority Number	Admission Priorities
1	A sibling to a current student in either the K – 8 Lighthouse Community Charter School and/or the 9 – 12 Lighthouse Community Charter School to keep families together
2	Children of Lighthouse staff and LCPS Board Members (not to exceed 2.5% of total enrollment)
3	Students who are homeless/unsheltered during the time of enrollment or who become unsheltered while on the waiting list.

<sup>1</sup> Please note, at the time of submission in September 2020, a material revision has been submitted by Lighthouse K-8 to OUSD to add an admissions preference to allow for priority to be given to students whose families are unsheltered and/or homeless, according to the McKinney Vento definition.

	<p>(For the purposes of the charter, unsheltered will be defined by MCKINNEY-VENTO DEFINITION OF HOMELESS 42 U.S.C. § 11434a(2) The term “homeless children and youth”— A. means individuals who lack a fixed, regular, and adequate nighttime residence...; and B. includes — i. children and youths who are sharing the housing of other persons due to loss of housing, economic hardship, or a similar reason; are living in motels, hotels, trailer parks, or camping grounds due to the lack of alternative adequate accommodations; are living in emergency or transitional shelters; or are abandoned in hospitals; ii. children and youths who have a primary nighttime residence that is a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings...; iii. children and youths who are living in cars, parks, public spaces, abandoned buildings, substandard housing, bus or train stations, or similar settings; and iv. migratory children...who qualify as homeless for the purposes of this subtitle because the children are living in circumstances described in clauses (i) through (iii).</p>
4	Students who are currently enrolled in or who reside within the elementary school attendance area of the district’s public elementary school(s) in which Lighthouse is located
5	Students living in the 94621 or 94603 zip code
6	A sibling of a Lighthouse alum.
7	Other prospective students residing within OUSD boundaries: as required by Education Code Section 47605(d)(2)(B) and to serve as a public school option for students and families of Oakland
8	All other applicants.