

Board Office Use: <b>Legislative File Info.</b>	
File ID Number	20-0658
Introduction Date	3/31/2020
Enactment Number	
Enactment Date	



# Memo

(Revised)

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Sonali Murarka, Director, Office of Charter Schools  
Kelly Krag-Arnold, Policy Specialist, Office of Charter Schools

**Board Meeting Date** March 31, 2020

**Subject** Adopting Issuance of Proposition 39 Final Offers and Directing Staff to Issue Written Final Offers in Compliance with Proposition 39

---

**Action** Approval of one of three attached resolutions.

**Background** California Education Code section 47614 requires school districts' facilities be shared fairly among all public school pupils, including charter school students. California regulations require findings and a written statement of reasons by the Board of Education in the event a charter school, eligible for Proposition 39 facilities, makes a timely request and the District is not able to accommodate the charter school's request at a single school site.

The District must issue final offers of facilities to all eligible charter schools no later than April 1, 2020.

**Discussion** On January 22, 2020, the Board approved Resolution No. 1920-0075 ("Finding that Charter Schools Could Not Be Accommodated at a Single Site and Written Statement of Reasons Explaining the Finding") and the associated Staff Report "Process for Determining Charter Schools Which Cannot Be Accommodated at a Single Site For 2020-21 School Year." Those documents made a preliminary multisite offer to Francophone of the former Toler Heights Elementary School campus and a portion of Brookfield Elementary School.

On March 25, 2020, the Board considered but did not approve the same offer. Instead, the Board directed the Superintendent to (i) confer with Francophone regarding how it might mitigate certain impacts on the Brookfield Elementary School community (e.g., different start times to mitigate drop-off traffic) and (ii) bring back other site options in addition to Brookfield. In response, the Superintendent and staff has conferred

with Francophone and have brought back two other options in addition to Brookfield for the Board to consider.

Attached, for the Board's consideration, are the resolutions for the three different options:

- Resolution No. 1920-0221C is for Brookfield
- Resolution No. 1920-0221D is for Howard
- Resolution No. 1920-0221E is for Markham

Adoption of one of these resolutions is necessary to make Francophone a Prop. 39 offer. Additionally, adoption of a corresponding multisite resolution is necessary because the District is making a multisite offer to Francophone.

**Fiscal Impact**

Anticipated revenue of \$140,928.32 from Francophone Charter School, calculated as (\$4.94/sq ft) x (19,771 sq ft + 8,757 sq ft). The charter school will pay separately for the costs of utilities and custodial services.

The estimated fiscal impact is not anticipated to change based on which of the three options the Board chooses.

**Attachments**

Proposition 39 Final Offer for Francophone Charter School for 2020-21:  
Comparison of Options  
Resolution No. 1920-0221C - Adopting Issuance of Proposition 39 Facilities Offers and Directing Staff to Issue Written Final Offers in Compliance with Proposition 39 (Brookfield)  
Resolution No. 1920-0221D - Adopting Issuance of Proposition 39 Facilities Offers and Directing Staff to Issue Written Final Offers in Compliance with Proposition 39 (Howard)  
Resolution No. 1920-0221E - Adopting Issuance of Proposition 39 Facilities Offers and Directing Staff to Issue Written Final Offers in Compliance with Proposition 39 (Markaham)

## Proposition 39 Final Offer for Francophone Charter School for 2020-21: Comparison of Options

March 31, 2020

Staff are presenting three options to the Board for consideration for Francophone Charter School’s final Proposition 39 offer of facilities for 2020-21. Francophone Charter School is entitled to 13 classrooms under Proposition 39. All options assume that Francophone’s final offer will also include 6 classrooms at the former Toler Heights campus, which Francophone currently occupies. Thus, the table below outlines three options for the remaining 7 classrooms to be offered to Francophone Charter School.

A few notes:

- The three options were selected based on their location in East Oakland, which is the charter school’s preferred location, and based on the number of underutilized classrooms according to staff calculations.
- Francophone plans to house 150-190 students at their non-Toler Heights site. The exact number will depend on which grades they house at each site (which is typically determined in conjunction with the co-located district school principal) and how much enrollment attrition they experience.

Site Option	# of Underutilized Classrooms	Rationale	Considerations
Brookfield	15	<ul style="list-style-type: none"> <li>• Calculations show that Brookfield has more underutilized space than Howard; thus, this would potentially be slightly less disruptive to the school community and also might be a more sustainable option for future years as Francophone slowly expands their enrollment.</li> <li>• Brookfield community has been aware since late January of this potential Prop 39 offer. A community meeting was held on Feb. 19 to discuss the Prop 39 offer.</li> <li>• While concerns about the increase in traffic have been raised, Francophone is very willing to stagger their start time by 45 minutes to an hour to alleviate this concern. There is also a</li> </ul>	<ul style="list-style-type: none"> <li>• Brookfield is located slightly further from Francophone’s other site (Toler Heights) than Howard or Markham.</li> <li>• A new co-location is challenging for both schools involved, and this is a challenging time to begin planning for a new co-location.</li> </ul>

		parking lot near one side of the Brookfield campus that Brookfield staff do not use that could be made available to Francophone parents and staff.	
Howard	11	<ul style="list-style-type: none"> <li>• Francophone currently occupies this site as well as Toler Heights – remaining here would allow for stability for the Francophone community.</li> <li>• Francophone and Howard principals have already built a positive working relationship.</li> <li>• Francophone is likely willing to remain in the 6 classrooms they occupy at Howard rather than occupy the 7<sup>th</sup> classroom that they would be entitled to.</li> <li>• Francophone leadership have recently expressed that they are interested in remaining at the Howard site.</li> </ul>	<ul style="list-style-type: none"> <li>• Howard community has not been engaged about Francophone staying at Howard; rather, the Howard community has been under the impression that Francophone would be leaving.</li> <li>• Howard has less underutilized space than the other two options; thus, the co-location would potentially be more disruptive to the school community and also would be a less sustainable option for future years.</li> <li>• Howard community has been involved in other potential plans for the next school year to increase their enrollment, which would not be possible if Francophone stays at the Howard site.</li> </ul>
Markham	15	<ul style="list-style-type: none"> <li>• Calculations show that Markham has more underutilized space than Howard; thus, this would potentially be slightly less disruptive to the school community and also might be a more sustainable option for future years as Francophone slowly expands their enrollment.</li> <li>• Markham is located slightly closer to Toler Heights than Brookfield (though farther than Howard).</li> </ul>	<ul style="list-style-type: none"> <li>• Markham community has not been engaged about Francophone coming to Markham; however, the Markham community was engaged around a potential Prop 39 offer to Aspire ERES at the site (for 11 rooms, rather than the 7 rooms in this potential offer)</li> <li>• A new co-location is challenging for both schools involved, and this is a challenging time to begin planning for a new co-location.</li> <li>• Francophone leadership have informally expressed that they are not interested in the Markham site.</li> </ul>