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# Board Cover Memorandum

**To** Board of Education

**From** Kyla Johnson-Trammell, Superintendent  
Kelly Krag-Arnold, Director, Office of Charter Schools  
Marwa Doost, Compliance Specialist, Office of Charter Schools

**Meeting Date** June 22, 2023

**Subject** Update on 2022-23 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 June 22nd, 2023, the Office of Charter Schools has issued 11 total Notices of Concern in the 2022-2023 school year.

**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 2022-23 Notices of Concern by Issue Area
- Appendix II: List of 2022-23 Notices of Concern

**Appendix I: Summary 2022-23 Notices of Concern by School/Charter Management Organization (CMO)**

School/CMO	Failure to Submit Material Revision	Academic Concerns	Fiscal/Operational Concerns	Enrollment Issues	Total
AIMS Elementary				1	1
Bay Area Technology School			1	1	2
Lighthouse Community Charter School	1				1
North Oakland Community Charter School			3	1	4
LPS Oakland R&D			1	1	2
Oakland Charter Academy				1	1
<b>Total</b>	<b>1</b>	<b>0</b>	<b>5</b>	<b>5</b>	<b>11</b>

## Appendix II: List of 2022-23 Notices of Concern

Date of Notice	CMO/School	Category	Description of Concern	Resolution
7/22/2022	NOCCS	Fiscal Concern	OCS had several concerns related to the fiscal condition of the school including declining ADA, deficit spending trends, understated SPED cost, and declining ending fund balance.	Charter school complied with all remedies listed in the Notice of Concern and provided all requested documentation. OCS is continuing to monitor the fiscal condition of the school, particularly in the context of continued enrollment declines.
8/23/2022	BayTech	CALPADS Data & Reporting	BayTech failed to certify CALPADS data by the required deadline. Among other consequences, this oversight precluded the school's participation in CalSAAS.	Charter school complied with all remedies listed in the Notice of Concern, including participating in a teacher credentialing audit as they could not participate in CalSAAS due to their reporting failure.
8/30/2022	LPS Oakland R&D	Enrollment re: Students with Disabilities	A staff member at LPS told a prospective student with an IEP they did not have the resources to serve the student.	Charter school complied with all remedies including contacting the family to communicate the violation and offer assistance in enrollment. The student was then enrolled at LPS during the 2022-23 school year.
9/26/2022	NOCCS	Brown Act Violation	Board Meeting Agenda was inaccessible on the school's website as the Board page was "under construction".	Charter school corrected website to include the Board link on the home page. They nullified all actions taken at the 9/15 meeting and sent an email to the entire NOCCS community notifying them of the error, next steps, and the date and time for the next board meeting.
10/14/2022	AIMS K-8	Expulsion; Special Education	AIMS expelled a student without conducting the required manifestation determination as required by IDEA federal regulations.	Charter school complied with all remedies listed in the Notice of Concern, including contacting the family to let them know of the violation.
12/16/2022	LPS Oakland R&D	CALPADS Data	LPS failed to certify CALPADS data by the required state deadline.	LPS complied with all remedies listed in the Notice of Concern.
1/27/2023	Oakland Charter	Involuntary Disenrollment	OCA involuntarily disenrolled a student without sending an official notice to the family, as required by Education	OCA complied with all remedies listed in the Notice of Concern, including revising its

	Academy		Code 47605(c)(5)(J).	involuntary disenrollment policy section in AMPS' handbook to include the rights of parents and students under California Education Code §47605(c)(5)(J) and OCA re-enrolled the student.
3/6/2023	Lighthouse Community Charter School	Overenrollment	Lighthouse exceeded their enrollment maximum in the 2022-23 school year.	Lighthouse complied with all remedies listed in the Notice of Concern, including providing an explanation for over-enrollment and a plan for how to return enrollment to within the authorized maximum by CBEDS day in October 2023.
6/5/2023	NOCCS	Enrollment re: Students with Disabilities	NOCCS turned away prospective students and families from enrolling because the school believed itself to be unable to provide sufficient special education services for students, despite being a member of OUSD's SELPA.	Pending
6/13/2023	BayTech	Expulsion re: Violation of Charter Expulsion Procedure	BayTech violated the Suspension and Expulsion Procedures and Processing timelines outlined in its OUSD Board-Approved Charter Petition.	Pending
6/14/2023	NOCCS	Fiscal Management re: ELO-G Grant	NOCCS failed to submit its ELO-G Board Approved Expenditure Plan within five days of its adoption, as required by Education Code 43522(e)(1).	Pending